

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2013-2014

**DEVELOPMENT CONTROL
COMMITTEE
6 MARCH 2014**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

Agenda Item No.8

**APPLICATION NO: 12/0037 -
RECYCLING FACILITY FOR THE
STORAGE AND PROCESSING OF
INERT MATERIALS FROM
CONSTRUCTION AND DEMOLITION
ACTIVITIES AND THE OPERATION
OF A COMMUNITY RECYCLING
CENTRE (REVISED DESCRIPTION,
AMENDED DETAILS, AMENDED
PLANS AND ENVIRONMENTAL
INFORMATION RECEIVED 16 &
30/12/12), LAND ADJACENT TO
GLANMYCHYDD FACH FARMHOUSE,
LLANTRISANT, PONTYCLUN**

1. PURPOSE OF THE REPORT

Members are asked to determine the above application, and refer the application to the Welsh Government under The Town and Country Planning (Development Plans and Consultation) Directions 1992.

2. RECOMMENDATION

That Members consider the report in respect of the application and determine the application having regard to the advice given.

3. BACKGROUND

This application was reported to the Development Control Committee on 16th May 2013. A copy of the report is attached at **APPENDIX A**.

At the meeting it was resolved that as Members were minded to approve the above-mentioned application subject to the applicant entering into a Section 106 to ensure the provision of a Community Recycling Centre and on site welfare facilities prior to occupation of the remaining works, and subject to additional ecological survey work and a revised noise report, contrary to the recommendation of the Service Director, Planning because they considered the siting of the proposal would be accessible off the A4119, the development would provide a much needed waste management facility within the area and would not

impact upon the residential amenity of local properties as the site is situated away from residential properties with strict pollution controls in place, the matter be deferred to the next appropriate meeting of the Development Control Committee for a report from the Service Director, Planning, if necessary, in consultation with the Director, Legal & Democratic Services, upon the strengths and weaknesses of taking a decision contrary to recommendation, prior to determining the matter. (Minute No. 279(1) refers)

In response to Members request for additional information to accompany the application, the applicant has submitted the following additional matters as set out below:-

- i) Additional ecological information to assess the potential impacts on bats, otters and water voles and provide mitigation proposals.
- ii) Revised noise report to include evening hours of operation during the summer period and the movements of domestic vehicles to and from the community recycling centre.
- iii) Additional landscape mitigation proposals surrounding the site.
- iv) Revised Highway Drawings which accommodate the requirements of the Transportation Section re vision splays and width of the access road approaching the site.

This additional information has been subject to further consultation with relevant Council service area and neighbour notification. At the time of writing the report, formal comments had been received from the following consultees:

The Council's Transportation Section have advised that the new section of road should be supported by a mass concrete or reinforced concrete retaining wall, in accordance with the Rhondda Cynon Taf Design Guide, rather than the proposed gabion wall adjacent to the Nant Muchudd and the highway works needed to provide the vision splay to the south would appear to cross third party land. The applicant has been advised of these matters.

The first matter is secured by proposed Condition No. 23 and in relation to the second matter an amended site boundary plan Drawing Ref 697-02 has been submitted to include the relevant highway works, on land which is owned by the applicant

Natural Resources Wales (NRW) has raised no objection to the proposed development subject to appropriate conditions attached to any permission, in respect of bats and otters. NRW have advised that the small barn to the west of the site has been identified as supporting an individual roosting whiskered bat and two trees are considered to have high potential to support roosting bats. Appropriate worded conditions have therefore been recommended in order to require a detailed method statement for the loss of the roost within the barn and detailed

surveys and mitigation for impacts on any roost identified within the two trees. Furthermore, pre-construction checks are recommended to be undertaken to establish evidence of otters and voles and if found, appropriate mitigation secured. These matters have therefore been secured by proposed Condition No. 8.

Public Health & Protection Division – raises no objection to the proposed development, having considered the revised noise report.

Countryside Section – Landscape - raises no objections revised landscaping proposals.

Members will be updated verbally of any other comments received.

In consideration of the above matters, the site is located outside the settlement boundary, on a greenfield site and there is insufficient justification for siting a waste management facility in this precise location. Policy CS9 of the Local Development Plan directs waste management facilities to serve sub-regional needs to existing and allocated B2 employment sites where it is considered there are likely to be available sites. The proposed development would therefore undermine this strategy.

The application site is located within a Special Landscape Area (SLA) Mynydd y Glyn and Nant Muchudd Basin where Policy SSA23.6 requires development to conform to the highest possible design standards. It is considered that the proposed development is a major development which would result in the removal of a substantial stretch of hedgerow, and medium sized trees, opening up views into the site, all of which have an unacceptable impact on the rural character and appearance of the area. Whilst the additional information received includes additional planting areas along the boundary of the site, these are considered insufficient to overcome the above concerns.

Notwithstanding, the above, if Members are still minded to approve the application, it is suggested that the conditions, set out below are attached to the planning permission.

PLANNING OBLIGATIONS

At the meeting on 16th May, Members requested that the application be subject to a Section 106 Agreement in order to ensure that the provision of a Community Recycling Centre and on site welfare facilities occurred prior to occupation of the inert recycling facility. However, it is considered that this matter can be secured adequately by a Grampian condition which would secure phasing of the development so that the Community Recycling Centre and on site

welfare facilities take place prior to the occupation of the inert recycling facility.

4. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. Prior to the commencement of any works within the area proposed for the inert recycling activities, on site ground works and drainage facilities and the strengthening works on the bridge over the Nant Muchudd shall have been completed, and a long term lease is in place for the use of the Community Recycling Facility, in accordance with details which shall have been confirmed in writing by the Local Planning Authority.

Reason: In order to secure the phased development of the site.

3. Construction works on the development shall not take place other than during the following times:

- Monday to Friday 07:00 to 19:00 hours;
- Saturday 07:00 to 13:00 hours;
- Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. Hours of working/deliveries/collections, within/to/from the site shall be restricted to the following times, unless otherwise agreed in writing by the Local Planning Authority:-

Community Recycling Operations

- i) 08:00 to 19:30 Hours Mondays to Sundays (April to October inclusive),
- ii) 08:00 to 17:30 Hours Mondays to Sundays (November to March inclusive),

Inert Recycling operations

- iii) 07:30 to 16:00 Hours Mondays to Fridays,
- iv) 07:30 to 13:30 hours on Saturdays
- v) Not at all on Sundays or Public Holidays.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

5. The outside storage of skips, goods or materials shall only take place within the designated skip storage bins shown on approved plan number 697-28D and at no time shall exceed 2m in height above the proposed ground level, except for the storage of inert crushed materials which shall at no time exceed 3m above the proposed ground level, unless otherwise approved in writing with the Local Planning Authority.

Reason: To protect the visual and residential amenities of the area in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order) no external lighting equipment shall be erected or installed on the site unless details including its location, size, design and intensity have been submitted to and approved in writing by the Local Planning Authority. The lighting installed shall be carried out and retained in accordance with the approved details, unless otherwise agreed by the Local Planning Authority.

Reason: To prevent light pollution and to afford protection to animal species in accordance with policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

7. Prior to the commencement of development, a detailed site investigations report shall be submitted to and approved in writing by the Local Planning Authority. The report should be sufficiently detailed to establish if any ground precautions are necessary in relation to the proposed development and the precautions that should be adopted in the design and construction of the proposed development in order to minimise any damage which might arise as a result of ground condition. The development, hereby permitted, shall be carried out in accordance with the approved site investigations report.

