

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0101/COU 09.02.2017	Mekatek Ltd Mr P Mellor C/o JCR Planning Ltd Unit 2 Cross Hands Business Workshop Heol Parc Mawr Cross Hands Carmarthenshire SA14 6RE	Change of Use from B2 to Waste Management Facility Unit C Maerdy Industrial Estate (South) Rhymney Tredegar NP22 5PH

APPLICATION TYPE: Change of Use

SITE AND DEVELOPMENT

Location: The site address is Unit C Maerdy Industrial Estate, Rhymney. It is located south of the Heads of the Valleys Road, approximately 400 metres north-east of The Square, Pontlottyn with access off a minor road leading from the B4257, Wellington Way.

Site description: The site is an existing industrial unit with a yard area to the front and side and landscaped areas on the boundary. It extends to 8.93 hectares of level land and it contains an existing 10,000 square metre industrial building. There are other industrial uses immediately to the north and to the west across the railway line. The residential area of Rhymney lies to the east beyond the B4257. There are two houses on the west side of the B4257, and St Clare's sheltered housing scheme lies to the south of the unit on the access route. A Council depot lies to the south between St Clare's and the application site. Permission has been granted for housing development on the currently vacant land at the junction of Wellington Way and the access road (formerly a car sales plot).

Development: The application proposes the change of use of the unit to operate a waste recycling and transfer business from the site. The proposed development involves the processing of up to 75,000 tonnes per annum of non-organic waste including paper, card, plastics, wood, scrap metal and electrical goods (televisions, monitors, white goods etc). The waste materials imported to the site would be broken down into their component materials and would be subject to various processes, including shredding, granulating and crushing to create materials for use elsewhere. All of the processes would take place within the existing building, which would be fitted with appropriate dust suppression measures. Dust arising from the processes would be used in the manufacture of concrete blocks on the site.

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Some external storage of concrete blocks and recycled material would take place on the hard surfaced area outside the building. Any batteries brought to the site would be stored within an existing storage building at the entrance to the site until collected by an authorised handler for transfer off site.

Dimensions: The dimensions are as existing.

Materials: The materials are as existing.

Ancillary development, e.g. parking: There are parking areas within the site for staff and visitors.

PLANNING HISTORY 2005 TO PRESENT

P/05/1193 - Erect structure for insulated cladding testing - Granted 18.11.05.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is within settlement boundaries (SP5, CW15) and is allocated for employment.

Policies: The following policies are relevant to the determination of this application: SP6 Place making, SP9 Waste management, SP21 Parking standards, CW2 Amenity, CW3 Design considerations highways, CW13 Use class restrictions-business and industry, CW5 Protection of water environment, EM2.4 Secondary employment site protection.

NATIONAL POLICY Planning Policy Wales November 2016, Technical Advice Note 21: Waste 2016, TAN 15 Development and Flood Risk.

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? A screening opinion was issued under reference EIASCR/16/0006.

Was an EIA required? No.

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COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is within the coalfield but this application is for a change of use with no additional construction proposed. Therefore, a coal mining risk assessment is not required.

CONSULTATION

Head Of Public Protection - No objection subject to conditions restricting hours of operation for deliveries and external activities and a closed door strategy being implemented.

Transportation Engineering Manager - No objection is raised.

Natural Resources Wales - Advice was provided to the applicant in the Statutory Pre-Application process. That advice remains current as the proposed scheme has not changed and no new information has been provided. The application lies within a C2 flood zone. The proposed use for waste management is considered to be "less vulnerable development" and is therefore acceptable. The controlled waters at the site are also of low environmental sensitivity. It is advised that the site may require an environmental permit or exemption, which should be obtained before the proposed use takes place on site.

Network Rail - No objection raised in principle. Advice is provided for applicant.

ADVERTISEMENT

Extent of advertisement: The application has been advertised by means of site notices in the local area, a press notice and letters to 58 properties in the local area.

Response: A petition has been received with 191 signatures, together with one letter of objection and 18 proforma letters submitted online.

Summary of observations: The responses can be summarised as follows:

- 1 The site is too close to a residential area and will bring "discomfort" to the residents of St Clare's and Tan Y Bryn due to traffic, noise, smells and hazardous waste.
- 2 The amount of pollution the facility could cause and its impact on the health of local residents.
- 3 The planning application has not been widely publicised in the community.
- 4 Objection to another noisy recycling plant close to residential property, processing hazardous waste.

