

**Application Number:** 21/1158/RET.

**Date Received:** 12.12.2022.

**Applicant:** GLJ Recycling Ltd.

**Description and Location of Development:** Retention of existing shredder and associated works and erect a new heavy fraction processing plant together with new site enclosure (boundary fence), pre-shredder plant and associated works - GLJ Recycling Ltd Chapel Bridge Yard Chapel Farm Industrial Estate Cwmcarn Newport.

**APPLICATION TYPE:** Retain Development Already Carried Out.

### SITE AND DEVELOPMENT

Location: GLJ Recycling Ltd, Chapel Bridge Yard, Chapel Farm Industrial Estate, Cwmcarn, Newport.

Site description: The site is relatively flat and is used as a scrap metal recycling yard, to the east is the River Ebbw with the Chapel Farm Industrial Estate beyond and to the west is a railway line. There are residential dwellings to the north (Chapel Farm Terrace) and a railway line bounds the western side of the site.

Development: Retention of existing shredder and associated works and erect a new heavy fraction processing plant together with new site enclosure (boundary fence), pre-shredder plant and associated works.

Dimensions: The shredder and downstream plant in total measures approximately 67m long by 38m wide (max extent) with an overall height of 14.2m.

The as yet to be brought into operation pre-shredder measures approximately 7.6m wide by 11m long with a height 8.1m.

The proposed Heavy Fraction processing plant includes a building with an overall length of 52.6m which has a maximum width of 20m which steps in at the northern end to approximately 10.1m apart from a 4m section at the northern tip which reduces to 2.5m wide. The height ranges from 10.1m reducing to 8.1m and then to 3.3m approximately in line with the reductions in width as stated above. Associated plant would extend beyond this building for a distance measuring approximately 17m with this plant reaching a maximum height of 8.7m.

Boundary treatments to be increased between 3.5m and 13m high in sections.

Materials: Heavy Fraction building walls and roof in profiled cladding colour light grey with fascia/rainwater gutter and roller shutters and fire exit doors in pearl gold.

Ancillary development, e.g. parking: None.

## PLANNING HISTORY 2010 TO PRESENT

11/0651/FULL - Construct a steel framed building for the storage of non-ferrous metals - Granted 18.04.2012.

11/0705/RET - Retain the change of use as a scrap yard to incorporate end of life vehicle facility - Granted 13.04.2012.

14/0486/FULL - Erect two-storey reception/office/accounts building - Granted 02.09.2014.

15/0557/FULL- Erect 3 No. buildings for use as a general waste transfer station, a non-ferrous storage processing unit and a storage building for the W.E.E.E. processing unit - Granted 31.03.2016.

16/0992/COND - Discharge Condition 12 (parking) of planning consent 15/0557/FULL (Erect 3 No. buildings for use as a general waste transfer station, a non-ferrous storage processing unit and a storage building for the W.E.E.E. processing unit) - Decided 04.01.2017.

19/0348/FULL - Remove and replace the existing waste material shredder with a new waste material shredder - Granted - 15.08.2019.

19/0719/COND-Discharge conditions 04 (Contamination - scheme to treat) and 06 (Colour) of planning consent 19/0348/FULL (Remove and replace the existing waste material shredder with a new waste material shredder) - Decided -24.04.20.

20/0556/NCC - Vary condition 8 (Working Hours) of planning consent 15/0557/Full (Erect 3 No. buildings for use as a general waste transfer station, a non-ferrous storage processing unit and a storage building for the W.E.E.E. processing unit) & Vary condition 7 (Working Hours) of planning consent 19/0348/FULL (Remove and replace the existing waste material shredder with a new waste material shredder) to extend operating hours to 0700-1800 Monday to Friday - Application Returned.

20/0583/NCC - Vary condition 8 (working hours) of planning consent 15/0557/FULL (Erect 3 No. buildings for use as a general waste transfer station, a non-ferrous storage processing unit and a storage building for the W.E.E.E. processing unit) the operating hours are to be 0700-1800 hours Monday to Friday - Application Returned.

## POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.

Site Allocation: The site lies within the settlement boundary and adjoining a Site of Importance for Nature Conservation (SINC) River Ebbw (NH3.12).

Policies: Policy SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations - Highways), CW4 (Natural Heritage Protection), Policy CW5 (Protection of the Water Environment), CW6 (Trees, Woodland and Hedgerow Protection), Policy CW15 (General Locational Constraints), NH3 (Site of Importance for Nature Conservation), SP10 (Conservation of Natural Heritage).

NATIONAL POLICY Planning Policy Wales 11th Edition, Technical Advice Note 5: Nature Conservation and Planning (2009), Technical Advice Notes 11: Noise, Technical Advice Note 12: Design (2016), Technical Advice Note 15: Development and Flood Risk (2004), Technical Advice Note 18: Transport (2007), Technical Advice Note 21: Waste (2017).

Planning Policy Wales (Edition 11).

Paragraph 5.13.4 - The Welsh Government's policy for waste management is contained in Towards Zero Waste and associated sector plans. Planning authorities should, in principle, be supportive of facilities which fit with the aspirations of these documents and in doing so reflect the priority order of the waste hierarchy as far as possible.

Paragraph 5.13.13 - There is likely to be a significant change in the nature and type of infrastructure needed to support a transition towards circularity of materials. Facilities will need to support high efficiency and high quality reuse and recycling, for example collection hubs will be necessary to support the returning of materials to the point of manufacture. The waste management industry will need to position itself to optimally manage material flows and on-going collaboration between it, planning authorities and other relevant stakeholders will be necessary.

Technical Advice Note 21: Waste.

Paragraph 2.7.3 - Where it is not possible to reuse materials and products or prepare them for reuse, recycling should be encouraged. Recycling can reduce the demand for resources and reduce atmospheric emissions. Recycling is considered to be any recovery operation in which waste materials are reprocessed into products, materials or substances whether for their original or other purposes.

## 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 partially located in the high risk coal mining legacy area.

## CONSULTATION

Transportation Engineering Manager - CCBC - From the information submitted it would appear that the proposed development will not result in additional vehicle movement either into or out of the site and that staff numbers will remain the same so there is no requirement for additional parking spaces. From the submitted plan there appears to be sufficient internal space to allow for all vehicles to enter and leave the site in forward gear.

Therefore, in conclusion there are no highway objections to the proposed development subject to planning conditions on parking manoeuvring and provision of a Construction Traffic Management Plan.

Heritage And Placemaking Officer -

The Coal Authority - No objections.

Natural Resources Wales -

Ecologist - No comments.

Dwr Cymru/Welsh Water - Since the proposal intends utilising an alternative to mains drainage, we would advise that the applicant seek advice from Natural Resources Wales and or the Local Authority Building Control Department/Approved Building Inspector as both are responsible to regulate alternative methods of drainage.

Chief Fire Officer - The Fire Authority has no objection to the proposed development and refers to standing advice.

Landscape Architect - CCBC - Recommends conditions to ensure that the materials used for building and boundary treatments are non-reflective and suitably dark coloured.

Transport For Wales - Confirms that rail infrastructure at this location remains within Network Rail Ownership.

Network Rail - Network Rail has no objection in principle to the above proposal. Provides asset protection advice for the applicant.

Environmental Health Manager - CCBC - No objection subject to the submission of an upgraded scheme of noise mitigation measures and the imposition of conditions in relation to hours of operation and noise.

Senior Arboricultural Officer (Trees) - Recommends further information supplied in respect of trees.

## ADVERTISEMENT

Extent of advertisement: The application was advertised via press notice, site notices and neighbour notification letters. At the time of writing this report the publicity period has yet to elapse so any further representations received will be verbally reported to planning committee.