Reason: The site may be unstable and as such a stability report is required in accordance with policy AW10 of the Rhondda Cynon Taf Local Development.

8. No development shall take place until a Wildlife Protection Plan for Construction and the on going operations of the Development have been submitted to and approved in writing by the local planning authority. The plan shall include:
 - The implementation of a detailed method statement to mitigate for the loss of the bat roost within the barn.
 - Detailed surveys of the two trees identified with high potential to

support bat roosts, and if found, the submission of a detailed method statement for the mitigation of such impact.

- Detailed mitigation strategy for otters and voles including pre-construction checks and minimising impacts within the proposed buffer zone.
- Measures to implement the recommendations in Section 9 of the report entitled “Extended Phase 1 Habitat Survey” dated January 2011 and the “Protected Species Surveys” dated February 2014.
- The provision and management of a buffer zone alongside the Nant Mychudd and how this will be maintained,
- An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- Details of protective measures (both physical measures and sensitive working practices) to avoid impacts on retained habitats and features ;
- A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed
- Details of specific mitigation strategies for bats, otters, water voles, any Japanese Knotweed and pollution controls.
- Details of any proposed lighting
- Persons responsible for:
 - i) Compliance with legal consents relating to nature conservation;
 - ii) Compliance with planning conditions relating to nature conservation;
 - iii) Installation of physical protection measures during construction;
 - iv) Implementation of sensitive working practices during construction;
 - v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
 - vi) Provision of training and information about the importance of the ‘Wildlife Protection Zones’ to all construction personnel on site.

All construction and development activities shall be implemented with the approved details and timing of the plan, unless otherwise approved in writing by the Local Planning Authority.

Reason: To afford protection to animal and plant species in accordance with policies AW5 and AW8 of the Rhondda Cynon Taf Local Development

Plan.

9. The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing.
- A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.
 - A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been completed satisfying the requirements of paragraph (1) above.
 - A written method statement for the remediation of contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity and so as to accord with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

10. The development hereby permitted shall not be occupied and/or operated until the measures approved in the scheme (referred to in Condition 9) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity and so as to accord with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

11. If during development works any contamination is encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to the Local Planning Authority. The development shall not re-commence until the additional proposals have been agreed in writing by the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity and so as to accord with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

12. The landscaping works to be provided in connection with the development hereby permitted shall be provided in the locations shown on the submitted Drawings Reference Numbers 697-07M. Prior to the commencement of the development there shall be submitted to and approved by the Local Planning Authority a comprehensive scheme of landscaping, which shall include details of the planting which shall be certified of British Native Plant Stock, ground preparation, programme of long term maintenance and protection, indications of all existing trees (including spread and species) and hedgerows on the land, details of the planting of the stream edge and details of any to be retained together with measures for their protection during the course of development.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

13. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the community recycling centre or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

14. Prior to the commencement of any development on the site details shall be submitted to and approved in writing by the local planning authority of the positions, design, materials and type of boundary treatment to be erected. The boundary treatment for each phase of the development shall be completed prior to beneficial use of any phase of the development hereby permitted, in accordance with the approved details.

Reason: To ensure that the new development will in keeping with the surrounding area and to protect residential amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

15. The external finishes of the buildings, welfare and staff facilities and recycling bins and any plant forming part of the development hereby permitted shall be finished in strict accordance with details of colour and texture to be submitted to and approved in writing by the Local Planning Authority, prior to their construction/placement on site. The buildings, welfare facilities and bins shall thereafter be maintained in the approved colour and finish, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

16. The development hereby permitted shall take place in accordance with the submitted details and the following restrictions, unless otherwise approved in writing by the Local Planning Authority:-

- Planabuild Ltd drawings – 697-01C, 02F, 03F, 04B, 05B, 06B, 07M, 08G, 10E, 11C, 12C, 13C, 14B, 15C, 16A, 17A, 18D, 19C, 20D, 21, 22, 23, 24C, 28D, 29E, 30A, 31, 32, 33, 34, 35A, 37A, 38B, 39.
- No commercial vehicles shall be stored on the site at any time

Inert Recycling operations

- The maximum throughput of 100,000 tonnes of inert waste per annum.
- The maximum storage of 15,000 tonnes of material, at any one time,

Community Recycling Operations

- The maximum storage of 35,000 tonnes of material, at any one time

Reason: To define the consent granted, and to ensure that the traffic movements and noise emitted from this development are not a source of nuisance to occupants of nearby residential properties in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

17. The buildings and tanks shall be constructed in accordance with the locations shown on the approved plan reference 697-28D, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the visual amenity of the area in accordance with policies AW5 and AW6, of the Rhondda Cynon Taf Local Development Plan.

18. No building shall be occupied until drainage arrangements including the disposal of foul and surface water have been submitted to and approved in writing by the Local Planning Authority. The drainage arrangements shall provide for the proposed phased development of the site.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

19. No building shall be occupied or the use commenced within either phase of the development hereby permitted until the drainage the drainage works have been completed in accordance with the approved plans.

Reason: To ensure adequate disposal of foul and surface water drainage in

accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

20. Prior to the commencement of any phase of the development, facilities for wheel cleansing shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Wheel cleaning shall be carried out in accordance with the approved details, prior to any construction works commencing unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of road safety in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

21. Prior to the commencement of any phase of the development a scheme of dust minimisation measures shall be submitted to and approved in writing by the Local Planning Authority. The dust minimisation measures shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that dust emitted from this development is not a source of nuisance, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

22. No works shall commence on site until the speed limit has been lowered to 40mph from the junction of Pant-y-Brad Road with Heol-y-Sarn to 120m north of the proposed site access has been implemented to the approval of the Local Planning Authority. No part of the development, hereby permitted, shall not be occupied until the traffic management scheme has been undertaken in accordance with the approved details.

Reason: In the interests of highway and pedestrian safety and so as to accord with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

23. No works shall commence on site until full engineering design and details for the highway improvements along Pant-y Brad to serve the proposed development including cross and longitudinal sections, street lighting, surface water drainage, highway structures and relevant Road Safety Audits with designer's response have been submitted to and approved in writing by the Local Planning Authority and implemented accordingly in accordance with the approved details prior to the beneficial use of any phase of the development hereby permitted, unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety so as to accord with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

24. Notwithstanding the submitted plans, full engineering design and details of the proposed junction off Pant-y-Brad Road including cross and longitudinal sections, drainage, lighting, footway facilities with pedestrian crossings,

swept path analysis and any other structures that may be required have been submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The improved junction shall be implemented in accordance with the approved details prior to beneficial use of any phase of the development hereby permitted, unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety so as to accord with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

25. The vehicular access to the site shall be laid out, constructed and retained thereafter with 2.4m x 120m vision splays with no obstruction or planting when mature, exceeding 0.9m in height placed within the required vision splay areas.

Reason: To ensure that adequate visibility is provided, in the interests of highway safety, so as to accord with policy AW5 of the Rhondda Cynon Taf Local Development Plan

26. Prior to any works commencing on site details of the parking, turning facilities and swept path analysis for all calling, delivery and service vehicles shall be submitted to and approved in writing by the Local Planning Authority. The approved parking and turning areas shall be implemented in accordance with the approved details prior to beneficial occupation unless otherwise agreed in writing by the Local Planning Authority. The parking and turning areas shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that adequate access, turning and parking facilities are provided within the curtilage of the site, in the interests of highway safety so as to accord with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

27. No works shall commence on site until a structural report of the Nant Muchudd Bridge has been carried out incorporating any mitigation measures required to cater for the additional heavy loads that would be generated by the proposed development and has been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details prior to any building works commencing on site, unless otherwise agreed in writing by the LPA.

