



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

PLANNING & DEVELOPMENT COMMITTEE

5TH DECEMBER 2019

SITE MEETING

APPLICATION: 19/0311/10 – NEW STORAGE AND WASTE PROCESSING BUILDING, WEIGHBRIDGE, WELFARE ROOM AND STORE, CAR PARKING (PART RETROSPECTIVE) (fca, SITE DRAINAGE DETAIL AND CORRECTED/ADDITIONAL PLANS RECEIVED 25/07/2019).

REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES & COMMUNICATION

Author: Jessica Thomas, Council Business Unit.

1. PURPOSE OF THE REPORT

- 1.1 To consider the outcome of the site inspection in respect of the above-mentioned proposal and to determine the application, as outlined in the report of the Director, Prosperity & Development, attached at Appendix 1.

2. RECOMMENDATION

It is recommended that Members:

- 2.1 Approve the application in accordance with the recommendation of the Director, Prosperity & Development.

3. BACKGROUND

- 3.1 In accordance with Minute No 136 (Planning and Development Committee – 7th November 2019), a site inspection was undertaken on Tuesday 19th November 2019 to consider the concerns raised by the objector in respect of highways, enforcement and environmental issues.
- 3.2 The meeting was attended by the Planning and Development Committee Members County Borough Councillors S. Rees, G. Caple, D. Grehan, P. Jarman, W.Owen and R.Yeo

- 3.3 Apologies for absence were received from Committee Members - County Borough Councillors J.Bonetto, G.Hughes, S Powell, J Williams, D Williams and G Hughes.
- 3.4 Members met at the entrance to the current recycling site. Members also took a walk around the current site, and observed the current recycling processes in operation.
- 3.5 The Planning Officer in attendance provided a brief history of the previous planning applications relating to the site and informed members that full planning consent is sought for the construction of a waste storage and sorting building together with a number of ancillary structures and parking, at Project Red Recycling Centre, Ystrad Barwig Isaf Farm, Llanwit Fardre.
- 3.6 Members noted that the application comprises a revision of an existing consent (13/0241/10) and in addition to regularising changes to the layout of the site, seeks a larger waste building than that for which consent has already been received, but not constructed.
- 3.7 Members were shown images of the proposed new waste storage and sorting building and queried the changes to the original application. The planning officer requested clarification from the applicant present regarding the final height of the proposed structure. It was confirmed that the final height would be 1m lower than the current height of the temporary structure in place at present, whereas the applicant's previous advice, as incorporated within the Report of the Service Director, had been that the new building would be 0.6m higher.
- 3.8 Members queried the impact on nearby residents and questioned the consultation process. The Planning Officer outlined the nearby properties and confirmed that all properties concerned had been included in the consultation process confirming that this involved direct notification to neighbouring properties, including Ty Uchaf Farm on the opposite side of the valley to Hollybush, site notices and a press notice. Members were advised that the two formal objections to this planning application, both to the initial consultation and the reconsultation, have been from the one resident.
- 3.9 The Highways Officer present advised Members that the present application would not result in any changes to the existing means of access to the site and that there were no issues in terms of highway safety.

- 3.10 Members raised concerns with retrospective applications and felt that an important issue in this application includes ensuring the applicant does not rely on enforcement to monitor the site and ensures compliance by building in the correct locations approved by planning consent.
- 3.11 Members recognised the concerns of the objections raised and queried a number of these with officers present including:-
- The underpass from the farm being used to bring vehicles onsite outside of operation hours. The Planning Enforcement officer present confirmed that the underpass was subject to a further site investigation.
 - The site is encroaching onto neighbouring fields. The Planning Officer present confirmed that sufficient space is available onsite and that there was no indication that the development had extended beyond the red line area.
 - Waste from a methane processing plant is being spread on adjacent fields. The applicant's agent confirmed that this process is not subject to planning consent and that the recycling centre must demonstrate the waste is sufficiently processed to be awarded the required licence.
 - Tipping is being undertaken by Prichards at Hendrescythan Farm. The Planning Enforcement officer confirmed that this had been investigated by the Council's Planning Enforcement section and it was found that no breach or development had taken place.
 - The site not being used as a transfer station. Members queried the use of the site and requested clarification whether the site was defined as a recycling centre as opposed to a transfer station. The Planning Officer advised that the lawful and established operations at the site had demonstrated a combination of both, therefore representing a mixed use.
- 3.12 Members queried the car parking provision and whether the location would be suitable for the amount of cars. The Planning Officer confirmed they were confident that the car park can be located on site and will be adequate for the number of cars likely to be present daily. This matter, given the concerns expressed by NRW, was proposed to be dealt with via a condition.
- 3.13 Members were also mindful of the importance of ensuring good relations between the recycling centre and the community as a way of alleviating any queries and concerns going forward. Committee members commented on the importance of being open and transparent ensuring that the local community are kept informed.
- 3.14 The Chair thanked the officers for the report and closed the meeting.