Response: At the time of writing this report 28 objections have been received. A petition entitled "Cwmcam Residents Petition - Stop the GLJ expansion plan - No to the 'Heavy Fraction Processor) with a total of 77 signatories has also been submitted.

44 letters of support have been provided by the applicant advising that they are signed by employees from GLJ Recycling (and the covering letter states that of the 44 letters 34 of the employees are from Caerphilly Borough).

## Summary of observations:

- Vibration.
- Dust/smut.
- Odour.
- Noise (including high frequency).
- Light pollution.
- Fumes/smoke (legionella, asbestos, poisonous and noxious gases).
- Explosions.
- Fire.
- Flies.
- Contamination of Water.
- Intensification of operation.
- Valley topography increases impacts.
- Increased close proximity to residential dwellings in Chapel Farm Terrace.
- Out of hours working.
- Increased working hours.
- Impact on children including proposed new primary school.
- Devaluation.
- Visual impact.
- Increase in heavy goods traffic.
- HGV's using sat navigation system and reversing up Chapel Farm Terrace.
- Use of northern access.
- Increase in plant and machinery on the site.
- Heavy Fraction plant machinery magnetic field.
- Bridge strength.
- Impact on wildlife.
- Impact on tourism.
- Works commencing on site.

- Relationship between the applicant company and Caerphilly Borough Council.
- Trees being cut down on public land.
- Unethical company and previous conduct resulting in fine.
- Concerns in relation to the noise assessment.
- Impact on footpath.
- Concerns over the Pre-Application Consultation process.
- Contrary to Well-being of future generations (Wales) act 2015 and Local Plan Policies on water and natural environment protection.
- Flood risk.
- Future tree felling.
- Alternative sites outside the county borough would be better.
- Lack of publicity.
- Off Site works.

Supportive comments received as summarised as:

- New equipment would improve site process which will enhance health and safety at the site.
- Enable more precise sorting of material.
- Reduction in waste sent for processing elsewhere.
- Increased productivity and enhanced job security.

#### 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?

It is not considered that crime and disorder will be materially affected by the development.

#### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

#### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Not liable.

#### ANALYSIS

Policies: The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance.

The site is within an existing scrap recycling operation and therefore the principle of the development is established. The development as applied for in this application would retain and provide plant and supporting buildings to support the functioning of the existing recycling business and is designed in part to lead to improved recycling rates.

National Planning Policy and Guidance in the form of Planning Policy Wales and supporting Technical Advice Note 21: Waste, sets out priorities in terms of the Waste Hierarchy. This Hierarchy firstly prioritises prevention and reuse of materials and preparation for reuse. After that in the Hierarchy is recycling which the GLJ business is involved within. The lower (and hence less desirable) aspects of the Hierarchy are other methods of recovery (e.g. anaerobic digestion and energy from waste) and finally the last aspect of the Hierarchy is disposal (Landfill and incineration without energy recovery). Planning Policy Wales in paragraph 5.13.4 advises that planning authorities should in principle be supportive of facilities which reflect the priority order of the waste hierarchy and therefore proposals such as this which contribute to recycling within the waste hierarchy are supported in principle as they divert waste from otherwise being disposed of via other less desirable methods such as landfill.

The application is partly retrospective in nature. There is an existing waste shredder plant on site however it was found that its siting conflicted with parts of the previous planning approval (19/0348/FULL). It is highlighted that the previous application was subject to a noise assessment that considered that equipment in its "as built" location. The current application in part therefore seeks retrospective planning permission for this equipment which has been in operation for several years on site. This includes a metal shredder machine that processes scrap metal and sorts this into ferrous and non-ferrous products.

In addition a pre-shredder plant has been recently installed on the site, but the Local Planning Authority has been advised by the agent that it has not been used and the applicant is awaiting the outcome of the planning application.

A second element of the planning application is for the installation and operation of additional plant and machinery along with revised boundary treatments. The additional plant and machinery is in the form of a 'Heavy Fraction Plant' which is proposed to be constructed towards the northern end of the site.

