

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0531/FULL 10.09.2015	Biffa Waste Services Mr M Harty Rixton Old Hall Manchester Road Rixton Warrington WA3 6EW	Construct a multipurpose waste treatment centre and remediation pad comprising an impermeable pad and ancillary facilities comprising office/welfare accommodation, car parking, process water storage tanks (within a bunded enclosure), biofilter, air/water separators with attendant process equipment (blowers, pumps etc, housed within a metal container), and fuel storage (again bunded) and two surface water lagoons Biffa Waste Services Ltd Trecatti Landfill Site Fochriw Road Pant-y-waun Merthyr Tydfil CF48 4AB

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The site is a cross boundary site, located on the boundary between Caerphilly County Borough Council and Merthyr Tydfil County Borough Council. It is located approximately 3.75km east of Merthyr and 3km west of Rhymney. The A465 Heads of the Valleys Road lies to the north and the A4060 to the north west. The Ffos Y Fran surface mine lies to the south and south-west.

Site description: The application site comprises 0.6ha of land within the landfill void, towards the southern flank.

Development: In physical terms, the proposed development consists of a single impermeable pad with dimensions of 125m by 82m, constructed from a 1mm thick geomembrane protected by a geotextile covered with 300mm capping stone.

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Part of the site, an area of 3,250 square metres, would be used for green waste composting in open windrows while the remaining area, 6,000 square metres would be used for the remediation of contaminated soils. The two areas would be separated by low level bunding or kerbs.

In addition, site infrastructure would be located to the southern part of the site consisting of a modular office/welfare accommodation building, car parking, 2 process water storage tanks within a bunded enclosure, biofilter, air/water separators with attendant process equipment, including blowers, pumps etc, housed in a metal container and a substation.

The soil treatment facility process involves the treatment of soils contaminated with organic compounds, including hydrocarbons, by biological methods. Only soils suitable for treatment would be accepted. Biological treatment accelerates natural processes, achieving in a few months what would otherwise take decades. Celtic EnGlobe would carry out this aspect of the waste treatment using its proprietary technologies through moisture control and addition of nutrients to the biopiles. Forced air extraction and mechanical turning are used to encourage the growth of micro-organisms and the breakdown of hydrocarbons into carbon dioxide and water vapour, leaving an end product that is suitable for use in restoration projects. The biopiles comprise linear mounds of imported soils usually 3m to 4m high and no more than 6m high. They would be placed on top of perforated pipes connected to a blower to control the flow of oxygen.

For the composting process, green waste would be sourced from municipal waste, including from kerbside collections and household waste recycling centres. After delivery to the site it would be shredded to balance the carbon and nitrogen in the material and sorted to remove plastics and other unwanted materials before being placed in windrows 3m high and 4m wide. The composting process takes place over 10 to 16 weeks and the windrows would be turned regularly to maintain temperature, moisture content and oxygen availability. Drained water from the pad would be directed to a lagoon and then re-circulated into the windrows to maintain moisture content. Finished compost would then be stored ready for sale.

Detailed control over waste categories and handling procedures would be achieved through an Environmental Permit.

Dimensions: The office building would measure 12m by 6m by 2.3m high.

Materials: Various surfacing materials.

Ancillary development, e.g. parking: Parking is provided.

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PLANNING HISTORY 2005 TO PRESENT

P/05/0250 - Extend existing gas compound - Granted 22.04.05.

P/06/0657 - Provide substation, switchroom, oil tanks, gas conditioning equipment and lifting jib to the landfill gas compound - Granted 17.08.06.

07/1027/FULL - Extend existing landfill gas compound (Inc 1 flare, 2 generators, gas conditioning unit and site office) - Granted 25.10.07.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is outside settlement limits (Policy SP5) but is within a coal safeguarding area (policy SP8) and a mineral site buffer zone.

Policies: SP9 Waste Management, CW2 - Amenity, CW3 - Highways, CW5 - Protection of Water Environment, CW15 - Locational Constraints, CW22 - Minerals, CW23 - Mineral Site Buffer Zones.

NATIONAL POLICY Planning Policy Wales. TAN 21:Waste 2015.

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? Yes.

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes, the site is within a high risk area. A coal mining risk assessment has been prepared and the Coal Authority has no objection to the proposed development.