Reason: In the interests of the safety of all highway users so as to accord with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

28. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for;

- a) the means of access into the site for all construction traffic,

- b) the parking of vehicles of site operatives and visitors,
- c) the management of vehicular and pedestrian traffic,
- d) loading and unloading of plant and materials,
- e) wheel cleansing facilities,
- f) the sheeting of lorries leaving the site,
- g) the timing of the works,
- h) location and storage of plant, materials and fuel,
- i) site supervision .

The approved Construction Method Statement shall be adhered to throughout the development process and any subsequent amendments shall be agreed in writing with the Local Planning Authority.

Reason: In the interests of the safety and free flow of traffic and to prevent pollution of the water environment so as to accord with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

29. Prior to the commencement of development, details of the method of sheeting lorries shall be submitted to and approved in writing by the Local Planning Authority, and before leaving the site all lorries shall be sheeted in accordance with the approved details.

Reason: In the interests of road safety and residential amenity so as to accord with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

30. The community recycling centre hereby permitted shall not be commenced until such time as a scheme to install oil and petrol separators has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To prevent any oil and petrol run-off causing deterioration in water and habitat and aquatic biodiversity in accordance with policies AW8 and AW10 of the Rhondda Cynon Taf Local Development Plan.

31. Prior to the commencement of the development hereby permitted, the engineering details, the structural calculations and landscaping details of any retaining structure adjacent to the site entrance shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of health & safety and environmental amenity, so as to accord with policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan.

32. At such time as any part of the recycling facilities hereby approved ceases to be used, all buildings, welfare facilities and bins, plant and equipment used in connection with the use shall be removed from the site and the land shall be restored in accordance with a scheme of restoration, including a timetable of works and persons responsible for carrying out the works. The

scheme of restoration shall be submitted to and approved in writing by the Local Planning Authority, within one month following the recycling uses ceasing and shall be implemented thereafter in accordance with the approved details.

Reason: To ensure that the external appearance of the site will be in keeping with the character of the area in the interests of visual amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

NOTES

1. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste from or into the site must be registered waste carriers.
2. The applicant should be aware that the activity of importing waste into the site for use as, for example hardcore must be registered by the Natural Resources Wales under the Environmental Permitting Regulations 2010.
3. In addition to planning consent, the operation of the proposed facility may require a permit under the Environmental Permitting (England & Wales) Regulations 2010, prior to any operations taking place. A permit will not be issued unless a high level of protection is provided for the environment and human health.
4. As the applicant intends utilising a private treatment works, Dwr Cymru / Welsh Water advises that they contact Natural Resources Wales, which may have an input in the regulation of this method of drainage disposal.
5. The developer is advised to obtain Ordinary Watercourse Consent under the Land Drainage Act 1991 and the Flood and Water Management Act 2010 in respect of any works affecting existing culverted watercourses on the development.
11. The proposed surface water sewerage should be assessed in relation to the impact of a 1 in 100 year return period storm and a climate change allowance of +30%.
12. The developer should consider the need for the provision of adequate water supplies on the site for fire fighting purposes and access for emergency fire fighting appliances.
13. If the Applicant is aggrieved by the decision of the Local Planning Authority he/she may appeal to the National Assembly for Wales within 6 months of the date of this Notice. Appeals should be made on a form available from the Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ.

- 14 The proposed development may also require a consent under the Building Regulations 2000. Therefore, would you please contact the Building Control Section on (01443) 494746 to discuss the matter further.
- 15 All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. They must be given reasonable time to advise as to whether the works should be carried out and, if so, the method to be used. A European Protected Species Licence will be required for the development.

APPENDIX A

APPLICATION NO: 12/0037/10 (DB)
APPLICANT: Tom Pritchard Contracting Ltd
DEVELOPMENT: Recycling facility for the storage and processing of inert materials from construction and demolition activities and the operation of a community recycling centre (revised description, amended details, amended plans and environmental information received 16 & 30/12/12).
LOCATION: LAND ADJACENT TO GLANMYCHYDD FACH FARMHOUSE, LLANTRISANT, PONTYCLUN
DATE REGISTERED: 30/12/2012
ELECTORAL DIVISION: Town (Llantrisant)

APPLICATION DETAILS

This is an application for two complementary proposals - a recycling facility for the storage and processing of inert materials from construction and demolition waste and the operation of a community recycling centre. Both operations would share the same access to be created onto the public highway but they would be operated independently with secured entrances.

Proposed inert recycling operations

The proposed inert recycling operations are proposed for the applicants' use only in connection with the applicants' earthmoving and contracting business which is based at Castellau Fach Farm, Llantrisant situated nearby. It is designed to cater for maximum of 50,000 cubic metres (approximately 100,000 tonnes) of inert materials. A maximum of 7,500 cubic metres (approximately 15,000 tonnes) would be stored at any one time. When more than 5,000 cubic metres is stored on site mobile crushing and screening plant would be brought on to the site on a temporary basis in order to process the material into re-usable graded stone, stone dust, subsoils and top soils. These processed materials would be stored in one of a maximum of 7 stock piles, with a maximum height of 3.0 metres with a total volume of 8,400 cubic metres.

The inert recycling operations would not be open to the public and are proposed to be open from 07:30 to 16:00 Hours Monday to Friday and 07:30 to 13:30 Hours on Saturdays and would not be open on Sundays or Bank Holidays. Dust and noise suppression measures would be provided to reduce the impacts on local amenity.

This part of the site would be drained by a sustainable drainage system consisting of a permeable surface, drainage ditch and settling pond.

Proposed community recycling operations

The proposed community recycling centre is proposed for the southern part of the site. It would serve the south western part of the County Borough and would operate in a similar manner to the existing facilities in Treforest, Dinas and Llwydcoed. It has been designed to allow a maximum of 35,000 tonnes of various re-cycled materials to be brought to the site by members of the public and stored in various demountable containers and bins. The submitted plans show that there would be twenty seven such containers and bins. These would range in size with a maximum dimensions of 2.4m wide, 5.6m long and 1.8m high. A concrete slab would be provided which would drain any surface water into an oil interceptor which would then drain into the attenuation pond.

The total solids capacity for the site would be 440 cubic metres (approx 660 tonnes) and 1,000 litres of oils.

The community recycling operations would be open from 08:00 to 19:30 Hours Monday to Sunday (April to October inclusive) and from 08:00 to 17:30 Hours Monday to Sunday (November to March inclusive).

The accommodation proposed is a gate house and staff welfare building both measuring 6m x 2.4 x 2.7m high and a re-use centre building measuring 8m x 4.4m x 4m high, which would all be finished externally in profiled metal cladding. The centre would be secured by a 1.8m high close boarded fence.