The purpose of the Heavy Fraction processing plant is to enable additional processing on site to remove further recyclable products from the waste stream including materials such as non-ferrous, Ferrous, Stainless steel, and also Insulated copper wire which would alternatively have gone to landfill disposal or be subject to further treatment elsewhere.

The applicant has stated that the main benefits of the new Heavy Fraction Processing plant are:

- Reduction of waste to landfill.
- Further removal of recyclable products from waste, increasing efficiency.
- Reducing transport, as processed on-site.
- Local Job creation.
- Increased recycling and company sustainability.

The main considerations for the proposed development are:

1. The impact on the visual amenity of the surrounding area.
2. The impact on nearby residential properties from the development.
3. Impact on ecology.

These issues will be discussed in turn below.

1. The impact on the visual amenity of the surrounding area;

The proposal includes the retention of the shredder and related equipment on site which at its maximum has a height of around 13.8m. It is a significantly large piece of equipment that appears prominent within the existing landscape. The previous application which came before planning committee noted that there is an established tree line along the eastern boundary with trees providing a degree of screening albeit more visible within the winter months when leaf cover is lessened. The revised location of the equipment is still adjacent to the same tree belt and on balance its visual impact in the revised location is still considered acceptable.

There will be additional fencing proposed along the eastern boundary and this ranges in height between 4m, 6m, 8m and for a limited length at 13m in height. The highest part will connect to existing screening of the same height and in the context of the overall eastern boundary length of the facility (estimated to be approximately 300m in length) the highest part of screening will be relatively short in length at approximately 22m. The visual impact is mitigated to a degree by intervening features such as the treeline on the upper banking near to the Ebbw river (with the river itself being set down from the site) and the nearest receptors to the highest part of the proposed screening are the industrial/commercial uses on the Chapel Farm Industrial Estate. Beyond the industrial estate is the A467 which has substantial and relatively extensive tree screening providing a further buffer to residential properties on Newport Road and surrounding streets within Cwmcarn. There would be a separation distance in excess of 150m from the highest part of the fencing to the nearest residential properties with a straight on view of the fencing. The other parts of the fencing are also significantly separated from the nearest residential properties to avoid any overbearing impact. The existing valley topography of the surrounding area is such that the site and proposed development is already visible from a number of locations however the screening and proposed equipment is not considered to have an unacceptable visual impact given the existing visual impact of the site. The scale of the proposed plant and buildings within the application are also considered acceptable. The development would accord with adopted Local Development Plan Policy SP6 (Placemaking).

2. The impact on nearby residential properties from the development;

The application is accompanied by a Noise Impact Assessment undertaken by a suitably qualified acoustic consultant. The site has been operating as an industrial use for a significant number of years. In addition, there are other existing

commercial/industrial uses to the east (Chapel Farm Industrial Estate). In respect of surrounding dwellings, these are generally clustered to the north of the site with the residents of Chapel Farm Terrace and to the east across the other side of the A467 residents of Brierley Place and Newport Road.

The submitted report identifies that properties on Newport Road and Brierley Place have their dominant noise source as road noise. In respect of properties at Chapel Farm Terrace the report considers that context is important and factors should be considered which include:

- The existing Soundscape be considered including that dwellings on Chapel Farm Terrace are located in very close proximity to a large, well established industrial estate where existing sound characteristics are present with noise levels at Chapel Farm Terrace measured in 2019 being in the range of 51-52db Laeq.
- Absolute levels inside dwellings are indicated to be in the BS8233 criteria range during daytime through a partially open window.
- The operational hours of the site being limited to daytime hours.
- The mitigation measures including the heavy fraction plant being within a building and screening of other plant where feasible by barriers or structures on the critical boundaries.

