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COMMITTEE	Planning and Regulatory
COMMITTEE DATE	5 th June 2019

Application No.
P/19/0076

Date
27th February 2019

Determining Authority
MTCBC

Proposed Development

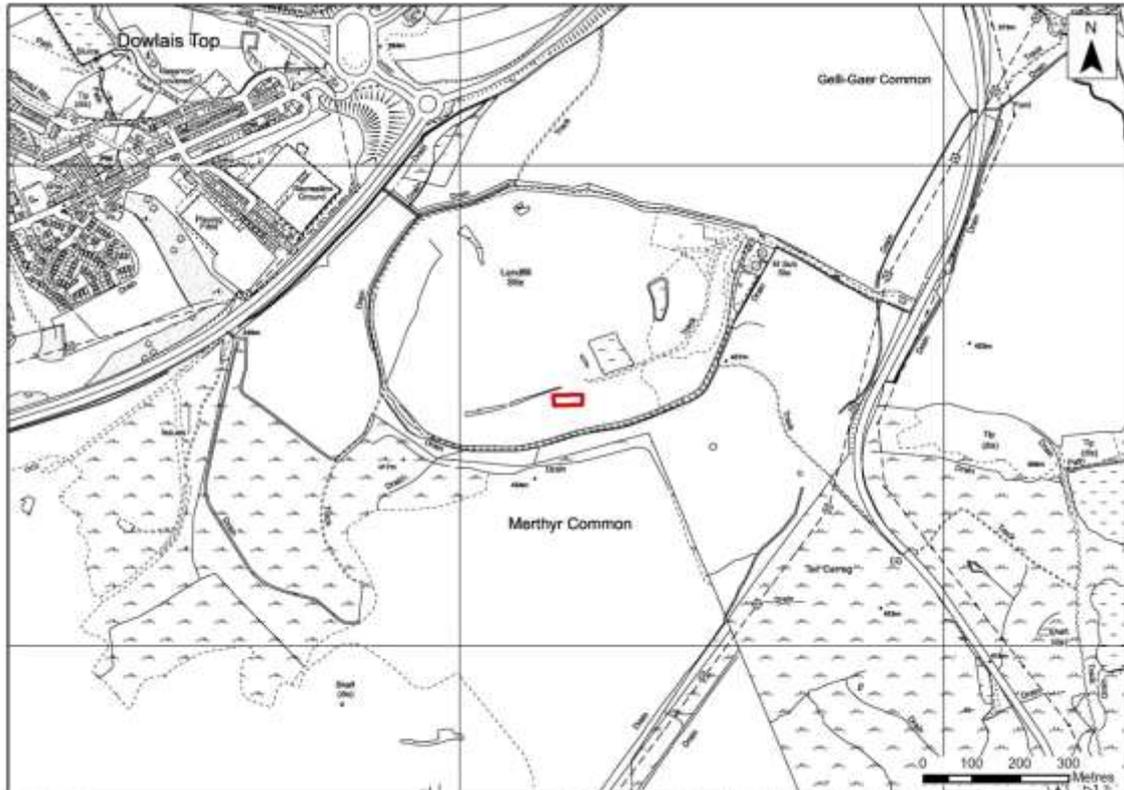
Location

Name & Address of Applicant/Agent

Installation and operation of a containerised picking station with ancillary stockpiles of unprocessed and processed waste

Trecatti Landfil Site
Fochriw Road
Pant-Y-Waun
Merthyr Tydfil

Pure Commerial Finance
C/o C2J Architects and
Town Planners
F.a.o. Mrs A Dallimore
Unit 1A Compass
Business Park
Pacific Road
Ocean Park



APPLICATION SITE

This application relates to an area of land measuring approximately 0.11 of a hectare within the existing Trecatti landfill site and is located on the eastern edge of Merthyr Tydfil County Borough. The Ffos Y Fran Land Reclamation Scheme is located within 200m to south of the site with the A4060 and A465 trunk roads located approximately 0.5km to the north-west. Fochriw Road is approximately 0.6km to the east.

The application site is situated at the southern part of Trecatti and is bound on all sides by land that forms part of the landfill void. Access to the site is via an internal road that links to Fochriw Road. The landfill site is roughly oval in shape with treatment plant and equipment located at the eastern edge of the landfill. The southern and eastern edges of the landfill void are formed by steep slopes with a more open aspect to the north and west.

PROPOSED DEVELOPMENT

Full planning permission is sought for the installation of a containerised picking station, which would be located within the existing asbestos cell. Under the existing Environmental Permit, the landfill can accept and dispose of asbestos within a dedicated cell, known as a stabilised non-reactive hazardous cell.

It is proposed that the containerised picking station (being a mobile plant comprising a feed hopper, inclined conveyors and an enclosed picking station) would be utilised to safely remove asbestos material from waste soils (with low asbestos content). This would essentially minimise the amount of soil material that is needlessly disposed of in the asbestos cell. There are no proposed changes to the types of waste that are already managed/processed at the site.