Overall Site Proposals

The proposal involves re profiling the ground to create a level ground platform by cutting up to 2.5m depth into the northern part of the site and building up the southern part, especially near the site entrance. These works would involve the excavation of approximately 8,400 cubic metres and the fill of approximately 7200 cubic metres of material. Several small ditches within the site would be diverted to accommodate the proposed works before discharging to the Nant Muchudd. A settlement pond would be provided to cater for the surface water discharges from the site with an outfall to the Nant Muchudd. A sewerage treatment plant is proposed to deal with foul water. The site boundary would be formed by a 1m high perimeter bund with a hedge on top which is proposed as a visual screen of 3.5m high and a security rail fence measuring 1.8m high. Replacement hedgerow planting and tree planting are proposed within the site as mitigation for the existing hedgerows and trees to be lost mainly as a result of the highway improvement works and to screen the site from the adjacent residential property Glanmychudd-fach. The perimeter bund would be located between 8m and 32m from the edge of the northern bank of the Nant Muchudd, although the edge of the earth works would be located a minimum of 5m from the riverbank. Lighting would be designed to avoid light spillage.

The proposals also involve improvements to the public highway and the site entrance. Between the Nant Muchudd bridge and the site entrance the existing public highway would be widened to provide a minimum width of 6.1m, (3.05m per lane). At the site entrance the public highway would be

realigned and widened, vision splays provided of 2.4m x 78m to the left and 117m to the right which have been designed to cater for the traffic speeds which have been derived from the submitted traffic survey. A right hand turning lane is also proposed measuring 3.65m in width. The widening works would also require the construction of a retaining feature in the form of a gabion wall measuring approximately 20m long and 3m high adjacent to the Nant Muchudd.

It is recognised that the access improvements would not cater for two-way commercial vehicles and that some means of signage would be required requiring priority in one direction. Whilst there is no weight restriction on the existing nearby road bridge, the applicant proposes to undertake a structural inspection and carry out strengthening works, if required, as part of the proposals. The applicant also proposes to apply for a traffic order in order to reduce the traffic speed to 30mph between the existing industrial estate and a position 90m north of the proposed site entrance.

An estimate of the average number of vehicular movements proposed for the proposed development is provided. This indicates that there would be 20 no. twenty tonne tipper trucks and 5 no commercial bin lorries for each week day travelling to and from the inert materials and recycling facility and 70 members of the public would visit the recycling centre in cars on each weekday and 225 would visit the site each day of the week end. The commercial bin lorries would be stored at the applicant's premises nearby. The site is laid out internally to minimise contact between the public and the applicants operation of the inert recycling proposals.

It is anticipated that there would be 4 full time equivalent posts created.

The application is supported by the following documentation: -

- Automatic Traffic Survey undertaken by 'Count on us in July 2010.
- Extended Phase 1 Habitat Survey undertaken by Hawkeswood Ecology – dated January 2011.
- Study of Alternative Sites – December 2011.
- Bat Survey - by Hawkeswood Ecology -- dated September 2012.
- Noise Impact Report - by Noise and Acoustics - dated: December 2012.
- Landscape Report – by Bronwen Thomas - dated December 2012.
- Design and Access Statement dated 20 December 2012.

The proposed development would require an Environmental Permit under the Environmental Permitting Regulations 2010 from Natural Resources Wales.

SITE APPRAISAL

The site relates to an irregular piece of land measuring approximately 1.7 hectares on land adjacent to Glanmychydd Fach Farmhouse, Llantrisant which lies immediately to the south west of the site. The site has a 6m frontage with the public highway, and is approximately 235m long and has an

average width of 85m. The south western part of the site includes the unnamed public highway and existing field gate access. The Nant Muchudd lies immediately to the south east of the site and the remainder of the site is bounded by drainage ditches within open countryside. The site lies to the north east of the Royal Mint which is located on the Llantrisant Business Park.

The site comprises largely of land which has been subject to a number of previous planning permissions for the land filling of inert materials to improve the agricultural use of the land, (references 90/0916, 92/0898, 96/2168). These works have raised the land by approximately 2 metres above the original ground level at the eastern boundary adjacent to the river corridor. The landfill operations have long since ceased and the site has been restored to agriculturally improved grassland which contains two distinct wetter areas. The river corridor consists of a wooded embankment. There are hedgerows and mature trees within the southern part of the site.

The site is not of a uniform gradient, but generally slopes down from the northern boundary down to the southern boundary from a maximum height of 88mAOD down to 67mAOD adjacent to the Nant Muchudd.

The existing access to the site is gained from the unnamed country lane via a field gate. The boundary adjacent to the highway is formed by a bank and mature hedgerow and a drainage ditch. Adjacent to the lane is a single storey stone barn building measuring 4m x 8m.

All of the site is located outside the settlement boundary and is in the countryside. The route of the adjoining watercourses - the Nant Muchudd is a Site of Importance for Nature Conservation SINC. PROW Llantrisant 22 adjoins the red line boundary adjacent to the public highway.

Mains water, electricity and telephone utilities are located nearby.

PLANNING HISTORY

96/2168	Land near Glanmychydd Fach, Llantrisant, Pontyclun	Renewal of planning permission 56/92/0898 - raising level of agricultural land	Granted 21/11/96
92/0898	Land near Glanmychydd Fach, Llantrisant, Pontyclun	Raising level of agricultural land	Granted 12/07/93
90/0916	Land part of Rhiwfeelin Fach Farm, Llantrisant	Raising level of land to provide better grazing for livestock	Granted 12/04/91
85/1444	Part of Glanmychydd	Storage and vehicle maintenance	Granted 06/03/86

Fach Farm,
Llantrisant

PUBLICITY

Press notice, site notices and neighbour notification. One letter of objection has been received as a result of this publicity, stating that whilst support sustainable development and principles of recycling object to the proposed development for the following reasons:-

- i) questions whether applicant has the experience to operate the proposed community recycling centre and questions its funding,
- ii) questions health and safety of travelling to site using sub standard roads and to share site entrance with commercial haulage vehicles using the industrial materials processing operation,
- iii) the substantial increase in traffic entering and exiting the site on a corner would result in increased danger to road users, and the community and would be detrimental to road safety, especially in the winter,
- iv) the inert materials recycling centre would be a source of noise, air and water pollution. The noise report takes no account of heavy tippers using the site and the low bunds would not reduce the noise. Consider expert review is obtained to validate the noise report.
- v) most sustainable location to recycle materials for reuse is on the construction or demolition site where these materials arise, not on a site which requires significant road haulage and associated carbon footprint.
- vi) the widths of roads and the presence of the old narrow stone bridge are incapable of coping with existing traffic associated with the applicant's commercial haulage business run from Castellau Fach Farm which drive at excessive speeds, at all hours, even at school opening and closing times (nearness of Ysgol Gynradd Castellau) and which are inconsiderate to others, causing nuisance and concern to residents.
- vii) the applicant justifies the proposed development and traffic usage of the existing roads based on his existing usage, but it is considered that additional heavy traffic would be generated from both directions leading to the site entrance which cannot be restricted, regulated or policed by planning consent,
- viii) question whether there is planning permission for the parking and servicing of heavy commercial vehicles at the applicant's premises.

CONSULTATION

Countryside Council For Wales – raises no objections to the proposed development subject to appropriately worded conditions to secure the implementation of appropriate mitigation measures.

Land Reclamation and Engineering – raises no objections to the proposed development and recommends conditions regarding drainage matters. Recommends consultation with the Environment Agency Wales as the site is located within Flood Zones B and C as an area susceptible to surface water flooding.

Public Health and Protection Division – revised observations dated 29.04.2013 advises that there is inadequate information submitted in order to fully comment on the application, as the submitted noise report does not take into account the domestic vehicle movements to and from the community recycling centre nor the proposed extended hours of operating.