The shredder plant along with the proposed new pre-shredder and heavy fraction plant have been included in the noise assessment and the Council's Environmental Health Officers have reviewed the proposals and consider them to be acceptable subject to planning conditions. It is noted that the majority of the Heavy Fraction Plant will be located within a new building and the noise assessment provides detailed guidance on the small part of plant which is proposed to be external to the building. As part of the proposed planning conditions a noise level condition is proposed to be added to the permission and validation (by a competent noise specialist) of the Heavy Fraction plant building design is required to be submitted to the Local Planning Authority to provide oversight that construction noise mitigation measures will have been incorporated into the build.

It is considered that the impact of the development on all surrounding residential properties will be acceptable. The development accords with adopted Local Development Plan Policy CW2 (Amenity).

### 3. Impact on ecology;

The Council's Ecologist has been consulted on the proposal and has raised no concerns in respect of the proposed development. The adjacent land to the east is formed of the River Ebbw and is a designated Site of Importance for Nature Conservation (SINC).

The extant planning permission for the shredder required a boundary to be maintained along the eastern side with the SINC for its protection and it is proposed that this requirement is re-imposed on the current application noting that works to increase boundary treatments are also proposed in this application.

The operations on site are also subject to separate control under Natural Resources Wales permitting regulations which restricts how the site can operate and restricts emissions to water, air or land. The planning conditions recommended by Natural Resources Wales will be imposed if permission is granted.

The development would accord with Policies CW4 (Natural Heritage Protection) and Policy CW5 (Protection of the Water Environment) of the Local Development Plan.

#### Comments from Consultees:

The Council's Tree Officer requested further details in respect of trees, the agent advised that the trees are offset from the footprint of the proposed building and located at a lower level and noted the existing relationship of the site with the trees.

Requested conditions from Natural Resources Wales include Biodiversity Management to require details of tree and hedgerow protection and this is considered sufficient to agree suitable protection for offsite trees. This also accords with the recommendation from the Landscape Officer on tree protection.

#### Comments from public:

- Vibration.

Details of any further piling work will be required to be submitted under planning condition and once operational the development is within the existing Natural Resources Wales permit area for the site which includes mechanisms to address any unacceptable vibrations, which may include (where deemed necessary by NRW) an agreed management plan.

- Dust/smut.

- Odour.

These are matters controlled by Natural Resources Wales under the site permit.

- Noise (including high frequency).

Noise limits are imposed via planning condition and separate powers reside with Natural Resources Wales under the site permit.

- Light pollution.

A planning condition requiring detail of lighting is proposed.

- Fumes/smoke (legionella, asbestos, poisonous and noxious gases).

It is not anticipated that different materials than already accepted at the site will result from the proposed development. Natural Resources Wales permit the site and emissions are restricted and regulated.

- Explosions.

The risk of explosions is not considered to be worsen by the development. It has been indicated that the Pre-shredder which is sought for approval within this application may reduce such risk by providing an initial stage which would accept materials at a slower speed than the main shredder and therefore reduce risk of explosions.

- Fire.

The fire authority have been consulted and have raised no objections to the application.

- Flies.

This would be a matter for Environmental Health or Natural Resources Wales.

- Contamination of Water.

The imposition of planning conditions and separate permitting by Natural Resources Wales are considered to adequately address this risk.

- Intensification of operation.

The proposals do not seek to increase waste accepted to the site, rather they seek to provide additional measures to sort the existing materials.

- Valley topography increases impacts.

The application has been considered with regard had to the site and surrounding area including the topography.

- Increased close proximity to residential dwellings in Chapel Farm Terrace.

The impacts have been considered and subject to planning conditions to restrict noise levels and hours of operations are considered to have an acceptable impact on residents.

- Out of hours working.

- Increased working hours.

Hours of operation are proposed via a planning condition and can be investigated under Planning Enforcement powers if not subsequently adhered to by the operator.

- Impact on children including proposed new primary school.

The new Welsh School site is located beyond existing residential properties (including Chapel Farm Terrace) there are not considered to be any unacceptable impacts on the school site.

- Devaluation.

Property Devaluation is not a material planning consideration.

