

## **WEST DUNBARTONSHIRE COUNCIL**

### **Report by the Strategic Lead – Regulatory**

**Planning Committee: 28<sup>th</sup> August 2019**

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**Subject: Annual Review of Quarries and Landfill Sites**

#### **1. Purpose**

- 1.1** To update the Committee on the annual monitoring of the two quarries and two landfill sites in the West Dunbartonshire Council area along with the status of the relevant restoration bonds which apply to three of the sites.

#### **2. Recommendations**

- 2.1** That the Committee notes the progress of the quarry and landfill sites, the status of the relevant restoration bonds and that a further update will be provided to the August Planning Committee 2020.

#### **3. Background**

- 3.1** Formal monitoring arrangements of the Council's two quarries and two landfill sites were agreed by the Planning Committee in 2014. An annual report is presented to the Planning Committee detailing the progress of the operations, restoration arrangements and highlighting any issues at the two quarries and two landfill sites within this Council's planning authority area. The Planning Compliance Officer continues to monitor the progress of the landfill and quarry sites assisted by the wider planning team on an annual basis and if and when required.

#### **4. Main Issues**

##### Annual Monitoring of Sites

- 4.1** Monitoring visits took place this year during April – June by the Planning Compliance Officer assisted by Planning Officers. All four sites continue to progress in accordance with the terms of their respective planning permission.

The sites vary in the restoration requirements set out by the planning consents, and therefore the extent of restoration that has been carried out on each site also varies.

#### Auchencarroch

- 4.2** Landfill is ongoing at the site and is divided into a series of separate 'cells' (an engineered depression in the ground prepared for the infill of material) for operational purposes. Work is ongoing on waste disposal operations by way of infilling existing cells and restoring previously used cells. There are challenges with the final restoration of the dry heathland habitat. Seeding to the cell side has not been successful and requires further work. Settlement of the cell continues and has prevented restoration to the top level of the cell. It has been agreed that changes to the final restoration scheme will be addressed through a future application to extend the lifetime of the quarry.
- 4.3** The recycling centre has seen a reduction in material received on site as two waste streams have ceased due to expiry of contracts. The amount of waste being deposited as landfill remains significantly below the approved maximum allowance. Consequently the rate at which the landfill site is being filled is significantly slower than was envisaged when permission was granted. The extant planning permission permits the disposal of waste until 31 December 2022 with restoration to be completed by 31 December 2024. Initial discussions have taken place with the operator who has indicated that they intend to submit an application to extend the life of the landfill site in the future.

Permission for clay extraction from an area of land adjacent to the west of the landfill site was granted permission in July 2019. The removal of clay is required to be used as a lining within the cells of the landfill site. This planning permission is separate and subject to its own planning conditions which will be monitored on an ongoing basis once works start.

- 4.4** A meeting was held in July 2019 to discuss the restoration bond which will cover both the main site and the new clay extraction site. The review of the bond will also take into account the anticipated application for the extension of the life of the landfill. The procurement process has commenced for the review of the bond with the bond intending to reflect the cost of site restoration including the implementation of the habitat management plan. In the meantime the original bond of £120,000 remains in place.
- 4.5** In addition to the original bond the site is regulated by SEPA as it offers specified waste management activities. The operator has demonstrated to SEPA that there is adequate financial provision by submitting an annual certificate. Every three years the financial provision is required to be reviewed, to provide confirmation from an independent auditor that they have reviewed the site expenditure plan and that it remains an accurate reflection of projected provision requirements. The annual submission is due to be submitted to SEPA by 8<sup>th</sup> September 2019.

- 4.6** Over the previous year no complaints have been received in respect of the landfill or recycling centre

Dumbuckhill Quarry

- 4.7** Blasting continues primarily along the north and east faces of the quarry at the upper benches towards Milton. In addition machinery has been located at the top of the eastern face to quarry out the promontory near to bench 135, (second working platform area from the top of the quarry). Blasting has yet to be completed to smooth the quarry face at the upper most platform. It is anticipated no heavy machinery will be required at this location which had previously led to complaints from the residents of Milton Village. The movement of quarrying is generally downwards and outwards into the quarry floor. The mobile crusher plant continues to be located on the quarry floor and aggregate output continues to increase.
- 4.8** Complaints were made in respect of work undertaken at the top eastern ridge and an alleged slip of quarry material. The Planning Compliance Officer visited the site and the work undertaken at the crest of the quarry was found to be within the consented area. The complaint regarding the alleged slip was reported to the Health and Safety Executive. Some raveling (small scale rockfall) was noted however no evidence of significant instability and no immediate concerns were identified. The Health and Safety Executive have requested remedial measures for a containment ditch and rock netting around the upper outer edge of the quarry and this will be followed up directly by the Health and Safety Executive. Once the works are completed, the Health and Safety Executive will notify the planning service.
- 4.9** There were also a total of eight complaints received regarding the blast vibrations. The Environmental Health Service monitors noise levels from agreed locations during blasting at the quarry. None of the monitored blasts were found to have exceeded the maximum levels set and therefore there was no required action. There have been a number of occasions whereby blasting has been undertaken without prior notification being given to the Environmental Health Service. Complaints have also been received after the blasting. The Environmental Health Service have made the operator aware of the requirement to give them prior notification of blasting operations and the nature of complaints received.
- 4.10** The main restoration works at Dumbuckhill Quarry will be habitat and landscape improvements to be carried out upon cessation of use of the quarry. As works are complete to the uppermost bench replanting has taken place and a number of differing shrubs and trees have been planted as per the restoration plan. It is too early to advise if the initial restoration has been carried out successfully; the 2020 report will provide a more accurate picture.