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An objection has also been received from Rhymney Community Council. The grounds are the potential for increased traffic, the associated noise pollution from traffic and operations at the unit, and the risk of hazardous materials being recycled at the plant.

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?

The proposed development is unlikely to have a significant impact on crime and disorder locally.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? No. There is no increase in floor space.

ANALYSIS

Policies: The application has been considered in the context of national policy and policies in the Caerphilly County Borough Local Development Plan adopted November 2010. The main considerations are considered to be:

1. National and regional waste planning policy (PPW, TAN21).

"Towards Zero Waste- One Wales: One Planet" sets out the Welsh Assembly Government's long term framework for resource efficiency and waste management between now and 2050. It is an overarching waste strategy document and is developed in terms of delivery in four sector plans, including the Collections, Infrastructure and Markets (CIM) Sector Plan. TZW sets out a target of achieving zero waste by 2050 with an interim target of achieving a 70% recycling rate by 2025. In terms of land use planning, PPW states that planning authorities should in principle be supportive of facilities, which fit with the aspirations of TZW and the sector plans and reflect the priority order of the waste hierarchy as far as possible. The CIM sector plan indicates a move towards a position where disposal and recovery options are reduced in favour of high volume source segregated collection followed by reprocessing, preparation for re-use and prevention. Planning authorities need to facilitate the provision of a wide ranging and diverse waste infrastructure in order to achieve these aims.

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TAN21 provides advice on how the land use planning system should contribute towards sustainable waste management and resource efficiency. Land use planning should help to drive the management of waste up the waste hierarchy and facilitate the provision of an adequate network of appropriate facilities as well as minimising the impact of waste management on the environment and on human health through the appropriate location of such facilities. In addition, they should recognise the economic and social benefits that can be realised from the management of waste as a resource.

The extent to which a development proposal for waste management demonstrates a contribution to the aims of TZW, CIMSP and the LDP in economic, social and environmental terms is a material planning consideration. Recycling should be encouraged where waste cannot be re-used as it can reduce demand for resources and reduce emissions.

The South East Wales Regional Waste Plan 1st review sets out the results of a joint working collaboration between the eleven local authorities involved to develop an integrated and adequate network of modern waste management facilities by providing information on the types of facilities required and the locations likely to be acceptable. The agreed strategy involves high levels of source segregated recycling and composting, with residual waste being managed by a range of recovery facilities.

The proposed facility would make a direct contribution to maximising the volume of waste recycled and minimising the quantity of waste sent to landfill. Therefore, there is considerable support in national and local policy for the provision of infrastructure such as that proposed to ensure that recycling targets can be met. However, this has to be balanced against the environmental and amenity impacts of the proposed development.

2. Locational considerations (CW15, SP5, SP9, CW13, E.M.2.4).

The site is within settlement boundaries and is within a site protected as a secondary site for employment use in the adopted LDP. Policy CW13 states that development will be permitted on secondary employment sites if it is within B1, B2 or B8 use class or an appropriate sui generis use or where it provides an ancillary facility or an acceptable commercial service. The proposed use is akin to an industrial employment use.

It is considered that the proposed development is consistent with the LDP in that policy SP9 identifies all allocated and protected class B2 industrial estates as being potentially suitable locations for new in-building waste management facilities. Advances in technology mean that many modern waste recycling facilities look no different on the outside to any other industrial building and contain de-manufacturing processes that are not significantly different to any other industrial process in terms of its impact.

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3. Amenity (CW2).

Policy CW2 in the adopted LDP states that development proposals should not have an unacceptable impact on the amenity of adjacent properties, should not result in overdevelopment of the site and should be compatible with surrounding land uses.

The site is within a mixed industrial and residential area. The main residential area of Rhymney lies some 50 metres to the east of the site at a raised level beyond the main road and there are residential properties to the south east, the closest of which is located at a distance of 80m from the site. St Clare's sheltered housing complex lies approximately 196m from the recycling building.

