

# Permitting - Waste Recovery Plan assessment form

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**Document Owner:** Wales Permitting Service

## Version History

Document Version	Date Published	Summary of Changes
1.0	10-2024	Document published

Review Date: 10-2026

# Waste Recovery Plan Assessment

## Plan details

PPN/PAN reference:	PAN-025929
EPR reference	EPR/MP3330WP/V005
Applicant name:	Resources Management UK Ltd
Facility/site name & address:	Withyhedge Landfill Rudbaxton Haverfordwest SA62 4DB
Industry regulation team:	Industry and Waste Regulation South West
Date received:	21/03/2025
Fee paid:	N/A – time and materials to be recovered following assessment
Type of submission:	Substantial variation application
Previous submission:	N/A
Permitting officer name:	Jennifer McGuire
Date of assessment:	15/08/2025
Time recording (in minutes)	1,140

## Part 1: Evidence to support recovery of waste

The WRP must demonstrate that waste is substituting a non-waste, this can be demonstrated one of three ways.

- Financial benefit by using non-waste
- Funding to use non-waste
- Obligation (specific or general)

Only one of these ways needs to be demonstrated, but we should consider any evidence provided.

<b>A. Financial gain or other worthwhile benefit by using non-waste materials</b>	
Have details of the scheme that will provide financial (or other worthwhile) benefit been included?	<b>NO</b>
<del>Has the expected income or capital gain (or other worthwhile benefit) been included?</del>	
<del>Have all the costs of generating this income / capital gain (or other worthwhile benefit) been specified? Including the costs of carrying out the scheme with non-waste and ongoing operating costs.</del>	
<del>Does it show that it would be commercially or otherwise worthwhile to complete the scheme using <u>non-waste</u>. E.g. there would be a meaningful financial gain / it is affordable and otherwise worthwhile</del>	

<b>B. Funding to use non-waste materials</b>	
Has evidence been included that shows the scheme falls within the applicants area of responsibility / activity?	<b>NO</b>
<del>Has evidence been included that shows the scheme would result in a benefit that is proportionate to the scheme?</del>	
<del>Has evidence been provided to show that the applicant has secured the funding needed to cover all the costs of using <u>non-waste</u>, and ongoing operating costs</del>	

<b>C. Obligation to complete the scheme</b>	
<b>i. Specific obligation</b>	
Has evidence been supplied to demonstrate there is a specific obligation on the applicant?	<b>NO</b>
<del>Does this include plan and cross sections that show the proposal matches the obligation?</del>	

<b>ii. General obligation</b>	
<p>Has evidence been supplied to demonstrate there is a general obligation? i.e. an obligation to achieve a certain result but not how.</p>	<p><b>YES</b> – The planning permission ‘Amendment of Conditions’ have been provided as evidence that there is a requirement on the operator to restore and landscape the landfill following completion.</p> <p>Condition 3: <i>“the site shall be landscaped and restored to agricultural afteruse in accordance with the scheme submitted on 13 Novemeber and received on 14 November 1996 and expanded upon in he Agent’s letter 3 May 2000 and as dealt with by letters dated 28 May 1997, 7 July 1997, 14 October 1997 and 6 September 2000”</i></p> <p>Whilst none of the plans/letters in the conditions were provided by the applicant (hence why a specific obligation cannot be applied for), the evidence is suitable for demonstrating a general obligation.</p> <p>Our guidance also states that where an R5 activity has been requested on a landfill, <i>“we could agree to recovery following assessment on the basis that the permit provides an obligation for the works to go ahead, regardless of whether waste or non-waste is used”</i>.</p>
<p>Does the WRP demonstrate why the obligation would be met by carrying out the scheme proposed?</p>	<p><b>YES</b> – there is an obligation to restore and landscape the landfill once waste disposal has ceased. This requires suitable soils, both subsoil and topsoil, which may be sourced from waste or non-waste materials. They must also design the landfill in a way to protect the surrounding environment. The permit requires a 1 metre (m) unsaturated zone is maintained. To ensure this, when a cell is constructed, some of it needs to be ‘cut’ and some parts need to be ‘filled’.</p>
<p>Does the WRP show how the proposed scheme meets the obligation?</p>	<p><b>YES</b> – the applicant has provided the required plans and cross sections showing the pre-settlement levels.</p>

**iii. In the case of a planning condition**

<p>Was the local planning authority directly involved in the design of the scheme when planning was granted?</p>	<p><b>N/A</b> – proposed restoration design is not specifically covered by existing planning conditions.</p>
<p>Would the local planning authority be likely to agree anything significantly different?</p>	<p><b>NO</b> – restoration of landfill is a key planning consideration.</p>

## D. Evidence the waste is suitable

<p>Have the waste types been identified, and the function / use they are fulfilling?</p>	<p><b>YES</b> – the applicant has provided a refined list of suitable wastes they will use and have stated whether the waste will be used for the liner or soil restoration layers. Exact waste types (from this list) based on engineering requirements will be confirmed via the Construction Quality Assurance (CQA) process as the landfill is progressively developed and capped. We are in agreement with this approach in this instance.</p>
<p>Are the waste types and uses included in the list of waste types and typical uses in our guidance?</p>	<p><b>YES</b></p>
<p>Does the waste and intended use meet the relevant restriction criteria in the list?</p>	<p><b>YES</b></p>
<p>If the waste types and/or uses are not listed in our guidance or it does not meet the relevant criteria:</p>	
<p><del>Has information been provided about the chemical properties of the waste?</del></p>	
<p><del>Has information been provided about the physical properties of the waste?</del></p>	
<p><del>Has information been provided about the engineering properties of the waste?</del></p>	
<p><del>Does this evidence show that the waste is suitable (in principle) for the intended purpose?</del></p>	
<p><del>Does the evidence show that the waste will not cause pollution?</del></p>	
<p><del>Has the evidence been provided by an appropriately qualified person?</del></p>	