- 4.11** The current restoration bond in place for Dumbuckhill Quarry was agreed in 2014 following a review suggesting that the importation of soil may not be the optimum means of restoration and that site won materials could be more suitable. Selected overburden from the site was identified as suitable material and agreement reached was reached with the operator to test a sample area within the site at a later stage in the Quarry life. A short term bond of £200,000 was agreed.
- 4.12** The operator is intended to submit two applications by the end of August 2019. The first application is to extend the life of the quarry beyond the consented expiry date of 5th April 2024 as the rate at which quarrying has taken place has been significantly slower than was envisaged when permission was granted. The second application is the Review of Minerals Permission whereby conditions on the original 2004 permission are required to be reviewed on 15 year basis.

Rigangower Landfill

- 4.13** The recycling plant was working at full capacity during the annual visit. Works to remove landfill and recycling through the centre continues. During a visit the operator was advised that material set aside for recycling was at risk of breaching a planning condition of the permission (storage of materials should not to exceed 9 metres in height). This was noted by the operator and has now been complied with.
- 4.14** The bunding (landscaping wall) continues to be very effective and little noise is evident on the non-operational side. The trees previously planted help to further screen the development. The trees to the east continue to mature and in time will contribute to further screening of the bund. The bund that was previously seeded has fully grassed over softening the sides giving a more natural appearance from the adjacent public footpath. Work on the site is being undertaken in accordance with the agreed phasing plan which is for final restoration to be completed by 2044 which is consistent with the consent lapsing. The restoration plan is at an early stage with phase one being implemented. This includes the successful seeding of the area to the north side of the recycling plant.
- 4.15** Excavation of the previously filled areas to recover material continues however at the time of the site visit, no work had commenced on the approved extension to the landfill site. The operator intimated it would be unlikely that this area be worked shortly due to the volume of material available to recycle elsewhere on site. Permission has been granted to allow for the operation of the recycling plant on a 24 hour basis subject to a minute of variation of the legal agreement. The conditions from the previous approval have been re-imposed or varied as appropriate and will be subject to ongoing monitoring.
- 4.16** The review of the bond is due to take place in 2020 in accordance with the date specified on the original consent. The timescale for the review of the bond will remain unchanged and will be in line with the original consent. The restoration bond that is currently in place is set at £70,000

for the entire site. SEPA also regulate Rigangower as it offers specified waste management activities. The operator has demonstrated to SEPA that there is adequate financial provision by submitting an annual certificate. No complaints were received in respect of the site.

#### Sheephill Quarry

- 4.17** This quarry has a historic planning permission dating from 1949, with very few conditions controlling operations on the site or restoration requirements. The site is operating in compliance with its current permission. The site is however subject to long running ongoing applications for a Review of Minerals Permission (ROMP) which would result in more appropriate new conditions, and also for an extension to the north-west of the extraction area. The operator's agent has indicated that the operator wishes to progress these applications. Both applications will be presented to a future Planning Committee.
- 4.18** At the time of the visit quarrying was ongoing on the east face of the original quarry void with the vast majority of plant on this part of the site. Quarrying on the west side is limited as the aggregate achieved is of lesser quality and demand is weak for this product. Work has yet to commence on the previously approved haul road that would link the western workings to the original quarry. Work has however commenced to create an access to the area south of the west quarry. These works are near to a SNH geological designated site however protection has been placed around this section to prevent any damage to the ground feature. All foregoing operations are within the boundaries of the 1949 planning permission.
- 4.19** There is currently no restoration bond in place due to the age of the planning permission for the quarry. However, the application for the extension area would be subject to an appropriate restoration bond. The procurement process is underway to provide adequate bond for that part of the site. No complaints were received in respect of the site.

### **5. People Implications**

- 5.1** Staff time will be required to take forward any issues which arise from the monitoring exercises across all sites. It is anticipated that this additional workload can be accommodated through existing staff resources.
- 5.2** The two quarries and landfill sites will be formally monitored by the Planning Compliance Officer, assisted by Planning Officers, on an annual basis and further site visits are also undertaken following issues/complaints that merit a site visit.

## **6. Financial and Procurement Implications**

- 6.1** Financial implications could arise in the future in the event of the failure of one of the site operators without a restoration bond, or if a bond was not sufficient to cover the required restoration of the site.

## **7. Risk Analysis**

- 7.1** There are financial and reputational risks to the Council if the sites are not formally monitored or the bonds are not adequate to cover the full cost of implementing the agreed restoration proposals. There is a higher risk to the Council if no bonds are in place and the operator fails.

## **8. Equalities Impact Assessment (EIA)**

- 8.1** It is not considered that the report or recommendations raise any equality issues.

## **9. Environmental Sustainability**

- 9.1** Where appropriate, quarry and landfill sites have been subject to Environmental Impact Assessment through the processing of the respective planning applications.

## **10. Consultation**

- 10.1** No consultation was necessary for the preparation of this report.

## **11. Strategic Assessment**

- 11.1** The annual monitoring of the quarry and landfill sites aligns with the strategic priorities of the Council.

**Peter Hessett**

**Strategic Lead – Regulatory**

**Date: 28<sup>th</sup> August 2019**

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**Appendices:** None

**Background Papers:** Planning Committee Report, 6 September 2018:  
Annual Review of Quarries and Landfill Sites

Planning Committee Report, 30 April 2014 - Review  
of Quarries and Landfill sites (monitoring  
arrangements)

Site Notes - Monitoring of Quarry and Landfill Sites  
2019

**Wards Affected:** Ward 1 (Auchencarroch Landfill Site)

Ward 3 (Dumbuckhill Quarry, Sheephill Quarry and  
Rigangower Landfill Site)