

South Derbyshire District Council
Civic Way
Swadlincote
Derbyshire
DE11 0AH

Our ref: EPR/AB3501GR
 EAWML 41816
Your ref: **DMPA/2021/1072**
Date: 18 May 2022

For the attention of Mr S Mott

Dear Sir

Planning Application DMPA/2021/1072 Park with cycling facilities on land to the north of William Nadin Way, Swadlincote

We refer to the planning application DMPA/2021/1072 Park with cycling facilities on land to the north of William Nadin Way, Swadlincote.

We wish to provide comments to South Derbyshire District Council both as an applicant for this planning permission and as the relevant Planning Authority and we wish these comments to be held on the planning file for this application. Unfortunately, our full comments were not included in the response to you as part of the planning permission consultation process and we apologise for this oversight.

The land subject to this application has the benefit of an environmental permit because it is a former landfill site. The permit is still live and the permit holder is Harworth Estates Investments Ltd. The permit holder is legally obliged to comply with the permit conditions even if the ownership of the land or its use changes.

We would like to draw to your attention to the requirements of particular permit conditions covering particular aspects of the site which need to be taken into account during the development and subsequent use of the site as an urban park so as to ensure the permit conditions continue to be met;-

- i) The waste in the former landfill is covered by a protective clay cap and this in turn is protected by at least 0.5 metres of subsoil. The cap prevents water entering the site and generating leachate. The development of the site will involve some cut and fill and movement of materials around the site. During these processes the cap must be protected.
- ii) Permit conditions require that the site surface is impervious to water and shall be laid to an appropriate fall to assist the shredding of water.
- iii) Permit conditions require landfill gas monitoring boreholes and groundwater monitoring boreholes to be maintained. This is because regular environmental monitoring is required by permit conditions.

- iv) Permit conditions require the maintenance of the venting pipes and cowls. This is because the ventilation pipes are designed to vent landfill gas from the site and the cowls are protective flame arrestors. The venting pipes are located at the perimeter of the waste mass.
- v) Permit conditions require the maintenance of leachate management equipment. This is because regular monitoring of leachate levels takes place. The leachate chamber will need to be maintained in the eventuality that leachate extraction may be needed at some point in the future.

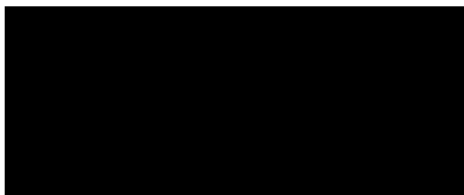
Over the last two years, an investigation has taken place by the permit holder into elevated levels of gas that have been detected in perimeter boreholes at the east of the landfill which are now in close proximity to the new housing development. Historical environmental monitoring results have shown that the levels of gas in these boreholes were relatively stable until the period when the movement and storage of bulk materials on the landfill happened during the construction of the adjacent houses. It is therefore likely that the land disturbance during this time affected the movement of underground gases. In order to understand the risk from the gas, the permit holder has voluntarily undertaken investigations and additional environmental monitoring. We are in currently discussion with the permit holder about the installation of additional landfill gas monitoring boreholes which will be located on the east of the site. The locations and number of boreholes have not yet been agreed. Provision will need to be made in the scheme for the installation of these new boreholes.

Please also consider the requirements in the Dangerous Substances and Explosive Atmosphere Regulations (DSEAR) These regulations require stand-off zones and warning signs around some of the structures on site. (refer to HSE for information). We would also recommended a suitably detailed 'personnel' risk assessment to be undertaken to ensure that the necessary control measures e.g. fences/signage and any other safety mitigation measures are identified and implemented.

Please also be mindful of surface water run off during the construction of the project particularly relating to pollution from suspended solids entering the brook at the southern end of the site.

We trust this information is of assistance but if you require any further information regarding the permit conditions, please do not hesitate to contact us.

Yours faithfully



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