Permitting decisions

Bespoke permit

We have decided to grant the permit for Westmill II Landfill Site operated by Biffa Environmental Services Limited.

The permit number is EPR/DP3431PC

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 checklist to show how all relevant factors have been taken in to account.

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

- highlights key issues in the determination
- summarises the decision making process in the decision checklist to show how all relevant factors have been taken into account
- 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. The introductory note summarises what the permit covers.

Key issues of the decision

The variation application proposed an increase to the non-hazardous waste tonnage annual limit to 750,000 tonnes. It also proposed an increase to the slope height on cells 9 &10 to compensate for the area lost through surrendering the lagoon area on the North West boundary of the site (EPR/DP3431PC/S012).

The operator also proposed hydrogen peroxide dosing of the leachate to the sequencing batch reactor as additional treatment of leachate. However, the operator withdrew this proposal from the application and therefore this has not been considered as part of the application.

The Environment Agency have also agreed to add an inert waste activity to the permit for the disposal of inert waste to the South West of the site.

The key issues arising from this determination included assessment of impacts on slope stability, final topographic levels, restoration, landfill gas and dust emissions.

Annual waste Input limits

The Operator proposed an increase in the annual tonnage for non-hazardous waste to 750,000 (previously 399,999) the change does not alter the types of waste deposited as listed in schedule 2 of the permit and does not increase the overall amount waste of waste deposited. We have assessed the Environmental Risk Assessment and Landfill Gas Risk Assessment submitted as part of the application, along with the Odour and Dust Management Plans. We are satisfied with the risk assessments and we are satisfied that the increase in annual tonnage will not significantly increase the risk of pollution, including dust and odour emissions. We will therefore increase the tonnage to allow the site to be filled quicker.

Landfill Stability

The Operator proposed to increase the slope height on cells 9 &10 to compensate for the area of landfill lost through surrendering the lagoon area on the North West boundary of the site (EPR/DP3431PC/S012). This change was supported by a Stability Risk Assessment (SRA) which provided the proposed design for the north western area including cells 9 and 10, side slope sub-grade and the stand-off distance from the lagoon and risk screening to identify if any further assessments are required.

We assessed the proposals and the SRA. A number of areas were identified which required further information, which resulted in a Schedule 5 notice issued on 27th May 2016.

Further details were required of the containment system for the silt lagoon, so we could be satisfied that no leakage would occur. We requested that proposals were amended to reduce the gradient for the capping pre-settlement. Based on the information supplied the proposed gradient of 1:3.5 was considered to be too steep and should be reduced based on the stability risk assessment, surface water management, gas and leachate infrastructure maintenance and final land use.

Also the stability risk assessment provided with the application identified minimum factors of safety (FoS) but does not achieve them, no justification was given to support the FoS dropping below the minimum requirement in our guidance. Other questions raised related to the stability modelling for the side walls of cells 9 and 10. Clarification on the stability modelling was requested as 3 proposals were provided, and it was uncertain which design would be used. The full Schedule 5 notice dated 27/05/16 can be viewed on public register.

The operator addressed our questions in a response dated 27/06/16, stating that there was no evidence of seepage from the lagoon, and that the gradient was considered stable. They confirmed that a buttress would not be utilised in the construction. However the response did not satisfactorily address all our questions; no detail was provided for the containment, the proposals were not amended to a reduced gradient and no justification was given to support the FoS below the minimum in our guidance. The content of the response to the Schedule 5 Notice led to further questions therefore a second Schedule 5 Notice was issued on the 18th August 2016.

Further details relating to the lagoon were requested, including its design, an assessment on seepage, analysis of leakage, failure scenarios and possible effects on the slope and lining stability system to establish whether there is likely to be an effect on cells 9 &10.

We requested that the stability analysis be re-run with a greater density of cover soils to reflect the materials used on site and also requested a revised capping design to comply with the stability assessment. We were concerned that by designing the profile to the maximum limits of the capping materials it could cause shearing of soil layers and of the geomembrane cap. This would lead to increased permeability of the capping more infiltration and increased leachate generation which is a significant concern for the site.