Environment Agency Wales (now NRW) - raises no objection subject to conditions requiring a contaminated risk assessment with long term monitoring and maintenance, scheme regarding the disposal of foul and surface water, construction method statement, wildlife protection scheme and the provision and management of a buffer zone alongside the Nant Muchudd. Also provides notes to the applicant and advises of the requirement for an Environmental Permit under the Environmental Permitting Regulations 2010.

Transportation Section – raises no objections subject to the imposition of conditions to secure full engineering details of the access improvements, access, parking and turning facilities, structural report of the Nant Muchudd Bridge, construction method statement and no surface water to discharge into the highway drainage system.

Dwr Cymru/Welsh Water – as the applicant intends to utilise private drainage facilities, raises no comments. However if circumstances change and a connection to the public sewerage system is preferred then should be re-consulted.

South Wales Fire Service – the developer should consider the need for the provision of adequate water supplies and access for emergency fire fighting appliances.

Countryside Section – advises that there are no Sewbrec records of statutory protected species from the immediate vicinity. Confirms that there are no Public Rights of Way on the proposed development site but PROW Llantrisant 22 adjoins the red line boundary adjacent to the public highway and must be kept open and retained in its present condition at all times. Raises concerns in terms of the landscape/visual assessment and ecological impact and raises an ecological objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan (LDP)

The Proposals Map indicates that the site lies outside settlement boundaries, within Special Landscape Area SSA 23.6 Mynydd y Glyn and Nant Muchudd Basin, within a sandstone resources protection area and immediately adjacent to a site of importance for nature conservation, SINC 111 Nant Muchudd. The constraints map shows that the C2 flood risk zone affects a very small part of the site.

Policy CS2 – sets out criteria to achieve sustainable growth in the southern strategy area, including protecting the natural environment and the reuse of previously developed land will be promoted.

Policy CS9 – advises that existing and allocated B2 employment sites are considered appropriate locations for waste management facilities to serve sub-regional needs.

Policy AW2 – only supports development proposals in sustainable locations which are defined as sites that inter alia would not unacceptably conflict with surrounding uses; have good accessibility by a range of sustainable transport options; have good access to key services and facilities; are not within the Zone C floodplain unless it can be justified on the grounds that the potential consequences of flooding have been considered and found to be acceptable and meet the definition of previously developed land and are well related to existing services.

Policy AW4 provides for planning obligations to make proposals acceptable in planning terms.

Policy AW5 Development proposals will be supported where amenity and accessibility issues are appropriately addressed.

Policy AW6 provides general design criteria for new development, including protecting and enhancing the landscape and biodiversity and good water management.

Policy AW8 only permits development where natural heritage will be preserved and enhanced by protecting it from inappropriate development.

Policy AW10 does not permit development proposals where they would cause or result in an unacceptable risk of harm to health and/or local amenity.

Policy AW14 requires protection of the resources of sandstone.

Policy SSA23 requires the highest standards of design in the special landscape areas.

Planning Policy Wales

Para 3.12.2 defines notification development as including waste development not in accordance with the provisions of the development plan.

Para 4.3.1 sets out the principles of the Welsh Government's approach to planning policy which include respect for environmental limits and the proximity principle, especially in managing waste.

Para 4.4.3 provides the key policy objectives for planning policies and proposals which include to promote resource-efficient and climate change resilient settlement patterns that minimise land-take, especially through

preference for the re-use of suitable previously developed land and buildings, wherever possible avoiding development on green field sites: locate developments so as to minimise the demand for travel, especially by private car; minimise the risks of development adjacent to unstable, contaminated land and land liable to flooding; securing provision of infrastructure including waste management facilities whilst ensuring assessment of their sustainability impacts; ensuring development does not produce irreversible harmful effects on the natural environment; maximise the use of renewable resources including sustainable materials; and to reduce waste and all forms of pollution and promote good environmental management.

Para. 4.6.4 states that the countryside must be preserved and enhanced.

Para. 4.7.8 states that new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled.

Para. 4.9.1 states that previously developed land should, wherever possible, be used in preference to green field sites. Figure 4.3 clarifies that previously developed land excludes land where the remains of any structure or activity have blended into the landscape over time, so that they can reasonably be considered part of the natural surroundings.

Para. 5.3.11 states that non-statutory designations, such as Special Landscape Areas or Sites of Importance for Nature Conservation, should not unduly restrict acceptable development.

Para 7.1.6 advises that particular regard should be given to the needs of small and medium sized enterprises.

Para 7.6.1 provides criteria for industrial and commercial uses, including the impact on the environment in terms of the scale and design, use of materials, impact on the landscape and local amenity, noise and odour.

Para 8.7.1 advises of a number of criteria that the transport implications for development should take into account.

Para. 12.1.4 states that the Welsh Government's infrastructure objectives include ensuring that appropriate facilities are established to reduce, re-use, recover and, where necessary, safely dispose of waste.

Para 12.5.1 states that local planning authorities are obliged by the EC framework Directive for Waste to make provision for establishing an integrated and adequate network of waste disposal installations.

Para 12.5.2 advocates a sustainable approach to waste management that will require greater emphasis on reduction, re-use and recovery and less reliance on disposal without recovery.

Paragraph 12.5.4 states that in Wales the aim should be to provide sufficient facilities to treat, manage and dispose of all waste produced.

Paragraph 12.7.1 states that decisions should have regard to the waste management objectives in the national waste strategy, and the environmental impact of waste management facilities must be adequately assessed, supported by independent surveys where appropriate and, if the adverse impacts on amenity cannot be mitigated, planning permission should be refused.

Paragraph 13.12.1 states the potential for pollution affecting the use of land will be a material consideration in deciding whether to grant planning permission.

Minerals Planning Policy Wales

Para 56 advises that Authorities should make provision for the storage and processing of inert materials arising from construction, demolition, maintenance operations. Also advises that clear criteria should be set out to assess planning applications for recycling sites.

Para. 58 states that development plans should encourage the recycling of construction and demolition wastes. Every local planning authority should make provision (in their development plan) for storage and processing of inert materials arising from construction, demolition and maintenance operations.

Minerals Planning Policy (Wales) Minerals Technical Advice Note (Wales) 1. Aggregates

Para 34 stresses the need for waste minimisation and to increase the supply of recycled, secondary and waste materials, rather than using primary aggregates. Section E provides information relating to the promotion of aggregates recycling.

Para. 152 states that the most acceptable locations for recycling centres (for construction and demolition waste) are likely to be stand alone facilities, purpose built sites in industrial areas; at waste transfer sites; in worked-out quarries.

Strategic Planning Guidance for South East Wales

Recommendation WM2 favours the development of sites for waste management facilities unless their siting would have an unacceptable effect on the best agricultural land, areas designated for the protection of the natural environment, open space, flood plains and controlled waters, or in close proximity to sensitive land uses.

Recommendation WM3 advises that waste management facilities not precluded in WM2 should conform to the principles of the best practicable environmental option, the waste hierarchy and proximity criteria.

Technical Advice Note 15: Development and Flood Risk

Provides guidance on land use planning and flood risk.

Technical Advice Note 21: Waste

Para 3.18 sets out the key environment issues that planning authorities must consider in their Best Practicable Environmental Option (BPEO) and their Sustainable Waste Management Options (SWMO). These include the conservation of landscape and significant townscapes, protection of local amenity, protection of habitats and species, minimisation of transport impacts minimised costs of waste collection and management.

Para 4.13 advises that waste transfer facilities require sites of sufficient size and of appropriate accessibility, and careful design is necessary to control litter, noise and odours in view of the large quantities of waste likely to pass through the site and in some circumstances operations may need to be enclosed within buildings.