PLANNING & DEVELOPMENT COMMITTEE

7 NOVEMBER 2019

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 19/0311/10 (GH)
APPLICANT: Project Red Recycling Limited
DEVELOPMENT: New storage and waste processing building, weighbridge, welfare room and store, car parking (part retrospective) (FCA, site drainage detail and corrected/additional plans received 25/07/2019)
LOCATION: PROJECT RED RECYCLING CENTRE, YSTRAD BARWIG ISAF FARM, CROWN HILL, LLANTWIT FARDRE, PONTYPRIDD, CF38 1BL
DATE REGISTERED: 25/07/2019
ELECTORAL DIVISION: Llantwit Fardre

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

REASONS:

The principle of the development and scale of operations, regarding the quantity of recycling material to be processed, have been previously established through the grant of planning permission (09/0102/10 and 13/0241/10).

In this respect, noting both the context and topography of the site and being mindful of the scope of the extant consent and permitted structures, it is considered that the additional height and larger dimensions of the main processing building, together with the re-location of ancillary buildings and facilities, would not create additional detriment to the quality of the landscape or the amenity of the closest neighbouring occupiers.

Consequently, the application is considered to comply with the relevant policies of the Local Development Plan in respect of its impact on the visual amenities of the area, highway safety, the amenities of nearby residential properties, surface water drainage, ecology and public health matters.

REASON APPLICATION REPORTED TO COMMITTEE

The proposal is not covered by determination powers delegated to the Service Director Planning.

APPLICATION DETAILS

Full planning consent is sought for the construction of a waste storage and sorting building together with a number of ancillary structures and parking, at Project Red Recycling Centre, Ystrad Barwig Isaf Farm, Llanwit Fardre.

The application comprises a revision of an existing consent (13/0241/10) and in addition to regularising changes to the layout of the site, seeks a larger waste building than that for which consent has already been received, but not constructed.

The Applicant's Agent has confirmed that the size of the approved building would not be sufficient to meet the needs of the business, particularly in respect of covered storage and adequate space for the operation of plant, although the site throughput would remain at 40,000 tonnes of inert waste per annum.

The refinement of the recycled material would require a series of machinery and picking stations to be enclosed and for the material to be kept dry both before and after sorting, and then dry-stored before being sold on.

Consequently the revised waste building, which would be steel framed and clad, would have a depth of 60m, width of 45m and maximum height of 12.2m. A concrete apron would provide access to its open western elevation. Compared with the approved building, this would represent an increase in floor area from 1575m² to 2700m² and an increase in height by 2.2m.

The ancillary structures referred to above, namely the site office, weighbridge, store, electric cabin and welfare facilities would remain as constructed. They are included within the scope of the application since they are not located in accordance with the 2013 consent.

Lastly, the application proposes that three water attenuation tanks would be established in the north-eastern corner of the site and the surface water collecting pond moved to the south-western corner, where the site bund and fencing would be reinstated. A further subterranean drainage tank has already been constructed adjacent to the southern site boundary.