CONSULTATION

Transportation Engineering Manager - No objection subject to conditions preventing mud on the road, the provision of parking, and no HGVs to travel southwards along Fochriw Road.

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Head Of Public Protection - No objection subject to conditions concerning hours of operation, odour management, dust management, the quantities of waste, the covering of the biopile, and acoustic mitigation for any electric plant and blowers.

Senior Engineer (Land Drainage) - No objection in principle. Soakaways must be appropriately designed and be located a minimum of 5 metres from any building or the public highway. Cut off drainage may be required.

Dwr Cymru/Welsh Water - No objection in principle. A water supply can be made available to the development.

Natural Resources Wales - Advice is offered in respect of foul drainage, surface water drainage, air quality, landscape and visual impact, pollution prevention and water management.

Any discharge to controlled waters would require a permit. It is unlikely that dust deposition would harm the Taf Fechan Woodlands SSSI, 3.4 kilometres to the north. The development would not have a significant adverse effect on the Brecon Beacons National Park or the Merthyr Tydfil landscape of historic interest.

Facilities for the storage of oils, fuels and chemicals should be provided with appropriate containment and the development will require a variation to the current Environmental Permit for the site.

Countryside And Landscape Services - The methodology used to undertake the Landscape and Visual Assessment is robust and four representative viewpoints were identified.

The application site is within the active landfill site and the proposed development forms a relatively small part of the overall site and is well screened by the existing landform from the wider area.

The overall impacts on landscape character have been assessed to be "negligible" as a worst case and this is accepted. Cumulative impacts are not an issue and the development would not delay the timescale for restoration of the landfill site. Therefore, no objection is raised.

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The Coal Authority - The site is in an area of recorded and likely unrecorded coal mine workings at shallow depth and also within an area where coal has been removed by surface mining methods. The coal mining risk assessment concludes that the risk to the development from shallow mine workings is low and this is accepted. However, more detailed considerations of ground conditions and foundation design may be required as part of any subsequent application under the Building Regulations.

ADVERTISEMENT

Extent of advertisement: The application has been advertised on site and in the press.

Response: No representations have been received.

Summary of observations: Not applicable.

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area? Crime and disorder are not significant issues in the determination of this application.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? This development is not CIL liable.

ANALYSIS

Policies:

Decisions on planning applications must have regard to the provisions of the development plan unless there are material planning considerations that indicate otherwise. Such considerations may include current circumstances, policies in an emerging development plan and policies of the Welsh Government and the UK Government.

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The main issues in this case are as follows.

The principle of the development

The application site is outside settlement limits but it forms part of an existing waste management site. There are benefits in terms of co-location of the facilities. The development is temporary for the life of the landfill site and is, therefore, considered to be acceptable in this location.

Sustainable Waste Management (TAN21:Waste)

The soil treatment facility (STF) would have the capacity to treat 30,000 tonnes a year of contaminated soils and the compost facility could treat approximately 30,000 tonnes a year of source segregated green wastes. The main driver for the scheme is to divert waste from landfill to produce material suitable for use in daily cover for landfill operations and for restoration of the Trecatti site and other reclamation projects in South Wales. Such wastes would otherwise be landfilled. The contaminated soils would be classed as hazardous would need to be sent to an appropriate landfill site, the nearest of which is in England.

The proposals are, therefore, considered to accord with the sustainable waste management objectives set out in PPW and TAN 21.

Amenity (Policy CW2)

The site is within the landfill void and not readily visible from public viewpoints outside the site. The nearest house within CCBC is a distance of 960m from the application site.

In terms of noise, the elements of the proposed development that are likely to cause the most noise are any shredding of waste and wood chipping, together with vehicle movements associated with delivering/exporting and turning the waste

In terms of air quality, the potential impacts are from odour, bioaerosols, volatile organic compounds (VOCs) and dust.

The site will operate under a permit issued by NRW. In determining planning applications it is reasonable to assume that other regulatory regimes will operate satisfactorily. However, the applicant has undertaken assessments of the amenity impacts and, subject to appropriate conditions, these have been assessed by the relevant technical consultees as being satisfactory.