Para. 4.6 states that development plans should facilitate the provision of waste recovery facilities by indicating where such development could take place, generally in existing industrial areas, ports or brown field sites.

Para 6.2 advises that the potential impact of the site should be carefully assessed when considering applications to be at risk or within 250m of an active or closed landfill site

Para. 6.9 states that where a proposal for waste management facilities is environmentally unacceptable or would cause adverse impacts on amenity and the problems cannot be mitigated to an acceptable standard by conditions, planning permission should be refused.

Para 8.2 states that the land use planning system should look favourably on proposals that facilitate more efficient management of the waste resource.

Para. 10.5 states that the following have the potential to be environmentally acceptable locations for inert waste recycling facilities: active (and some disused) quarries; landfill sites; industrial estates where heavy or general industry is located; ports/dockland and transport nodes.

Annex C covers specific planning considerations.

Para C35 advises that the most appropriate locations will be those with the least adverse impact on the local population and environment and with the best potential contribution to a facilities framework. Particular care is advised where new or extended waste facilities may be incompatible with existing land-uses.

Para C36 advises that new sites might be located if appropriate within or adjacent to industrial areas...existing or redundant sites or buildings....sites currently occupied by other types of waste management facilities.

Para C40 advises on planning conditions which should be considered for waste management permissions. These include the nature of the wastes acceptable as this might affect local amenity, hours of operation, noise limits, time scale, protection of surface water, screening and lighting, landscaping, minimising nuisance from dust, birds, vermin or litter.

Technical Advice Note 5: Nature Conservation and Planning

Para 1.4.1 states that Section 40 (1) of Natural Environment and Rural Communities Act 2006 (NERC) places a duty on every public authority, in exercising its functions to "have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. TAN (5) sets out the manner in which planning authorities should comply with this duty.

Section 4.6 sets out how conditions may contribute significantly to biodiversity conservation.

Section 4.7 identifies that the use of planning obligations can also be an effective way of avoiding potential adverse effects on nature conservation enabling a permission to be granted. They are particularly useful for ensuring proposed natural heritage benefits are delivered in a timely and appropriate way, where these have been material considerations in the planning decision.

Para 5.5.1 advises that local sites (including SINC's) have an important role to play in meeting biodiversity targets and contributing to the quality of life and well being of the community.

Para's 6.3 to 6.4 provides advice on the requirements of LDP's regarding European Protected Species.

PLANNING CONSIDERATIONS

The key issues in assessing this application are considered to be whether the proposed development is acceptable in principle, the consequences of the proposed use on the character and appearance of the landscape; the amenities of adjoining land uses; the local conservation value and biodiversity interest of the area; highway safety and traffic generation; contamination and pollution of the environment and flood risk. If the proposal does not accord with the development plan then are there material considerations which would allow a determination other than in accordance with the development plan.

Planning Policy Wales states that local planning authorities are required to make provision for an integrated and adequate network of waste disposal facilities. Strategic Planning Guidance for South East Wales favours the development of sites for waste management facilities subject to criteria. TAN

21 – Waste, states that the planning system should look favourably on proposals that facilitate more efficient management of the waste resource. Planning guidance therefore supports recycling, use of renewable resources, and the development of sites for waste management facilities in appropriate locations, subject to environmental criteria. Both National and Local Planning Policies state a preference for waste processing proposals to be located generally on existing industrial areas or brown field sites and in sustainable locations.

The application site is located in the countryside beyond the defined settlement boundary of nearby Llantrisant as defined in the Rhondda Cynon Taf Local Development Plan. The site has previously been partly used for landfill purposes but as the remains of this activity has blended into the landscape it is considered that it would be excluded from the definition of previously developed land as the site is now considered to be reasonably part of the natural surroundings and suitable for agricultural use. The site is therefore considered to be a green field site for planning policy purposes.

Para 10.5 of Tan 21 lists the most suitable locations for inert waste recycling facilities. The application site would not fit into any of these categories as the landfill site is now restored to form part of the adjacent agricultural land, is not located on an industrial estate where there are heavy or specialised industrial uses and being 1km from the A4119 and 6km from the M4 would not be regarded as being at a transport node. The application site does not therefore comply with this criteria. LDP Policy AW2 also defines sustainable locations. These include locations which are located within the defined settlement boundary and meet 8 other criteria. In particular the criteria state that sustainable locations include sites which (2) are without conflict with surrounding uses, (3) have good accessibility by a range of sustainable transport options, (5) are outside the C2 flood zone without special justification, (6) support the roles and functions of the principal towns, key settlements and small settlements and (8) are well related to utilities. Policy AW5 also requires development proposals to have good accessibility.

LDP Policy CS9 permits waste management facilities to serve sub-regional needs within existing and allocated B2 employment sites. As stated above, the development does not comply with this policy. The applicant's agent considers that the proposed recycling facilities do not lend themselves to allocated B2 sites as they tend to require large areas of land which is not compatible with rental requirements of these sites. A Study of Alternative Sites dated December 2011 has been submitted but which has not been updated to include the community recycling centre. It lists a number of alternative sites available but discounts them for various reasons. However, as stated within Para 4.81 of the LDP, there are 80 existing employment sites with a B2 use within the County Borough, as well as two employment allocations. It is therefore considered that there is sufficient land on employment sites such that there would be a choice of sites available for the proposed waste processing operations, even if they do not meet the specific requirements of the applicant. Additionally, whilst it may be difficult to find, it is considered that there is likely to be a brown field site in the south west part

of the County Borough, to serve the proposed catchment of the applicant. It should also be borne in mind that the proposed development consists of two separate activities which could be split to find a suitable site. Furthermore, the operation of the community recycling centre could have been undertaken at a site in Coedcae Lane which has the benefit of two recent planning permissions for similar waste activities. The applicant's agent lists other recycling sites which are located in the countryside, but it is considered that these would have been considered on their own merits against the relevant National and Local Planning Guidance and Policies.

As stated above, the site is located outside the settlement boundary. In terms of accessibility, the site is accessible by car and lorry. Further, compared to the nearest existing Community Recycling Centre on the Treforest Industrial Estate, the site is considered relatively accessible to serve residents within the south-western part of the County Borough, such as Llantrisant, Pontyclun, Talbot Green, Llanharry and Llanharan.

The applicants' agent also maintains that the proposed development would provide a much needed waste management facility within the southern part of the County Borough. This is not disputed but its location is considered unjustified.

In terms of the principle of the development, it attracts a policy objection as it conflicts with Policies CS9, AW2 and AW5 of the adopted LDP on grounds of an unjustified green field site outside the settlement boundary and outside the adjacent Llantrisant Business Park.

In terms of the impact on highway safety, the site is located outside the Llantrisant Business Park, accessed by an unnamed country road, is not easily accessible on foot and significant vehicle movements are expected as part of the proposals, based on information provided by the applicant's agent about the likely traffic to be generated by the community recycling centre and inert waste recycling facility. However the report estimates that only 25 additional commercial vehicles would be expected during weekdays out of a total of 372 vehicles at present which use the existing access road.

The proposed development involves the widening and realignment of the narrow country lane, the provision of a right hand turning lane and realignment and improved vision splay at the new site entrance in order to meet the requirements of the Transportation Section. The applicant has also proposed to apply for a traffic order to reduce the speed limit to 30mph in the vicinity of the new access and to upgrade the nearby bridge to cater for the additional heavy loads, even though there is no weight or size restriction on it at present. The Transportation Section have advised that based on the average mean speed carried out in the submitted traffic survey a reduction in the traffic speed to 40mph would be more appropriate.