In addition to site plans and elevation drawings, the application is accompanied by the following:

- Planning Statement
- Design and Access Statement
- Coal Mining Risk Assessment
- Flood Consequences Assessment
- Highways and Transport Statement
- Landscape Visual Appraisal
- Ecological Appraisal
- Geo-Environmental Site Investigation Report
- Pre-Application Consultation (PAC) Report
- Drainage Strategy

SITE APPRAISAL

The application property is the existing recycling and waste processing facility that forms part of the wider holding of Ystrad Barwig Farm, Llantwit Fardre, Pontypridd, and which is operated by Tom Prichard Contracting. It is located to the south of the main farm complex and is physically separated by the Church Village bypass.

Access to the site is gained from Heol Creigiau to the north-east. Apart from a short section between the cattle grid and the adopted highway, the majority of the lane, which was constructed by the applicant is private. Part of the adjoining land to the east, which comprises a former landfill site in operation until 2009 and now restored, is crossed by Public Right of Way DRE/57/1.

By virtue of previous planning permissions, both temporary and permanent, (97/2775/10, 03/0386/15, 05/1863/15 and 09/0102/10), the wider property has been in use as a waste transfer station and recycling facility for longer than twenty years. The most recent consent (13/0241/10) enabled an extension to provide the current working area, together with a large sorting building and ancillary works.

Ground levels across the waste transfer site vary and the land falls from the east towards the Nant Myddlyn and Nant Dowlais and these watercourses, which are a Site of Importance for Nature Conservation (SINC), define the extent of the western boundary. All of the site is located outside the settlement boundary and is in the countryside.

The closest neighbouring properties are located at Heol Creigiau to the east and are approximately 250m away.

PLANNING HISTORY

The most recent or relevant applications on record associated with this site are:

- 18/0054/15:** Removal/Variation of Condition 9 (Submitted Details and Restrictions) and 10 (Recycling Centre) of previously approved application 13/0241/10 - (Extension to the Ystrad Barwig Waste Transfer Station to facilitate a revised alignment of the access road and mitigation landscaping, provision

of perimeter bunding, revised position of the site office and drainage works (partly retrospective). Decision: 24/05/2018, Withdrawn by Applicant

- 14/1094/15:** Variation of condition 9 of planning approval 13/0241/10 to increase the maximum throughput of the site by an extra 30,000 and to vary the design and siting of the office building. Decision: 14/05/2015, Withdrawn – Invalid
- 13/0241/10:** Extension to the Ystrad Barwig Waste Transfer Station to facilitate a revised alignment of the access road and mitigation landscaping, provision of perimeter bunding, revised position of the site office and drainage works (partly retrospective) Decision: 12/12/2013, Grant
- 09/1030/10:** Regrade agricultural land in enclosure 4985 using inert materials as fill. Decision: 15/06/2010, Grant
- 09/0102/10:** Retention of existing Waste Transfer Station to include hard standings, covered processing area, parking and welfare facilities and storage areas together with access on to highway network amended as part of the Church Village By-Pass. Decision: 15/07/2010, Grant
- 05/1863/15:** Variation of Conditions 22 and 13 to planning permission granted on appeal under reference 1140167 dated 10 June, 2004, for a skip sorting and recycling facility to allow the use to continue independently of the tipping/landfilling operation allowed under appeal reference 1139397 of same date. Decision: 14/04/2006, Grant
- 03/0348/15** Proposed Variation to Condition 4 Planning Permission T/93/0422/10 to extend the period for completion of Land fill & Restoration to agriculture & grazing by 5 years. Decision: 21/11/03, Refuse (Appeal allowed 10/06/04)
- 97/2775/10:** Skip sorting and re-cycling facility. Decision: 15/05/1998, Grant

PUBLICITY

The application has been advertised by direct notification to seven neighbouring properties and notices were erected on site and placed in the press. A second re-consultation was undertaken following receipt of the corrected plans and FCA.

Two letters of objection have been received from one neighbouring resident raising the following matters of concern:

- Wrong location for an operation of this type, any growth in activity will have a negative effect
- The site is an eyesore and causes pollution, noise and dust, dirt and debris, for which there is no provision of cleaning up. The road sweeper is ineffective.