We also had concerns over the identification of specific geosynthetic products in the operating techniques, as only critical design parameters should be identified. The individual products should be confirmed as part of the CQA plan and design specification, this provides flexibility for alternative products or products available on the market at that time to be used without compromising the design.

We also requested the restoration plan to be revised as the design criteria has been updated and the restoration plan should reflect this, and be submitted for Environment Agency approval. Refer to the second schedule 5 for full details dated 18/08/16.

The applicant provided answers to the questions asked. However, not enough detail was provided and questions remained over the containment of the lagoon and although the stability risk assessment was revised it did not include denser materials as requested.

Further detail was required as we were not fully satisfied at that stage that the proposals did not pose a risk of significant pollution. Therefore a third Schedule 5 Notice was issued to the applicant on the 28th November 2016, which requested the following:

Further details on the lagoon, including lagoon depth, side wall angles and silt input location which should also be incorporated into a revised stability assessment. We raised concerns over the stability assessment provided, because the cover soils proposed were not being used on site and the top soils need to be modelled in the risk assessment. The modelling had not used the soils thought to be on site (London Clay based soil) and re-modelling was requested. Our concerns over the incorrect PSR used were expressed, we thought a PSR between 1 and 0.5 was appropriate.
We were not satisfied an appropriate FoS has been used in the revised analysis. The FoS adopted for each component of the model must be related to the consequences of a failure. We also requested that the construction design in the stability risk assessment be made clearer. We were concerned that the final design would not be in-keeping with the surroundings, and result in a landform that would not be fit for purpose for its proposed final use. Refer to the third Schedule 5 Notice request for further details dated 28/11/16.

The operator responded to the third Schedule 5 Notice request on the 8th December 2016. Details of the lagoon were not provided because the area has not been engineered and so no accurate data of side walls was available. Due to the lack of information available we were still concerned with water seeping from the lagoon and stated in our response (fourth Schedule 5 Notice dated 18/1/17) that this will need to be addressed through the Construction Quality Assurance (CQA) process. The operator will need to submit a CQA validation report as required through the engineering conditions in the permit which will detail final “as built” construction and engineering details of the New Cell or of the Landfill Infrastructure. The operator stated that the SRA was based on observed data and trends and therefore considered a representation of the situation. We did not agree with this opinion and stated in our response that they will need to be tested and incorporated into the CQA plan and validated for the cap.
A revised SRA was presented with the addition of a buttress at the toe of the slope, the operator considers the cover soils to be representative of the restoration material to be used. This contradicted previous correspondence were a buttress was not going to used and posed the need for further questions around the change in design. A CQA plan will be prepared in advance of the cell finishing waste acceptance, which will detail proposals on how the cells 9 & 10 will be capped and sealed and the materials will be sandy soil and able to drain. This will be reviewed by the Environment Agency and if satisfied the plan will be agreed. Through the activity limitation imposed in the permit (Table S1.1) the Operator will be required to submit the CQA plan prior to the cell finishing to accept waste to comply with the limitation to commence capping within 6 months of the final waste profile.
The operator stated that a PSR (Parallel Submerged Ratio) value of 0.2 was conservative given the nature of restoration soils to be used along with the addition of field drains also the FoS of 1.5 and 1.1 for the capping layer are in line with the previously approved SRA undertaken by the Operator’s consultants SLR and with the guidance.
Lastly a conceptual cross section of the proposed restoration profile was provided, to demonstrate how cells 8-10 will be constructed and capped. On review of the operator responses we still had concerns over slope stability, pre-settlement topography and settlement modelling. This led to another Schedule 5 notice being issued so our concerns could be addressed.

A fourth Schedule 5 was issued to the operator on 18th January 2017. Requesting:

- The stability risk assessment be reviewed as the parameters of the leachate drainage system, upper side slope and capping system did not represent the CQA design. Drawing A088667/LDS/N/01 provided showed an increase in the pre-settlement contours by 5m indicating a steeper and higher restoration profile which has not been previously agreed, and a revision of the slope stability was requested because we were not satisfied that the correct FoS was being used.
- Confirmation of the slope design and a conceptual cross section, the previous correspondence had detailed a different construction without a buttress and differing slope angles and suggested a shallower slope angle should be used to eliminate complications.
- The design and location of surface water drains at the toe of the slope and also those cut into the slope. The conceptual cross section provided in the operator's previous response indicated a drainage layer above the geomembrane cap which could lead to a build-up of pore pressure and also drainage cut into the slope could each destabilise the slope.
- In the operator's previous response they proposed a buttress was to be used which contradicted what had been detailed earlier, we requested details of its location.