The facility would not treat malodourous waste and all processing would take place within the building, which would minimise fugitive dust and litter. Only small quantities of waste classed as hazardous such as batteries and components of the waste electronic and electrical equipment are to be dismantled at the site and would be stored securely for transport off site.

A noise report has been submitted with the application which states that monitoring results reinforced observations that the internal machinery would not be heard at any sensitive external receptors. There was no increase in noise recorded at the perimeter of the site irrespective of whether the machinery was running or not and whether the machinery was running with material being processed or not. The main sources of noise will be traffic movements and movement or loading of containers in the yard area. The impact of these activities can be reduced by appropriate conditions.

Head of Public Protection has not objected to the proposed development subject to appropriate conditions.

The proposed use would take place at an existing industrial unit and any additional visual impact would, therefore, be limited.

4. Traffic and highways impact (CW3, SP21).

Vehicle movements will include 10 hook lift vehicles arriving and departing from the site each day. Of these 6 would take loads out as well as transport waste in. The applicant expects no more than five articulated vehicles to arrive at and leave from the site each day giving a total of 30 commercial vehicle movements spaced evenly throughout the day with approximately two arriving and two leaving each hour.

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In addition, smaller supplier vehicles would arrive and leave throughout the day to deliver consumables such as packaging, fuel, spares etc. and staff vehicles would also use the site.

The Council's Transportation Engineering Manager has considered the transport statement provided by the applicant and has raised no objection to the proposal. The proposed level of vehicle generation is not considered to be significantly greater than would be expected from the existing use of the building for its approved manufacturing use. The current B2 permission is not restricted in terms of vehicle movements.

5. Environmental impact (CW5).

The site and operations would be subject to an environmental permit. PPW advises that planning conditions should not duplicate conditions attached to an environmental permit but local planning authorities must be satisfied that proposals are capable of effective regulation. NRW has not objected to the current proposals.

The site is within the 1% and 0.1% annual probability fluvial flood outlines of the river Rhymney (zone C2). NRW consider the proposed use to be "less vulnerable" development and the applicant has provided a flood response plan. The controlled waters adjacent to the site are considered to be of low environmental sensitivity and measures can be put in place to prevent contaminated run-off.

The site is an existing employment site and is not subject to any ecological designation.

6 Economic and social impact.

The company would provide employment (between 30 and 60 jobs) in an area of high unemployment and social disadvantage. The facility would also bring economic benefits to the area through the supply chain and through wages.

Comments from Consultees: No objection has been raised by consultees.

Comments from public: The comments received from members of the public regarding the impact upon nearby residential properties and traffic are addressed in the report above. There is suggestion that the planning application has not been widely publicised in the community. The application has been advertised in accordance standard planning procedure.

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Other material considerations: The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

Conclusion.

Overall it is considered that the proposed development is consistent with national policy and guidance in that it supports more sustainable management of waste and would bring economic and social benefits. It is also consistent with policies in the adopted LDP in terms of location and use.

An assessment of the environmental and amenity impacts by the relevant technical consultees indicates that these will not be significant and are capable of being adequately controlled by planning conditions where not covered by regulation under the environmental permit. The proposed development will not generate a level of traffic significantly higher than the existing B2 use, which is not restricted in terms of lorry movements.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) 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.
- 02) The development shall be carried out, except where modified by the conditions below, in accordance with the following documents
 - a) The planning application and supporting statement received on
 - b) Submitted plans and documents:
Drawing No ADC/JE/02B date Dec 2016,
Drawing No ADC/JE/01A date Dec 2016.
- 03) No deliveries shall be received at the site or dispatched from the site except between the hours of 06.00 and 19.30 Monday to Friday and between 08.00 and 13.00 on Saturdays. No deliveries shall take place on Sundays or bank holidays.
REASON: To protect residential amenity.