- HGVs are not suitable for the surrounding infrastructure and damage has been caused to highways
- The site causes an array of public safety issues
- Site location description is misleading
- Conditions of previous consents have not been observed, including operating hours
- The adjacent watercourse has been polluted
- The site is not used as a transfer station but a dumping ground
- All of the buildings applied for have been constructed
- The site is encroaching onto neighbouring fields
- The site was not a recycling centre, but a transfer station
- The underpass from the farm is being used to bring vehicles on to the site outside of operating hours
- Waste from a methane processing plant is being spread on adjacent fields
- Tipping is being undertaken by Prichards at Hendrescythan Farm

CONSULTATION

Highways and Transportation

No objection raised and no conditions suggested.

The Coal Authority

A condition is recommended for a scheme of intrusive site investigation works.

Dwr Cymru Welsh Water

No objection.

Wales and Wales Utilities

WWU has advised that it has no gas apparatus in the vicinity of the site.

Natural Resources Wales

Objects to the location of the car park within land designated as C2 Flood Zone. A condition is recommended with regard to unsuspected contamination.

Public Health and Protection

Conditions are recommended in respect of demolition, noise, dust, waste and hours of operation.

Drainage

A condition is requested in respect of surface water drainage details, together with an informative note regarding Sustainable Urban Drainage.

Public Rights of Way Officer

No objection. Footpath DRE/57 appears to cross the land adjoining the application site and runs along part of the site access from Heol Creigiau. Only a short length of public right of way crosses the access track within the red line boundary of the application boundary, which should be publicly available at all times.

Western Power Distribution

A new connection or service alteration will require a separate application to WPD

No other consultation responses have been received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within open countryside between the settlements of Llanwit Fardre, Efail Isaf and Creigiau.

Policy CS2 - sets out criteria to achieve sustainable growth in the southern strategy area, including protecting the natural environment.

Policy CS9 - advises that existing and allocated B2 employment sites are considered appropriate locations for waste management facilities.

Policy AW2 - supports development proposals in sustainable locations that do not conflict with surrounding uses; have good accessibility by a range of sustainable transport options; have good access to key services and facilities; and would not be at risk of flooding.

Policy AW5 - sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

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

Policy AW10 - supports development proposals which are not detrimental to public health or the environment

National Guidance

In the determination of planning applications, regard should also be given to the requirements of National Planning Policy which are not duplicated in the Local Development Plan, particularly where National Planning Policy provides a more up to date and comprehensive policy on certain topics.

The Welsh Government published Planning Policy Wales 10 on 5th December 2018, and the document aims to incorporate the objectives of the Well-being of Future Generations (Wales) Act into Town & Country Planning.

It is considered that this proposal meets the seven wellbeing of future generations goals inasmuch as they relate to the proposed development and that the site has been brought forward in a manner consistent with the five ways of working.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking as set down in Chapter 2 People and Places: Achieving Well-being Through Placemaking, of PPW10 and is also consistent with the following inasmuch as they relate to the development

Chapter 1 (Managing New Development)

Chapter 2 (Maximising Well-Being and Sustainable Places through Placemaking)

Chapter 5 (Productive and Enterprising Places)

Other policy guidance considered:

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 11: Noise;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 15: Development and Flood Risk;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 21: Waste;

REASONS FOR REACHING THE RECOMMENDATION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

Main Issues:

Principle of the proposed development

The principle of the development has been previously established by a variety of temporary and permanent planning permissions (97/2775/10, 03/0348/15, 05/1863/15 and 09/0102/10). This means that the wider site has had consent for use as a waste transfer/sorting operation for period in excess of twenty years, and can lawfully process up to 40,000 tonnes of inert waste annually, within set operating hours.

The most recent consent (13/0241/10) enabled an extension to provide the current working area, together with a large sorting building and ancillary works, including the weighbridge, store, site office and welfare unit. As described further above, the purpose of this application is to regularise the location of the latter structures, which were not constructed in the approved location, whilst providing a processing building of greater scale.

Therefore, in determining this proposal, consideration can only be in respect of the buildings, the layout of the site and other relevant matters such as surface water drainage. As a consequence, the objector's comments regarding the suitability of the site location for waste processing, HGV traffic, local highway infrastructure and wider public safety etc. are acknowledged, but are not germane to the matter at hand.