Refer to the fourth schedule 5 dated 18/01/17 (available on public register) for further details.

The operator responded on the 15th February 2017. Following assessment of the response we were not completely satisfied. The FoS used is the minimum we would want used, and we believe settlement rates may be overestimated which would potentially cause the slope to be a risk. The geomembrane has not been identified and tested, a waste derived material is unlikely to be suitable. We believe the slope stability should also be modelled with a geotextile beneath the geomembrane cap to confirm this design is acceptable. We decided that our concerns could be addressed by including limitations on the landfill activities through the permit. The limitations imposed in the permit (Table S1.1) are; the capping and restoration layers cannot be constructed at a slope ratio steeper than a 1:3.5, by imposing a maximum slope angle we are satisfied the risk has been reduced, and the operator has reassured us this will offer stability to cells 9 & 10. The operator confirmed on the 17/10/17 that field drains will be used in cells 9 and 10 rather than a geocomposite drainage layer, we are satisfied that by using field drains the proposed design to use a buttress is acceptable.

The second limitation will ensure capping is commenced within 6 months of final profile being achieved. This will ensure that the cells are not overfilled to a steeper profile and capping materials are included within the slope height and angle prior to settlement. The limitation will also restrict additional gas and odour escape and minimise additional infiltration which would lead to leachate generation.

Final Topographic levels

We were concerned that the settlement landform proposed by the operator was not realistic, no data had been provided for cells 6-10 based on current waste streams, which we believe would not settle as much as the operator was anticipating, which would lead to a greater slope than that proposed in the application.

The settlement modelling was based on data from 2004-2006, and we have not received any additional information to confirm whether these inputs are still valid. We believe the waste streams have changed significantly in the past 10 years and therefore the settlement landform will not be achieved.

Following our assessment of the settlement model and a revised contour plan received, we had concerns that the settlement plan which was produced in 2011, was not detailed enough for cells 6-10, nor did it represent the current situation on site.

Therefore in the fourth Schedule 5 Notice sent on the 18th January 2017 we requested a revised model to focus on cells 6-10 justifying the revised contours and to indicate when these contours would be met. A revised pre-settlement topographic plan was also requested (Drawing WK038500) to reflect the expected levels for 2021 when the waste deposits will cease. Please see the fourth schedule 5 for further details.

The operator responded on the 15th February 2017, providing reasoning for the settlement levels proposed believed to be based on data from capping of cell 1, however the model was not revised. We were not satisfied with the explanation given which was outlined in a letter sent to the operator on 6th April 2017

(available on public register). Drawing WK038500 is a theoretical maximum pre-settlement contour plan which must never be realised on site. Compliance with the maximum slope gradient condition imposed in the permit must be maintained at all times. The settlement of waste will commence as soon as it is disposed of in these cells. As the filling will take several years, when the site needs to cap and restore the area, the levels should be below this level, this will be assessed as part of the CQA plan for the Cap. Drawing WK038500 must not be used as a maximum fill level for waste on site otherwise the site will never achieve the post settlement profile.

Restoration

We were concerned that the restoration plan (dated October 2015) submitted with the variation application was not representative of the slope profiles proposed within the application and supporting documents.

The restoration plan submitted did not reflect the changes proposed in the variation and did not tie in with surrounding topography, making it undeliverable. The contours were also amended in the stability risk assessment which resulted in a higher restoration profile, which was not detailed in the restoration plan. A revised plan was requested in the first schedule 5 request dated 27th May 2016 address these concerns.

A revised restoration plan was submitted on the 26th June 2016, where this tied in with the surrounding topography, however the Stability Risk Assessment (SRA) was no longer representative of the design.