- Visual impact.

The proposed screening and mitigation is considered acceptable.

- Increase in heavy goods traffic.

- HGV's using sat navigation system and reversing up Chapel Farm Terrace.

- Use of northern access.

There is not anticipated to be a material change in terms of additional traffic versus the current site traffic as the new equipment is principally to refine the existing recycling operation. There are no proposals for utilising access from the north and satellite navigation issues in respect of Chapel Farm Terrace appear to be an existing problem and would not be materially altered by the current proposals and would be a matter for the operator to address.

- Increase in plant and machinery on the site.

This has been assessed and is not considered to be overdevelopment or visually unacceptable.

- Heavy Fraction plant machinery magnetic field.

There is not anticipated to be any adverse impacts for residents noting this equipment is housed within a proposed building and would be focussed/calibrated to operate on the recycling line.

- Bridge strength.

The proposals would not materially alter traffic levels over the southern bridge to the site entrance.

- Impact on wildlife.

There is not anticipated to be a material impact on wildlife through the development and the site is subject to permit restrictions from Natural Resources Wales.

- Impact on tourism.

There is not expected to be a material impact on tourism from the development.

- Works commencing on site.

The application is part-retrospective with permission sought for those elements already on site.

- Relationship between the applicant company and Caerphilly Borough Council.

This is not material to the planning considerations of the application.

- Trees being cut down on public land.

Where found to be the case this would be a separate matter for investigation.

- Unethical company and previous conduct resulting in fine

This is not a material planning consideration in the determination of this application.

- Concerns in relation to the noise assessment.

The Environmental Health Manager has considered the noise assessment and where clarification has been sought this has been provided by the applicant. The Environmental Health Officer has raised no objections to the development subject to planning conditions being imposed to require noise levels to be adhered to and validation of acoustic mitigation of the new building to house the Heavy Fraction Plant.

- Impact on footpath.

No public footpaths are directly impacted by the development and the visual impact of the development is considered acceptable.

- Concerns over the Pre-Application Consultation process.

The applicant clarified matters in respect of the Pre-Application Consultation originally carried out. The application in its revised form which contains retrospective planning permission for elements of the proposal and as such is not considered to trigger the need for Pre-application consultation.

- Contrary to Well-being of future generations (Wales) act 2015 and Local Plan Policies on water and natural environment protection.

The development has been considered against the Well-being of future generations act 2015 and is not considered to be contrary to it as suitable measures are proposed to mitigate the impacts on nearby residents and it will assist in meeting key indicators such as increasing the recycling rate within Wales. It is also considered to accord with Local Development Plan Policies in respect of nature conservation and water environment.

- Flood risk.

Natural Resources Wales have raised no objections in respect of flood risk.

- Future tree felling.

No tree felling is proposed within the application.

- Alternative sites outside the county borough would be better.

This is the view of the author and is not a matter which can be considered in the determination of this application.

- Lack of publicity.

The application has been publicised in accordance with the legislative requirements.

- Off Site works.

This is not material to the consideration of the application.

Supportive comments received as summarised as:

- New equipment would improve site process which will enhance health and safety at the site.

- Enable more precise sorting of material.

- Reduction in waste sent for processing elsewhere.
- Increased productivity and enhanced job security.

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.

Future Wales - The National Plan 2040 was published on 24 February 2021 and forms part of the statutory development plan for the county borough. In addition to this Planning Policy Wales (PPW) has been amended to take account of Future Wales and PPW Edition 11 has also been published on 24th February 2021. In reaching the conclusion below full account has been taken of both Future Wales and PPW Edition 11 and where they are particularly pertinent to the consideration of the proposals they have been considered as part of the officer's report. It is considered that the recommendation(s) in respect of the proposals is (are) in conformity with both Future Wales and PPW Edition 11.

The development is considered acceptable subject to planning conditions to address matters raised by consultees and provide suitable mitigation for the development. It is recommended for approval accordingly.