Accordingly, the key considerations in the determination of this application are considered to be the consequences of the development on the character and appearance of the landscape and the amenities of adjoining land uses. These issues are reviewed below.

Impact on the character and appearance of the area

Notwithstanding that the provision of the site office, welfare unit, weighbridge and store have already received planning consent, albeit in a slightly different location to where they were eventually erected, it is considered that their revised position towards the south-western corner of the site is acceptable.

The reason for this is that their height and scale are minimal, and compared with the scheme as a whole, their limited mass and effective screening means that they are really only visible from within the site itself. The same applies to the small electrical cabinet and drainage and bund features where the existing vegetated site boundaries and the more recent landscaping and planting to the north boundary, provide more than adequate cover.

Conversely, the increased footprint and height of the main building is clearly more of a concern and in this respect, a Landscape and Visual Appraisal was submitted in support of the application. This Appraisal considers how the raising of the eaves and ridge heights to 10m and 12.2m respectively, would affect views towards the site from a number of points in the surrounding area.

The Appraisal concludes that the new building would be mostly visible from areas immediately surrounding the site and from areas extending to the north towards Llantwit Fardre and towards Church Village; although some visibility from land to the south of the proposed and the western slopes of Garth Hill might be possible. The probable visibility of the site from the cycleway/footpath adjacent to the Church Village bypass has also been highlighted.

However, as both the Appraisal and the conditions on the ground demonstrate, any visibility towards the site is quite limited and in reality is much reduced both by extensive

tree and woodland cover and the nature of the built environment. The topography of the site is also a consideration since the building would be sited at the lowest possible point within the Nant Myddlyn valley.

Furthermore, that a temporary structure has already been constructed, pending the determination of this application, is also helpful, since the roof beams are those that would be used in the new building. The applicant's technical manager has advised that the roof of the temporary structure, at its highest point, reaches 11.6m, thus the likely visual impact of the new building can be better appreciated.

Lastly, the opportunity was taken to view the site from the aforementioned footpath adjacent to the Church Village bypass, where the apex of the roof of the temporary structure could be seen. Nevertheless, whilst this helped to evidence that the roof and top of the new building would be visible, in the context of the site they would not be considered to be a dominant feature, and no more so than the agricultural buildings that could be seen on the higher ground to the west.

It is considered, therefore, that the increase in size of the proposed new processing building, over that which already benefits from consent, would not be detrimental to the character and appearance of the site or surrounding landscape to a degree sufficient to merit a recommendation of refusal. Subject to the inclusion of conditions from the previous planning consent, regarding throughput, external storage, building finishes, hours of operation and removal of any permitted development rights for external lighting, the development is considered to be acceptable.

Impact on neighbouring occupiers

The proposed development is not considered to have a significant overshadowing or overbearing impact upon the surrounding neighbouring properties for the following reasons:

Firstly, compared with the processing building and the size of the site area, the ancillary portacabin-sized structures are neither tall or close enough to be capable of causing physical detriment to the amenity of the closest residents.

Secondly, the lower level of the site and intervening topography helps to screen much of the east facing side elevation of the processing building. It is this side, together with the roof, that would be visible, in part, from the objector's dwelling 'Hollybush', which is located on Heol Creigiau.

During a site visit the opportunity was taken to traverse the field between the application site and Hollybush, and to view the site from the eastern side of the field closest to the house.

The fall in level towards the west was evident and although the roof structure of the temporary shelter was indeed clearly visible above both the bund and recent boundary

tree planting, it was not considered to dominate outlook, or be harmful to a degree that would warrant a recommendation of refusal. In addition, there is a further line of trees and vegetation along the boundary of Hollybush and the aforementioned field.

Another property, Ty Uchaf Farm, is located at Rhiwsaeson Houses Road and on higher ground approximately 370m to the south-west. No objection has been received from residents of either the farm house or bungalow, although the trees adjacent to the Nant Myddlyn watercourse appear to block most views towards the application site. In addition, the site cannot be seen from Rhiwsaeson Houses Road, which for the majority of its alignment is also bound by mature hedgerows.

On balance, in terms of the impact on the amenity and outlook of neighbouring residents, the application is considered to be acceptable.