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Highways (Policy CW3)

The application estimates that the development would generate up to 8 vehicle movements an hour. This is considered to be acceptable in terms of highway safety and capacity, subject to the conditions below.

The Transportation Engineering Manager has suggested a condition to prevent vehicles from travelling south out of the entrance. However, this is not part of the proposal and vehicles have the right to pass and re-pass on the public highway. Routing could be achieved by means of a Section 106 Agreement. However, the extant consents for the landfill operations are unrestricted and a restriction on this development would be difficult to monitor and enforce.

Environmental considerations

Water Environment (Policy CW5)

Groundwater monitoring would continue to be carried out under the terms of the permit. The facility has been designed with separate drainage, allowing process water from the operational areas to be kept separate from the clean water areas. Water from the pad would drain under gravity to ditches which would carry it to lagoons. Water from the biopiles would be captured via pipework and sent to the process water tanks. The operational surface of the facility would be impermeable. Clean surface water run-off would be managed in the site's surface water drainage system.

Implementation of these precautionary measures will mean that the development does not have an unacceptable impact on the water environment and would not pose a risk to the quality of controlled waters.

Ecology (Policy CW4)

The application site has been partially infilled with non-hazardous waste and temporarily capped with plastic material. There is no vegetation on the site and the potential for ecological interest is low.

Minerals (Policies CW22 and CW23)

The site is within a safeguarding area for coal identified in the LDP. Policy CW22 seeks to restrict new permanent development that may constrain future exploitation of the resource. In this case the development is temporary and there is no indication that the proposed duration of the development would conflict with the aims of policy CW22.

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The site is also within a mineral site buffer zone drawn around Ffos Y Fran surface mine. Within buffer zones there is a presumption against new mineral development or new permanent sensitive development, including houses, hospitals and schools. The proposed development is not considered to be sensitive development, nor is it mineral extraction. The proposal is, therefore in accord with policy CW23.

Economic considerations

The proposals would result in the employment of three additional staff and would generate employment for local contractors on a temporary basis.

Comments from Consultees: No objections have been raised. Consideration has been given to the need for conditions on hours of operation. The landfill site itself has permission dating from 1986 which does not restrict hours. However, the proposed development involves the screening and shredding/chipping of waste, which can be noisy operations. Therefore, any consent granted should restrict the hours of operation to those set out in the application, which reflect the hours in the environmental permit.

Comments from public: No comments have been received.

Other material considerations: The life of the extant permission for landfill is not time limited. However, a condition should be included to ensure that the remediation/compost pad is removed when the landfill site closes to ensure that restoration takes place in a timely manner.

Conclusion

It is considered that the proposed development is acceptable from a planning point of view.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:
Site Location Plan TR2/1, Site Layout TR3/1, Application Boundary TR2/2A, Proposed Site Layout TR3/2, Design and Access Statement July 2015, Coal Mining Risk Assessment September 2015, Waste Planning Assessment and Appendices received 6 August 2015.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority. Cont...

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- 02) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 03) The development hereby permitted shall be removed upon the completion of tipping operations at the Trecatti landfill site, or the earlier abandonment of the site, and the soil treatment facility and compost site shall be restored in accordance with a scheme to be submitted to and approved by the Local Planning Authority within two months of such cessation. The approved scheme shall be implemented within twelve months of final levels being reached.
REASON: In the interests of securing appropriate restoration of the site once the landfill site closes.
- 04) Prior to the commencement of works on site, a scheme to prevent mud and other debris being deposited on the public highway shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed scheme.
REASON: In the interests of highway safety.
- 05) Beneficial use of the development hereby approved shall not be commenced until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety.
- 06) No screening, shredding or chipping of material or turning of windrows shall take place except between the hours of:-
07.00 to 17.00 Monday to Friday;
08.00 to 13.00 Saturday; and
No operations other than the delivery of material to the site shall take place on Sundays, Bank Holidays or Public Holidays.
REASON: To safeguard the amenity of local residents.
- 07) Prior to the development hereby approved being brought into operational use, schemes of noise, dust and odour control shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the development shall be operated in accordance with the agreed scheme.
REASON: To control odour.

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Advisory Note(s)

Please find attached the comments of Dwr Cymru/Welsh Water and Natural Resources Wales that are brought to the applicant's attention.