After additional modelling and risk assessment discussions, we were not satisfied the proposed control measures would ensure the slope profile would remain stable. Therefore SRA version 5 with a slope gradient of 1:3.5 has been identified in the operating techniques and the actual restoration profile will need to be agreed at a later date when capping and restoration design details are submitted.

Landfill Gas

We assessed the landfill gas risk assessment with regard to the proposals to increase the annual tonnage, and the whether there was an increased risk of pollution due to potential gas and odour emissions.

A Landfill Gas Risk assessment was provided as part of the application. We assessed the plan and needed further information and justification to explain why the Operator were not going to use additional gas engines when the report suggested that there would be sufficient gas available for another engine to be utilised. This question was posed in the first schedule 5 request dated 27th May 2016.

The operator's response on the 27th June was satisfactory, providing justification that the changes to waste composition that have been experienced over the last few years have led to uncertainty surrounding the levels of gas that will continue to be produced. And the increased predicted may not be realistic. However, if the predicted increase in landfill gas volume does materialise Biffa will increase flaring capacity to accommodate this as necessary and will also review the potential to increase grid capacity and install additional engines.

Odour Emissions

The potential for odour emissions was assessed as there is the potential for odour emissions as the annual tonnage is increased and historically we have received numerous complaints from members of the public and businesses within the locality of the landfill.

We have assessed the odour risk assessment and management plan and we are satisfied that there are appropriate measures in place to ensure there will not be a significant increase to odour. We have also included a limitation (Table S1.1) to waste disposal, to ensure that once a cell has been filled the waste will be capped within 6 months reducing the likelihood of any odour emissions.

Dust Emissions

The dust management plan provided as part of the permit variation dated December 2015 was assessed and considered to be un-satisfactory. The plan lacked information on how dust was to be managed during day to day operations on site and also when preparing and restoring the site. A request for a revised dust management plan was included in the first schedule 5 request dated 27th May 2016.

The operator did not provide a revised plan. However, as the activities are already being undertaken on site a pre-operational condition requesting a revised plan would not be appropriate and during the variation determination the Operator had begun liaising with the area officer it has therefore been agreed the Operator will provide us with a revised plan following the issue of this variation. The compliance officer for the site will liaise with the operator and ensure that an appropriate dust management plan is in place as soon as possible. This will be completed separately to the variation application.

Summary

We have assessed and reviewed all of the information provided within the variation application and the additional information received in response to each of the Schedule 5 notice requests. We are satisfied with the proposals in the application, with the exception of the proposed angle of the side slope and the dust management plan. Will still have some concerns about slope stability, the settlement rates particularly for cells 9 & 10. For this reason we have decided to impose conditions into the permit to limit the angle to 1:3.5 for the capping slopes and also to ensure that the cell cap is included into the slope height and side slope angle. In addition the cells are required to be capped within 6 months prior to settlement occurring.

During the determination of the application the operator informed us of their intention to fill the South West area of the site with inert waste. We considered this to be a lower risk activity and have agreed to include inert waste disposal into the permit, this is listed in table S1.1. A pre-operational condition has been included in the permit for the operator to submit all of the appropriate plans and risk assessments covering the activity for approval prior to this activity taking place.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential.
Consultation	
Consultation	The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement. The application was publicised on the GOV.UK website from the 14th January 2016 to the 11th February 2016. We consider this application to be of high public interest and so. The application was advertised in Hertfordshire Mercury from the 14th January 2016 to the 11th February 2016. We consulted the following organisations: Local residents liaison group Local authority environmental protection department, Health and Safety Executive, Local sewerage undertaker, Public Health England and the relevant director of public health The comments and our responses are summarised in the consultation section.
Operator	
Control of the facility	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 facility	
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 2 of RGN 2 'Defining the scope of the installation', Appendix 1 of RGN 2