The proposed picking station with conveyors would measure 18m in length by 6.1m wide and 5.3m high. The containerised unit would be supported above ground on a steel frame with three bins below utilised for the storage of picked asbestos, which would then be periodically emptied into the dedicated asbestos cell. It is intended that the picking station would only be brought onto the site when a suitable stockpile of asbestos contaminated soil needs processing. Ancillary to this process would be two stockpiles of imported soils, being one that contains low levels of asbestos and one for the processed soils.

PLANNING HISTORY

A number of planning applications have been submitted in relation to the Trecatti Landfill site, the majority of which have been determined by the adjoining authority, Caerphilly County Borough Council. The most recent applications are listed below:

P/17/0316 - Erect gas storage tanks, gas conditioning unit, one compressed natural gas generating engine and two battery units to replace three former landfill generating engines to provide short term operating reserve to the national grid.

- No objection raised to application determined by Caerphilly CBC on 16.11.2017.
- P/16/0324 - Retain the existing landfill gas management compound.
- No objection raised to application determined by Caerphilly CBC On 20.10.2016.
- P/15/0318 - Construction of multipurpose waste treatment centre and remediation pad with associated facilities including a compost processing area, access road and water lagoon.
- Permission GRANTED on 16.11.2015
- P/15/0313 - Construction of multipurpose waste treatment centre and remediation pad with associated facilities including office/welfare accommodation, car parking, plant equipment, storage tanks and water lagoons.
- No objection raised to application determined by Caerphilly CBC On 16.11.2015.
- P/07/0534 - Extend existing landfill gas compound (including 1 flare, 2 generators, gas conditioning unit and site office).
- No objection raised to application determined by Caerphilly CBC on 18.01.2008.
- P/07/0521 - Extension of the existing 5m high litter fencing.
- Permission GRANTED on 19.12.2007

CONSULTATION

- Engineering and Traffic Group Leader - No objection subject to a condition relating to structural design.
- Planning Division's Ecologist - No objection.
- Natural Resources Wales (NRW) - No objection.
- The Coal Authority - No objection.
- Caerphilly County Borough Council - No response.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, a site notice was displayed within the vicinity of the site on the 11th April 2019. A notice was also placed in the local press on the 11th April 2019.

No representations were received as a result of this publicity exercise.

POLICY CONTEXT

The following policies are relevant to the determination of this application:

National planning policy

Planning Policy Wales (PPW), Edition 10, December 2018:

Para 5.13 notes that the planning system has an important role to play in facilitating sustainable waste management, whilst at the same time minimising adverse environmental impacts, protecting areas of designated landscape and nature conservation, as well as protecting the amenities of residents and other land users.

Para 13.13.4 sets out the need for planning authorities to be supportive of proposals which meet the Welsh Government's policy for waste management contained in Towards Zero Waste, which should reflect the priority order of the waste hierarchy as far as possible.

Para 5.13.6 states that NRW has a statutory role in relation to the management/regulation of waste and has a key role in providing expert advice to planning authorities.

Para 5.13.7 encourages waste facilities to move towards a reduction of disposal and recovery options for treating waste, in favour of high volume source segregated collection, followed by reprocessing and preparation for re-use and prevention.

Para 5.13.10 – 5.13.12 indicates that planning authorities must support the provision and suitable location of a wide ranging and diverse waste infrastructure. This includes facilities for the recovery of mixed municipal waste and may include disposal facilities for any residual waste which cannot be dealt with higher up the waste hierarchy.

Para 6.3.3 acknowledges that all landscapes of Wales are valued for their intrinsic contribution to a sense of place and local authorities should protect and enhance their special characteristics, whilst paying due regard to the social, economic, environmental and cultural benefits they provide, and their role in creating valued places.

Para 6.4.21 – 6.4.23 notes that local authorities should seek to maintain and enhance biodiversity and build resilient ecological networks to ensure that any adverse environmental effects can first be avoided, mitigated or compensated. Regard should also be given to the potential harm to any protected species and habitats.

Technical Advice Notes (TAN)

- TAN 21: Waste (February 2014) provides further advice on the assessment and strategic approach to waste management.