A local resident has expressed concern about the expected increase in traffic on the sub standard lanes leading to the site entrance and use of the road bridge and the detrimental impact on road safety to all users in view of the

proposed mixed public and commercial use of the site. Nevertheless, the Transportation Section has considered the highway proposals and advised that the provision of the new access and improved highway facilities including widening of the lane from the Nant Muchudd Bridge to the site entrance to 6.1m, a right hand turning lane and improvements to the structural integrity of the Nant Muchudd Bridge are sufficient to cater for such an increase in traffic, without causing detriment to highway safety or the free flow of traffic. On this basis the Transportation Section have raised no objections subject to appropriate conditions which would secure an extended vision splay of 2.4m x 120m, (based on the proposed revised traffic speed) full engineering details, foot way facilities and pedestrian crossings, employee/visitor car parking facilities, turning and swept path analysis within the site, construction method statement and a traffic management scheme. This latter scheme would require the implementation of a traffic order. A structural report of the Nant Muchudd Bridge would also be required and any remedial works undertaken to cater for the additional heavy loads generated by the proposed development.

It is considered that the highway implications of the proposed development have been assessed and are considered acceptable.

The application site is located within Special Landscape Area SSA 23.6 Mynydd y Glyn and Nant Muchudd Basin where Policy SSA 23 requires development to conform to the highest possible design standards. Within the Rhondda Cynon Taf Special Landscape Area Study the key policies and management of this Special Landscape Area include ensuring that no large-scale developments spoil the integrity and seclusion of the Nant Muchudd Basin and the surrounding slopes, primary habitats relating to unimproved grassland and old patterns of farmland with large hedges and many trees are conserved. The area is also recognised as important for the views and the setting of the Llantrisant Conservation Area.

The applicant's agent has submitted a Landscape and Visual Assessment which includes landscape mitigation measures, which forms part of the proposed development. The Assessment states that the site comprises the lower south-facing slopes of improved grassland within the immediate vicinity of the Nant Muchudd, with substantial boundary hedges and tree belts, which in landscape terms is classified as being of moderate value. The assessment considers that due to its position on the valley floor the visual impact would be minor and would only extend to its immediate surrounds by up to 0.5km. It does recognise that it would have the effect of extending the boundary of built up land beyond the Llantrisant Business Park into the adjacent rural land. However it states that the works would not protrude above the existing trees or skyline and the proposed landscaping would assist in integrating the development into the landscape. Whilst an adverse effect would occur as a result of the road widening, highway improvements and additional traffic generation, it is considered that the proposed new tree planting and hedges along the road would provide some enclosure and screening to mitigate this impact after a few years.

In terms of visual impact, the assessment considers that as the site is almost entirely hidden from Llantrisant, and only the top of the stockpiles of the inert recycling facility, would be viewed, there would be a very minor adverse impact from Llantrisant. The highway works would open up views into the site but it is considered that other existing trees would continue to screen views from the highway. From the adjacent PROW there is considered to be an adverse impact until the proposed bank and hedge would limit views of the proposed development.

The proposed development would be sited on improved agricultural land and therefore would not have an unacceptable impact on the best agricultural land in the County Borough. The landscape assessment has concluded that the proposed waste transfer station would not be demonstrably harmful to the character and visual appearance of the countryside at this location. However, it is considered that the development on the site would extend the existing development within the adjacent Business Park into countryside to the detriment of the rural character and the distinctive landscape characteristics of the Special Landscape Area in which the site is located. The assessment does not appear to have adequately assessed the impact of the highway improvement works upon existing vegetation and the impact of the overall development to views of the site. It is considered that the proposed removal of vegetation would open up views of the site from the public highway, nearby residential properties, users of the nearby PROW and from Llantrisant Conservation Area which is located on higher land to the south east of the site, and that the proposed mitigation planting would not adequately screen the proposed development.

The Council's Landscape Architect has advised that the landscape and visual impact of the proposed development, which would result in the removal of 30m of hedgerow, eleven medium sized oak and sycamore trees and a coppiced hazel, together with the proposed limited landscape mitigation measures, would have a detrimental impact on the character and appearance of the area.

The proposed development is therefore considered contrary to Policies AW6, AW8 and SSA 23(6) of the Rhondda Cynon Taf Local Development Plan in that it would have an unacceptable impact on the rural character of the area and the distinctive landscape of the Special Landscape Area of the Mynydd Y Glyn and Nant Muchudd Basin due to its scale, open nature, expected traffic generation and the loss of trees and hedgerows.

The site lies adjacent to the existing water course of the Nant Muchudd which is designated in the Rhondda Cynon Taf Local Development Plan as a Site of Importance for Nature Conservation, for the habitat and wildlife associated with the river banks. (SINC 111 Nant Muchudd), which includes protected species of otter and salmon. The proposed development would relate to land dominated by agriculturally improved grassland of made up ground and which is bounded by hedges and trees. The main ecological value is considered to be the adjacent Nant Muchudd and its riverbank. An extended Phase 1 Habitat survey and bat survey has been submitted to accompany the

application and an assessment of the ecological impact of the proposed scheme. The ecological assessment considers that the site has little ecological value and the loss of the hedgerow alongside the road would be of minor negative significance. It also considers that the proposed 15m buffer zone between the site boundary and the Nant Muchudd should ensure that there would be no significant impacts on the Nant Muchudd SINC. However further survey work is recommended regarding the presence of otters and water vole in order to properly assess the potential impacts on these species.

A bat survey was undertaken with respect to the barn which is proposed to be demolished as part of the highway improvement works. The survey showed that the barn was being used by a single whiskered bat and most probably being used as a male roost site. The survey concluded that this roost is considered to be of low conservation importance and would have no significant impact on the favourable conservation status but mitigation should be provided. This should involve the timing of the demolition works, provision of a bat box, which should be installed near to the site to provide an alternative roost, together with yearly monitoring and appropriate use of artificial lighting. The survey also states that a European Protected Species Licence (EPSL) will be required prior to any demolition works commencing.

No objections have been received from the former Countryside Council for Wales but the Council's Ecologist has raised an objection to the proposed development. The objection is based on a number of concerns. There is considered to have been inadequate ecological survey work regarding otter and water vole and lack of a bat survey regarding the 19 trees proposed for removal. There is also concern regarding the likely detrimental ecological impact of the proposed development on the adjacent Nant Muchudd SINC, which supports a number of key protected species including otters, bats and salmon, by virtue of the likely noise and disturbance within this quiet river corridor. The loss of a considerable section of existing roadside hedgerow is of further concern as it would form part of the bat connectivity in the vicinity of the site.

It is therefore considered that inadequate information has been submitted to accompany the application in order to ensure that the proposed development would not have a detrimental impact on protected species within the adjacent SINC. Nevertheless, it is considered that the loss of roadside hedgerow and trees and general noise and disturbance from the proposed operations would be detrimental to the ecological value of the adjacent SINC.

Therefore the scheme is considered contrary to the provisions of Policies AW6 and Policy AW8 1. (111) and 2. of the Rhondda Cynon Taf Local Development Plan in that it would have an unacceptable impact on the biodiversity value of the site due to the loss of roadside hedgerow and trees and the general noise and disturbance from the proposed operations would be detrimental to the ecological value of the adjacent SINC. Furthermore, inadequate information has been submitted to accompany the application in order to ensure that the proposed development would not have a detrimental

impact on protected species within the adjacent SINC, allocated AW8 1. (111).