Aspect considered	Decision
	'Interpretation of Schedule 1', 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	
Extent of the site of the facility	The operator has provided a plans which we consider is satisfactory, showing the extent of the site of the facility The plan is included in the permit. The site plan was amended to show the area for inert waste disposal.
Biodiversity, heritage, landscape and nature conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat. Downfield Pit (SSSI) 171m Downfield Pit (SSSI) 370m Deciduous woodland 25m (nearest) Wades Wood 1100m St. Johns Wood 1685m Ancient Woodland 1260m We have assessed the application and its potential to affect all known sites of nature conservation, landscape and heritage and/or protected species or habitats identified in the nature conservation screening report as part of the permitting process. We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.
Environmental risk assessment	
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. Please see the key issue section for further information
Operating techniques	
Odour management	We have reviewed the odour management plan in accordance with our guidance on odour management. We consider that the odour management plan is satisfactory.
Dust Management	We have reviewed the dust management plan in accordance with our guidance on dust management. We do not consider that the dust management plan is satisfactory.
Restoration Plan	We have reviewed the restoration plan in accordance with our guidance

Aspect considered	Decision
	We do not consider that the restoration plan is satisfactory.
Permit conditions	
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 • the environmental risk assessment is acceptable. We have transferred the waste lists from the previous permit. Table S2.7 has been included for inert waste, the waste types will be provided in accordance with pre-operational condition in table S1.4B.
Pre-operational conditions	Based on the information in the application, we consider that we need to impose pre-operational conditions for inert waste disposal. Please refer to the key issues summary section for further details
Improvement programme	Based on the information on the application, we consider that we need to impose an improvement programme. We have imposed an improvement programme to ensure that: leachate replacement wells are installed to ensure there are adequate wells in accordance with our guidance.
Emission limits	No emission limits have been added or amended as a result of this variation. Gas Engine LFGE 1 has been removed from the permit, it was an old engine and it is no longer on site. The previous permit had LFGE 3 as the older engine, this was incorrect. Limits for LFGE 3 have been amended to those post December 2005.
Reporting	We have specified reporting in the permit.
Operator competence	
Management system	There is no known 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.
Financial provision	The financial provision arrangements satisfy the financial provisions criteria.
Growth Duty	

Aspect considered	Decision
Section 108 Deregulation Act 2015 – 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

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
Public Health England
Brief summary of issues raised
Concern for possible emission of landfill gas and odour, due to the increased throughput of waste and advised to consult local authority environmental health. They note that an accident management plan or detailed complaints procedure had not been received. Based on the information in the application PHE have no significant concerns over the health of the local people provided that Biffa take appropriate measures to prevent or control pollution.
Summary of actions taken or show how this has been covered
We have assessed the Operator's proposals including their landfill gas risk assessment and odour management plan and we are satisfied, based on the information supplied, that there will be no significant pollution due to odour. The local authority environment health has been consulted, and we received no comments. An accident risk assessment and management plan was included in Table A4 of the Environmental Risk Assessment, which we have considered to be satisfactory. Complaints procedures are detailed in the individual management plans.

No other responses were received from organisations in the consultation section

Representations from community and other organisations

Response received from
Marriott Hotel and Country Club
Brief summary of issues raised
Concern expressed over the planning permission which expired on the 31st December 2015. Other key issues raised were regarding odour, dust, litter and noise and they feel more should be done to mitigate these key issues.
Summary of actions taken or show how this has been covered
Expiration of planning permission is a matter for the local planning authority. We are working with the site to reduce potential dust emissions, we are satisfied that the proposals will not increase dust emissions from the site. During the application determination we advised that the dust management plan will need to be revised, the area officer is currently liaising with the site to produce a plan to minimise any dust releases. We have included a limitation (Table S1.1) to waste disposal activities whereby the waste cells must be capped within 6 months of the final waste profile being achieved, to help reduce any potential odour or dust issues. We have assessed the noise and vibration risk assessment and management plan and we considered this to be satisfactory, the various mitigation measures are considered appropriate to control noise. The fugitive emissions risk assessment and management plan has been assessed, and although there maybe an increase in vehicle movements we are satisfied that the site have the appropriate controls in place and there will not be a significant risk of increased litter.