**RECOMMENDATION that Permission be GRANTED**

This permission is subject to the following condition(s)

- 01) The development shall be carried out in accordance with the following approved plans and documents:
  - Site Location Plan, drawing reference HD4084-SP01 revision D;
  - Proposed Site Layout, drawing reference HD4084-SK101 revision H;
  - Proposed Front and Rear Elevations, drawing reference HD4084-SK102 revision B;
  - Proposed Side Elevations and Sections, drawing reference HD4084-SK103 revision A;
  - Proposed Floor Plan, drawing reference HD4084-SK104 revision E;
  - Proposed Front, Rear and Side Elevations (pre-shredder), drawing reference HD4084-SK104 revision E;
  - Proposed Site Layout - Vehicle Movement, drawing reference HD4084-SK1056;
  - Sound Enclosure Layout drawing reference 6.429238.E REV 00;
  - Foundation Layout - Overview, drawing reference DPC12N-GB31-C0300-BD001 rev 00;
  - Foundation Layout - Shredder Area, drawing reference DPC12N-GB31-C0300-BD002 rev 00;

Foundation Layout - Upstream Area, drawing reference DPC12N-GB31-C0300-BD003 rev 00;

Foundation Layout - Downstream Area, drawing reference DPC12N-GB31-C0300-BD004 rev 00;

Foundation Layout - Underground cable ways, drawing reference DPC12N-GB31-C0300-BD006 rev 00;

Powerhouse Layout, drawing reference DPC12N-GB31-C0400-BD001 rev 00;

Shredder and Downstream Plant Layout, DPC12N-GB31-Z0100-BD004 rev 00;

Terra Firma Phase 1 Desk Study Report (job no.15390);

Hunter Acoustics Ltd Report - New Sorting Plant at GLJ Recycling Cwmcarn Newport Independent Acoustic Consultancy Practice 6377/NIA1\_Rev3 dated 26.09.2022.

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

- 02) Prior to the installation of new lighting a lighting scheme shall be first submitted to and agreed, in writing, with the Local Planning Authority. That scheme shall indicate the type and positioning of luminaires, hours of illuminance and a plan indicating expected illuminance levels both on and off site. The lighting shall thereafter be installed and maintained in accordance with the agreed scheme and no additional lighting shall be installed without the approval of the Local Planning Authority.

REASON: In the interests of nature conservation in accordance with policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 03) The existing boundary fence located between GLJ Recycling Ltd and the River Ebbw Site of Important For Nature Conservation as defined in the adopted Caerphilly County Borough Local Development Plan up to 2021 shall be retained and maintained in order to protect the habitats within the adjacent Site Important For Nature Conservation.

REASON: To ensure proper measures are taken to safeguard the habitat of protected species, in the interests of biodiversity.

- 04) Prior to the commencement of any works associated with the installation of the heavy fraction processing plant, new site enclosure and pre shredder plan, a Construction Traffic Management Plan shall be submitted to and approved in writing with the Local Planning Authority. This document should set out details of expected daily vehicle movements, type of vehicles, duration of construction phase, times of operations (avoiding peak periods), wheel washing facilities, use of banksmen as necessary, temporary parking and manoeuvring areas.

REASON: In the interests of the residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 05) No development in areas of the application site known to be or suspected of contamination (as detailed in the Terra Firm Phase 1 Desk study report), shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.
1. A preliminary risk assessment which has identified:
    - all previous uses;
    - potential contaminants associated with those uses;
    - a conceptual model of the site indicating sources, pathways, and receptors;
    - potentially unacceptable risks arising from contamination at the site.
  2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  4. A verification plan providing details of the data that will be collected to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action.
- The remediation strategy and its relevant components shall be carried out in accordance with the approved details.
- REASON: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination in order to ensure compliance with Paragraphs 6.9.16-6.9.21 of Planning Policy Wales.
- 06) Prior to the heavy fraction plant being brought into beneficial use a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.
- REASON: To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation. To ensure risks to both future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems. Also to ensure that the development can be carried out safely without unacceptable risks to workers,

neighbours, and other offsite receptors in order to ensure compliance with Paragraphs 6.9.16-6.9.21 of Planning Policy Wales.