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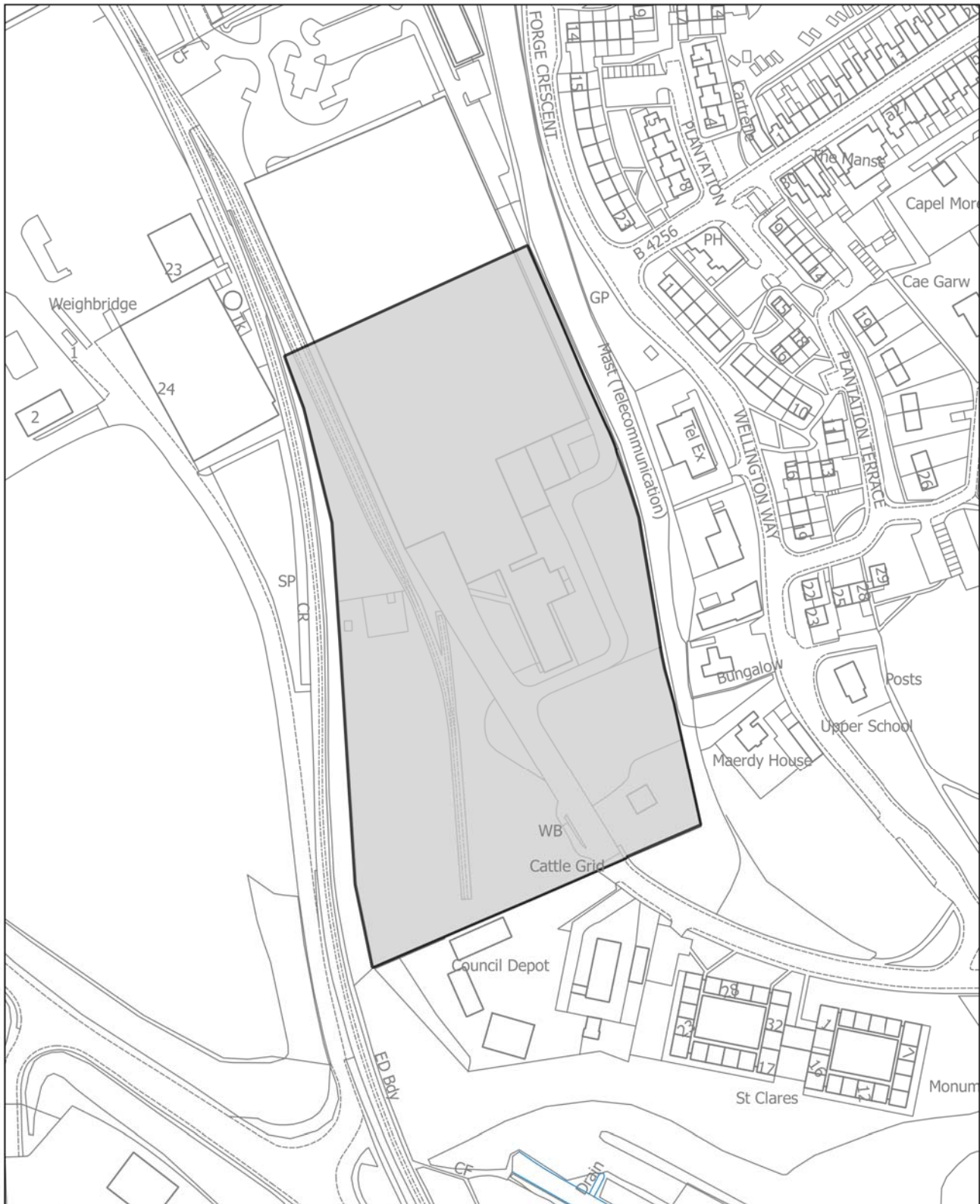
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- 04) No processing or sorting of waste shall take place except within the building on the site approved for this purpose. External storage shall be limited to finished recycled material or products, not exceeding a height of three metres or enclosed in skips or containers stored within the designated skip storage area shown on the revised site layout plan ADC/JE/02B.
REASON: To protect residential and local amenity interests.
- 05) No movement, unloading or unloading of containers within the yard area shall take place except between the hours of 06.00 and 19.30 Monday to Friday and between 08.00 and 13.00 on Saturdays. No such activities shall take place on Sundays or Bank holidays.
REASON: To safeguard the amenity interests on the local area and of local residents.
- 06) Prior to the commencement of works on site a scheme of land and surface water drainage within the site shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which it relates is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.

Advisory Note(s)

Please find attached the comments of Network Rail and Natural Resources Wales that are brought to the applicant's attention.

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: SP5, SP9, SP21, CW2, CW3, CW15, CW13, CW5, EM2.4.



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