Response received from
Downfield Court Residents Limited
Brief summary of issues raised
Concerns were raised over continuing nuisance issues in particular odour and litter transmission. They also questioned the duration of landfill activities and whether the site will add any further waste to counter settlement.
Summary of actions taken or show how this has been covered
The fugitive emissions and odour risk assessments and management plans provided with the application were assessed and we are satisfied that the management plans have appropriate controls in place to control fugitive emissions and odour. We have included a permit condition for the cells to be capped within 6 months of filling to reduce any odour, and the dust management plant is currently being updated and will be submitted to the Environment Agency for approval. It is a matter for the Operator and the planning authority to decide how long the landfill activities continue for in the future. We have assessed the application based on the current proposals. Any significant changes to the current proposals could impact on emissions and we would therefore require the Operator to apply to vary their permit and at that point we will assess any impacts on the environment and human health. The existing proposals are once cells have had a final cap there will be no deposit of waste only restoration materials as listed in the permit. Any change to this would require a variation to the permit.

Representations from individual members of the public.

Brief summary of issues raised
Residents raised concerns over odour and the entrance road not being kept clean
Summary of actions taken or show how this has been covered
We are satisfied with the proposals for minimising odour. An odour management plan was submitted with the application which is considered satisfactory. In addition to conditions controlling odour already in the permit we have included a condition in the permit that requires cells to be capped within 6 months of filling this will further reduce the risk of odour pollution from the site. We are satisfied that there are appropriate controls measures to keep the entrance road clean. They are required to operate in accordance with the approved plan.

Brief summary of issues raised
The concerns raised covered application errors, Application not IED compliant, no planning permission, contradictions with the planning application, the operator not complying with their permit, environmental impact, requirements of the European Directives not being met: the proposals conflicts with the Waste Hierarchy and that this is capable of being a material consideration when determining individual proposals for waste management facilities. The proposals fail to deliver the high level of protection required by the IED other concerns raised are conflict of interest and financial security.
Summary of actions taken or show how this has been covered
Two sets of forms were received from the operator and put on public register, this may have caused confusion. We are satisfied the application forms have been filled in correctly. We are satisfied that the information submitted via the application and the subsequent Schedule 5 notice was sufficient to comply with article 12 of the IED and for us to make our decision. With regards to submitting a baseline report we would only require this information if the operator were going to extend the

landfill.
The requirement for Planning permission to be in place prior to issuing a permit is no longer a requirement under EPR.
EPR and the planning are different regimes, we base our decision on the application. If we issue a permit this does not obviate the need for the Operator to comply with their planning consent.
We are satisfied that the applicant can comply subject to the limitations placed on waste disposal activities.
We are satisfied that the changes will not result in an unacceptable impact on the environment, as discussed in the main body of the DD. The assessment of proposals is completed by our own technical experts, who will provide comment on whether the proposals are satisfactory or not.
With regard to odour and litter refer to key issues section- odour and dust emissions.
We have considered the potential for traffic increases, however we do not consider the proposals will cause a significant impact. Any potential for increased traffic outside of the installation boundary is a consideration for the planning authority.
Any visual concerns of the landfill are for consideration of the planning authority. Concerns over stability have been addressed in the key issues section of the decision document.
Any loss of footpaths is an issue for the planning authority.
The depth of the landfill is addressed through CQA conditions in the permit.
The guidance referred to about the waste hierarchy being capable of being a material consideration relates to planning applications. The need for particular types of facility is a matter for the Government's waste strategy and local authorities. The Environment Agency has to assess whether the environmental impacts of what is proposed are acceptable or not. As explained in the key issues section we are satisfied that the proposals are acceptable and that the conditions imposed will achieve a high level of protection for the environment and that all relevant legal requirements have been satisfied.

We do not believe there is a conflict of interest in our assessment the application. Former colleagues have no influence over application assessments or concerns the Environment Agency may raise.
Biffa are the current operators they have a financial provision agreement in place with us to provide funds for future management and restoration of the site until the permit is surrendered. If the operator changes, then the permit will be transferred to the new operator once we have assurance they are competent in line with our guidance and an appropriate financial provision agreement is in place.
Please refer to the consultation section, for details of who has been consulted.
As part of permit variation EPR/DP3431PC/V011 an additional leachate treatment plant for biological treatment was included for leachate both on and off site.

No other responses were received