The area surrounding the application site is in mixed use. Land to the south and south east comprises of uses within the Llantrisant Business Park and the land to the west, north and north east comprises of agricultural land. The nearest noise sensitive property is Glanmychudd Fach Farmhouse which is located immediately adjacent to the south western boundary of the site. There are a number of other scattered residential properties in the countryside in the immediate vicinity, such as Rhiwfein Fach and Tal Y Fedw which are located 200m and 400m respectively from the site boundary. Concern has been raised about the noise from the inert recycling activities and the validity of the submitted Noise Report.

The proposed development involves temporary use of screening and crushing activities, the throughput of materials of a maximum of some 135,000 tonnes of materials per year and a significant increase in the number of vehicle movements to the site, and it is these particular aspects of the development which have the greatest potential to be detrimental to local residents, in terms of additional noise, dust and nuisance.

A noise report has been submitted to accompany the application which has been reviewed by the Public Health and Protection Division. The noise report has concluded that based on a worse case scenario assuming the site operates continuously, the proposed noise level at the nearest residential property of Glanmychudd Fach would be 3dB Laeq, 1hour(dB) below the daytime limit of 55 dB, as recommended by MTAN 1. However, the submitted noise report is based on the originally submitted hours of operation and assesses the noise from the crushing and screening activities of the inert recycling operations and the noise of the commercial lorries associated with both the inert recycling operations and the community recycling centre, but excludes the evening hours of operation during the summer period and the movements of domestic vehicles to and from the community recycling centre.

The Public Health and Protection Division have advised that the submitted noise report does not address the noise of the traffic movements from members of the public visiting the community recycling centre nor the proposed hours of operation of the community recycling centre. The Division have therefore sought further information to address these matters. If the application were otherwise considered acceptable then this additional information would have been sought from the applicant's agent prior to determination. However, as submitted there is inadequate information submitted to determine whether the proposed development would not have a detrimental impact on local amenity.

The site is located in close proximity to the Nant Muchudd, and partly on the made-up ground of the former landfill site known as Rhiwfein Fach Farm where the last input appears to have been in 1997. As the proposed remodelling of the site includes reducing the site levels to provide a level ground level, the excavation works could cut into the historic landfill materials.

There is therefore a risk of pollution from the proposed development and land potentially affected by contamination from the previous use. The former Environment Agency has advised that the proposed development is acceptable subject to a number of conditions being imposed in order to secure the contamination reports to include a risk assessment, verification report, long-term monitoring and maintenance plans in order to ensure that the proposed levelling and other construction works would not pose a risk to controlled waters and adequate storage of oils and fuels.

The proposed development would be subject to the Environment Permitting Regulations 2007, and the Environmental Protection Act 1990 which are administered and enforced by the Environment Agency and the Public Health & Protection Division of the Council. These would require the proposed development to be subject to a waste management licensing permitting, and/or registered exemptions. These requirements would also ensure that the potential of pollution from the proposed development is adequately managed.

In terms of flood risk the former Environment Agency have advised that the site is not located within a fluvial floodplain and are not aware of any flooding having occurred on the site. However as the site is located in close proximity to the Nant Muchudd – a designated main river the Agency has advised that any works within 7 metres of the top of its bank would require a Flood Defence Consent.

In terms of surface water management, the means of dealing with surface water would be attenuated by a settling pond prior to discharging to the Nant Muchudd. The Council's Drainage Officer has recommended a number of conditions which would be imposed on any consent granted in order to secure the details of these works. The Agency have also advised that any runoff from the concreted area of the community recycling centre would need to discharge to the treatment plant and not to the settling pond as the implementation of a sealed drainage system would not allow contaminated run-off to soak into the ground or run-off direct into existing ditches or watercourses.

The means of dealing with foul sewage is by sewage treatment plant. The Agency has confirmed that this would be an acceptable option for the site due to the site's proximity to the river and the made ground on the site. The Environment Agency has therefore raised no adverse comments subject to a condition to secure the full details of the proposed foul drainage system such as the type of plant, its capacity, maximum daily volume and location of discharge point.

It is therefore considered that subject to the imposition of the afore-mentioned conditions as recommended by the former Environment Agency, and the Council's Drainage Officer the risk of water pollution and flooding arising from the proposed development would be adequately managed on the site.

Conclusion

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It is considered that the proposed development does not accord with Local Development Plan Policies CS9, AW2 and AW5 having regard to the location of waste management proposals, Policies AW6 and AW8 which seek to protect the character and appearance of the countryside and the special landscape area, and Policy AW8 1. (111) and 2 which seek to ensure there would not be an unacceptable impact on the landscape and biodiversity value of the adjacent site which forms part of SINC 111, (Nant Muchudd) and that there are no material considerations to determine the application other than in accordance with the LDP. The application is therefore recommended for refusal for the reasons provided below.

The use of the applicant's premises at Castellau Fach Farm, for the storage and servicing of commercial vehicles, has been forwarded to the enforcement section, to determine whether there is any breach of planning control.

RECOMMENDATION: Refuse

1. The proposed development of the site as a recycling facility for the storage and processing of inert materials from construction and demolition activities and the operation of a community recycling centre is contrary to Policies CS9, AW2 and AW5 of the Rhondda Cynon Taf Local Development Plan in that it is a large scale waste management development beyond the defined settlement boundary, outside the boundary of an existing or allocated B2 employment site and there is insufficient justification for siting a waste management facility in this location.
2. The proposed development is contrary to Policies AW6, AW8 and SSA 23(6) of the Rhondda Cynon Taf Local Development Plan in that it would have an unacceptable impact on the rural character of the area and the distinctive landscape of the Special Landscape Area of the Mynydd Y Glyn and Nant Muchudd Basin due to its scale, open nature, expected traffic generation and the loss of trees and hedgerows.
3. As submitted there is inadequate information submitted in order to determine whether the proposed development would not have a detrimental impact on local amenity, due to expected noise pollution, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.
4. The proposed development is contrary to the provisions of Policy AW8 1. (111) and 2. of the Rhondda Cynon Taf Local Development Plan in that it would have an unacceptable impact on the biodiversity value of the site due to the loss of roadside hedgerow and trees and the general noise and disturbance from the proposed operations would be detrimental to the ecological value of the adjacent SINC. Furthermore, inadequate information has been submitted to accompany the application in order to ensure that the proposed development would not have a detrimental impact on protected species within the adjacent SINC, allocated AW8 1. (111).

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LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

DEVELOPMENT CONTROL COMMITTEE

6 MARCH 2014

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

OFFICER TO CONTACT

**APPLICATION NO: 12/0037 -
RECYCLING FACILITY FOR THE
STORAGE AND PROCESSING OF
INERT MATERIALS FROM
CONSTRUCTION AND
DEMOLITION ACTIVITIES AND
THE OPERATION OF A
COMMUNITY RECYCLING
CENTRE (REVISED DESCRIPTION,
AMENDED DETAILS, AMENDED
PLANS AND ENVIRONMENTAL
INFORMATION RECEIVED 16 &
30/12/12), LAND ADJACENT TO
GLANMYCHYDD FACH
FARMHOUSE, LLANTRISANT,
PONTYCLUN**

**MS D BOWHAY
(Tel. No. 01443 494743)**

See Relevant Application File