- 07) Prior to the heavy fraction plant being brought into beneficial use a long-term land contamination monitoring plan shall be submitted to and approved in writing by the Local Planning Authority. The long-term monitoring plan should include:
- Details of the methods and triggers for action to be undertaken;
  - Timescales for the long-term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required;
  - Timescales for submission of monitoring reports to the LPA e.g. annually;
  - Details of any necessary contingency and remedial actions and timescales for actions;
  - Details confirming that the contingency and remedial actions have been carried out.
- The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.
- REASON: A land contamination long term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts because of development on water quality in order to ensure compliance with Policy CW5 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.
- 08) If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.
- REASON: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks in order to ensure compliance with Paragraphs 6.9.16-6.9.21 of Planning Policy Wales.
- 09) No development or phase of development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.
- REASON: Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development in order to ensure compliance with Policy CW5 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

- 10) No proposed development including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:
- Construction methods: details of materials, how waste generated will be managed;
  - General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain;
  - Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance, and mitigation measures;
  - Soil Management: details of topsoil strip, storage, and amelioration for re-use;
  - CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures;
  - Control of Nuisances: details of restrictions to be applied during construction including timing, duration, and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill;
  - Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater, and energy use;
  - Traffic Management: details of site deliveries, plant on site, wheel wash facilities;
  - Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan;
  - Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details;
  - Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.
- The CEMP shall be implemented as approved during the site preparation and construction phases of the development.
- REASON: To ensure necessary management measures are agreed and implemented for the protection of the environment during construction in the interests of nature conservation in accordance with policies CW4, CW5 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 11) Within 3 months of the date of this permission a lighting scheme shall be submitted to and agreed, in writing, with the Local Planning Authority. That scheme shall indicate the type and positioning of luminaires, and a plan

indicating expected illuminance levels both on and off site. The lighting shall thereafter be installed and maintained in accordance with the agreed scheme and no additional lighting shall be installed without the approval of the Local Planning Authority.

REASON: In the interests of nature conservation with particular regard to wildlife using the River Ebbw corridor in accordance with policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 12) Notwithstanding the submitted plans sheet screen fencing, cladding, doors as well as facias and rainwater gutters shall be finished in a matt (non-reflective) dark grey colour (RAL 7016).

REASON: In the interests of the visual amenity of the area in accordance with policy SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 13) The use of the shredder, pre-shredder and heavy fraction plant hereby permitted shall not operate outside of the following hours:

0800-1800 hours Monday to Friday;

0900-1300 hours Saturday;

and there shall be no operating of the machinery on Sundays or Bank Holidays.

REASON: In the interests of the residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 14) The level of noise emitted from plant permitted by this permission shall not exceed a level of 52dB measured as an L(A)eq,1 hour at the nearest residential receptor.

REASON: In the interests of the residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 15) Prior to the Heavy Fraction plant being brought into operation, a sound insulation verification report shall be submitted to the Local Planning Authority and approved in writing to ensure the building envelope meets the recommended sound reduction criteria stipulated within the submitted noise report. The scheme must be independently verified by a competent third party acoustic consultant, to include the collection and analysis of real-time sound data to certify that the scheme is structurally adequate and fit for its intended purpose.

REASON: In the interests of the residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

#### Advisory Note(s)

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

Mature trees are potential bat roosts. All bat species and their roosts are protected by the Conservation of Habitats and Species Regulations 2010 and its amendment 2012, which transposes the EC Habitats Directive 1992 into UK legislation, and the Wildlife and Countryside Act 1981. If bats are discovered, then all works should stop immediately and the Countryside Council for Wales should be contacted for advice on any special precautions, and whether a licence is required, before continuing.