Local planning policy

Merthyr Tydfil Local Development Plan (LDP) 2006-2021:

- Policy BW4 - Settlement boundaries / locational constraints
- Policy BW5 - Natural heritage
- Policy BW7 - Sustainable design and place making
- Policy BW8 - Development and the water environment
- Policy BW10 - Mineral safeguarding
- Policy BW12 - Development proposals and transport
- Policy AS4 - Historic landscape
- Policy AS7 - Waste management facilities – locations of choice
- Policy TB10 - Waste management facilities

PLANNING CONSIDERATIONS

Land use

Given the location of the application site outside of the settlement boundary, the proposal would be regarded as 'countryside development'. In such locations, policy BW4 of the LDP clearly sets out the appropriate forms of development that can be supported in principle, which includes waste management facilities that cannot be reasonably located elsewhere. In this instance the proposed containerised picking station would be located within an established landfill site. It is noted that Tracatti is safeguarded by policy AS7 of the LDP for its continued use of residual and unavoidable wastes. Furthermore, policy TB10 of the LDP indicates that proposals for new or expanded waste facilities will be permitted where there is a demonstrable need, does not have an unacceptable impact on health and amenity of neighbours and does not conflict with transportation considerations.

A Waste Planning Statement (WPA) has been submitted in support of this application, which identifies a need for a facility to enable the removal of asbestos from soils. This would ensure the existing dedicated asbestos cell of the landfill site is fully utilised for asbestos and the void space is not taken up with soil that can be recovered for other uses. In this regard, the WPA notes that asbestos contaminated soils are predominantly landfilled at appropriate facilities and that it is crucial that these sites maximise their ability to deal with residual materials which must be landfilled.

The proposal would help to provide improved facilities to remove the hazardous waste from soil, which can then be treated and essentially recovered for other uses. This in turn reduces the amount of contaminated soil that needs to be landfilled and maximises the use of the asbestos cell in line with the Welsh Government's waste strategy for Wales.

It is considered that the need for the proposed development has been adequately justified and its location within an existing landfill site means it is already supported by suitable transport infrastructure with appropriate measures put in place to deal with any potential impacts on the health and amenity of neighbours. Therefore, the proposal complies with Policies BW4, AS7 and TB10 of the LDP.

Landscape and visual impact

A Landscape and Visual Impact Assessment (LVIA) has been carried out, which takes into account the potential effects from various viewpoints including, Gelligaer Common, rights of ways near Pengarnddu, Brecon Beacons National Park and from Morlais Castle Quarries. The assessment concludes that the overall effect on the site would be minimal and the effect on the wider landscape is not expected to change as a result of the development. In this regard the LVIA considers the small footprint of the application site relative to the current operations and site context, alongside other detractors within the landscape (i.e. Ffos Y Fran opencast), would only constitute a small-scale change. Furthermore the LVIA notes that the landform around the site is such that there would be limited opportunity to view the development, which in any case would be seen in the context of an operational landfill site. As such, the proposal would not have an adverse impact on the landscape and its underlying characteristics would remain intact. Therefore the proposal complies with Policies BW5 and AS4 of the LDP.

Highways

The existing means of access serving the landfill site would be utilised. A transport assessment has been carried out to determine the potential highway implications. It is concluded in the assessment that the proposal would have no material adverse impact on the operation or safety of the local road network, which is capable of dealing with a greater traffic demand. In this respect the Engineering and Traffic Group Leader has not raised any highway safety concerns. Therefore the proposal complies with policies BW12 and TB11 of the LDP.

Environmental, health and amenity impacts

The application site is considered to be of limited ecological value and the Planning Division's Ecologist has not raised any objection to the proposal.

An air quality assessment has been carried out in support of this application, which considers the effects from dust emissions, volatile organic compounds and emissions of asbestos fibres. It is concluded that the proposed development would not have a significant impact on air quality and any potential impacts would be negligible on the account of distance (over 250m away) between the source and

receptors. It is noted that any variation to the operations undertaken at the landfill site would need to be permitted separately to the planning process by NRW, who are the statutory body for regulating waste. In this regard, NRW has not raised any objection to the proposal. However, a variation to the existing environmental permit would be required, which would set out any measures to be put in place to ensure the proper management, handling and disposal of contaminated material.

The potential impact on the water environment has been assessed within the WPA and is considered to have a near zero impact on both ground and surface water with a near zero risk of flooding. In this respect it is noted that the Engineering and Traffic Group Leader has not raised any concerns.

A noise assessment has been carried out to determine the impact on noise sensitive properties, namely the residential properties at Blaen Dowlais (900m to the west) and Halfway House (700m to the north-east) along Fochriw Road. The assessment concludes that the predicted noise levels would have a negligible impact on the surrounding sensitive receptors and the development would have a minimal impact on nearby properties. Therefore the assessment considers no mitigation measures are required.

It has been adequately demonstrated that the proposal would not have an adverse impact on the surrounding environment and therefore complies with Policies BW5, BW7, BW8 and TB10 of the LDP.

CONCLUSIONS

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

For the above reasons the proposed development is acceptable and complies with the relevant LDP policies. Accordingly, the following recommendation is made:

RECOMMENDATION: **BE APPROVED** subject to the following **CONDITIONS:**

- 1 The development shall begin not later than five years from the date of this decision.

Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

- 2 The development shall be carried out in accordance with the following approved plans and documents:
Drawing No. TR 3/1 - Asbestos Picking Station

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.