Does the WRP show that the specification of the waste is comparable to the non-waste being replaced?	
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## Part 2: Other information required unless there is a specific obligation that specifies these details

<b>Purpose of the work</b>	
Has evidence been provided to show how the scheme will be carried out and completed?	<b>YES</b> - the applicant has provided plans and cross sections showing final restoration level. Detailed designs of cell construction will be confirmed during the CQA planning process as the landfill is progressively developed and capped. We are in agreement with this approach in this instance.
Has evidence been provided to show why the scheme is needed?	<b>N/A</b> – This requirement is not applicable where landfill restoration is a key final stage of landfilling and operators are required to restore the land back to land which is of beneficial use. Use of clays in engineering are required to protect the environment from pollution from waste deposit.
Has evidence been provided to show how the scheme will meet that need?	<b>YES</b> – the WRP details how using recovered waste for engineering purposes and restoration will help develop a landfill which protects the environmental and land-use following development is restored.

## Quantity of waste used

<p>Has evidence been provided to show that only the amount of waste needed will be used?</p>	<p><b>YES –</b></p> <p><u>Soil for restoration</u> The applicant has stated that to ensure land is suitable for use following closure of the landfill, 800mm sub-soil overlain by 200mm of topsoil is required. They have used the final area of the landfill left to restore to calculate 265,164 tonnes (t) of waste soils are required. Based on 11 years (10 years of waste deposit, plus one extra year for restoration), this equates to 33,194 t/year. We've checked these calculations and are in agreement with the applicants predictions.</p> <p><u>Engineering requirements</u> The applicant has calculated a total of 15,6667 t of waste clays are required for the next 10 years of development for cut and filling. This equates to 15,667 t/year. They have been able to estimate these requirements for the next cell they are developing (cell 11) in accordance with recent groundwater level data. However the rest of the development has been based on an assumed 1.2m standoff from groundwater. Whilst we agree this is a reasonable assumption, the permit will contain requirements for the operator to review the WRP quantity in order they are still fit for purpose, in accordance with more current groundwater level data.</p> <p><u>Total quantities</u> Based on the above calculations, a total of 421,831 t of restored waste is required. Per year, this equates to 48,874 t/y. The applicant has applied for a permit limit of 50,000 t/y. The addition of a small buffer will allow for the construction of bunds and uncertainty in waste availability. NRW consider this buffer reasonable.</p>
<p>Has evidence been provided to show that alternative proposals that use a smaller amount of waste to achieve the same function have been considered?</p>	<p><b>N/A –</b> a smaller amount of waste would not allow the Operator to carry out the intended function. They have confirmed that top soil will be sourced from the site and recovered waste is not required for this purpose.</p>

<p>Have plans and cross section been provided showing original and planned final ground levels? These must be to a suitable scale and levels shown relative to ordnance datum.</p>	<p><b>YES</b></p>
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<p><b>Evidence the scheme is sustainable</b></p>	
<p>Has evidence been provided to show how the scheme will be designed and constructed?</p>	<p><b>YES</b> – the applicant has provided plans and cross sections showing final restoration level. Detailed designs of cell construction will be confirmed during the CQA planning process as the landfill is progressively developed and capped. We are in agreement with this approach in this instance.</p>
<p>Does the evidence show how the scheme will be fit for purpose?</p>	<p>Final approval will be given for the detailed designs via the CQA process. The applicant will have to demonstrate that the waste types are suitable for the purpose they are intended. This will include chemical and geotechnical testing.</p>
<p>Does the WRP demonstrate that the <u>finished</u> scheme will not result in pollution or any other environmental problems, such as soil erosion, increased risk of flooding?</p>	<p><b>YES</b> – land use following restoration will be agricultural so there are limited potential risks to human health. Run-off has the risk of being contaminated prior to discharge to the watercourse but CQA plans will ensure only inert soils are used and free from any materials which could damage capping systems.</p> <p>There are negligible risks when considering the very limited opportunity for contact for groundwater but CQA plans will ensure only suitable materials are used for engineering purposes. Surface water will be collected and settlement of suspended solids will be facilitated via settlement ponds prior to discharge to the River Rudbaxton.</p> <p>CQA plans will ensure the waste types used will not be a source of odour and not release anymore dust that site sourced material.</p>

## Decision

### Does the WRP demonstrate recovery?

**YES** – the applicant has shown that their recovery activity meets our guidance requirements as far as possible at this application stage. We agree that the detailed design of the scheme, including waste types and engineering specifications for cell construction and restoration layers, will be agreed with NRW through the CQA process. As a proportion of the future waste quantities for engineering have been based on estimates, the permit will require that the WRP waste quantities be reviewed every five years to ensure the permitted recovery volume remains appropriate.