Highways and accessibility

The application seeks approval for improvements to the existing facilities at the Project Red Waste Transfer site at Llantwit Fardre.

The Highways and Transportation Section has noted that proposals do not seek any change to the existing licence and relate only to the erection of a steel framed building and internal yard layout which would facilitate more efficient and environmentally sensitive screening of waste, within a weatherproof enclosure which would also reduce the transmission of noise and dust.

Similarly, the development would not result in any changes to the existing means of access to the site from Heol Creigiau, and so far as the internal circulation of the site is concerned the layout illustrated by drawing no. DP 110 Rev E is sufficient to ensure that vehicles are able to enter and exit in a forward gear.

The provision of concrete hardstanding areas within the yard would also reduce the amount of dust generated by site traffic between the new transfer building and the weighbridge and have no adverse impact on the original layout.

The submitted information advises that this application does not seek to increase or amend the previously approved 40,000 tonne limit of materials processed by the facility under the existing licence. As such, the proposed development will not unduly result in increased vehicular trips to and from the site.

It is considered that the additional information provided in connection with the Flood Consequence Assessment (FCA) and internal site drainage does not identify any adverse impact on the local and strategic highway network in the vicinity of the site arising from the proposed development.

For the reasons outlined above, the proposed development is considered acceptable in terms of highway safety.

Public Health and Coal Mining

As noted further above, the application was supported by a Coal Mining Risk Assessment (CMRA) on account of the location of the site within the defined 'development high risk area'.

The Coal Authority has reviewed the CMRA and agrees with its recommendations that intrusive site investigation works should be undertaken prior to development, so that the relevance of the high risk designation can be understood. As part of this further assessment any remedial works necessary to treat the areas of shallow mine workings, to ensure the safety and stability of the proposed development, would be identified.

Consequently, The Coal Authority has no objection to the development, subject to a condition to secure the undertaking of an appropriate scheme of intrusive site investigations, the submission of a report of its findings, together with a scheme of remedial works for approval and implementation.

Notwithstanding the above, it is recognised that the development is, in part, retrospective and condition 2 has been drafted to acknowledge this.

The Councils Public Health and Protection section had commented on the proposals and recommended a number of conditions relating to noise, dust, waste and hours of operation. It is suggested that the ongoing nature of the business means that not all of these conditions would be relevant. Nonetheless in addition to those matters which can already be addressed by public health legislation, it is proposed to include conditions 5, 6, 7 and 8 in respect of controlling hours of operation, throughput, external storage and the removal of any permitted development rights for external lighting.

Additional correspondence, between the Applicant's Agent and Public Health officers, sought clarification in respect of any impact from ground gas. Consequently, the Public Health section, on receipt of this information, has not raised further concerns, but advised that the main waste building should remain open to allow venting and prevent gas build up.

Flooding

Development Advice Maps demonstrate that the site is partially within land classified as C2 Flood Zone, and Natural Resources Wales has recognised that although the planning application is for development classed as 'less vulnerable', the location of the car park would not be acceptable.

NRW has determined that the Applicant's Flood Consequences Assessment has not evidenced sufficient mitigation measures and that the depth of flooding and velocity of flow is in excess of tolerable limits of TAN 15.

In order to address these concerns the Applicant's Agent has advised that the car park, for 8 spaces, would be relocated within the site. Condition 9 has been suggested for the submission of these details and for the car park to be established prior to the beneficial use of the new storage and waste processing building.

Other Issues

The correspondence received from a neighbouring resident highlighted a number of other concerns:

- The description of the site location is considered to be accurate and the address of the property at Project Red Recycling Centre, Ystrad Barwig Farm, Crown Hill was correctly used. Although the waste site is on the opposite side of the Church Village bypass, the site is signposted from Heol Creigiau and three site notices were erected in the vicinity of its entrance from the main road.
- Regarding the conditions appended to previous planning consents, the application to regularise the retrospective element of the development has come forward as a result of intervention by the Council's Enforcement Section.
- It is alleged that the adjacent watercourse has been polluted, however such matters would be for Natural Resources Wales to investigate. The surface water drainage proposals associated with the current application have been subject to consultation with both NRW and the Council's Drainage Team.
- It is also alleged that waste from a methane processing plant is being spread on adjacent fields and tipping is being undertaken by Prichards at Hendrescythan Farm. However, this activity does not form part of the consideration of this proposal, since it relates to land outside of the application site.
- The objector has stated that all of the buildings applied for have been constructed already. This only applies to the three portacabins and weighbridge, all of which previously received consent, but were not constructed in the approved location. The main processing building has not been constructed.
- During the site visit it did not appear that the waste site has encroached onto neighbouring fields.
- The objector noted that the site was not a recycling centre, but a transfer station, and therefore an unauthorised change of use has already taken place. The objector is not correct since planning application 05/1863/10, which was granted consent by Committee in 2006, approved the continuation of skip sorting and recycling operations on site, independent of the former landfill operation.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

Conclusion

In light of the above, and noting the scope of the application and the permission sought to amend an existing planning consent; it is considered that the additional height and larger dimensions of the main storage and processing building, together with the re-location of ancillary buildings and facilities, would not create additional detriment to the quality of the landscape or the amenity of the closest neighbouring occupiers.

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

1. The development hereby approved shall be completed in accordance with the approved drawing numbers:
 1. 8840-500-02 Proposed Drainage Plan
 2. Drainage Strategy - 8840 - Waste Transfer Strategy
 3. Drawing 2306 DP 100 REV B Site Location Plan
 4. Drawing 2306 DP 101 REV D Existing Site Plan
 5. Drawing 2306 DP 110 Rev E Proposed Site Plan
 6. Drawing 2306 DP 113 Existing and Proposed Site Sections
 7. Drawing 2306 DP 300 Proposed Ground Floor Plan
 8. Drawing 2306 DP 301 Proposed Roof Plan
 9. Drawing 2306 DP 310 Proposed Front and Rear Elevations
 10. Drawing 2306 DP 311 Proposed Side Elevations
 11. Drawing 2306 DP 400 Rev A Existing Ground Floor and Roof Plans Site Office
 12. Drawing 2306 DP 401 Rev A Existing Ground Floor and Roof Plans Site Welfare
 13. Drawing 2306 DP 402 Rev A Existing Ground Floor and Roof Plans Site Store
 14. Drawing 2306 DP 403 Proposed Elevations Electric Cabinet
 15. Drawing 2306 DP 410 Rev A Existing Side and Rear Elevations Site Office
 16. Drawing 2306 DP 411 Rev A Existing Front and Rear Elevations Site Welfare
 17. Drawing 2306 DP 412 Rev A Existing Front and Rear Elevations Site Store

and details and documents received on 21st March 2019 and 25th July 2019.

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

2. Prior to the construction of the new storage and waste processing building a scheme for the undertaking of intrusive site investigation works, including that part of the site already developed, shall be submitted to 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) the undertaking of a scheme of intrusive site investigations to determine the need for remedial works to treat the areas of shallow mine workings etc.
- b) the submission of a report of findings arising from the intrusive site investigations.
- c) the submission of a scheme of remedial works for approval

Prior to beneficial use of the new storage and waste processing building the remedial works shall be implemented in full.

Reason: In the interest of health and safety and environmental amenity in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

3. Prior to the construction of the new storage and waste processing building all relevant matters outlined on the attached Planning Requirements Relating to Flood Risk Management, including full drainage details, shall be submitted to and approved in writing by the Local Planning Authority. These details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15. The scheme shall be implemented in accordance with the approved details prior to the beneficial use of the new storage and waste processing building and retained in perpetuity.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure arising from inadequate drainage, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. Prior to the construction of the new storage and waste processing building, a schedule of proposed external materials and finishes shall be submitted to and approved in writing by the Local Planning Authority, and maintained as such in perpetuity.

Reason: To ensure that the new development will best assimilate into its setting and not be detrimental to the appearance of the surrounding area; and to protect residential amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. Hours of working/deliveries/collections, within/to/from the site shall be

restricted to 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and there shall be no such working/deliveries/collections on Sundays 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 policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

6. The maximum throughput of the site shall not exceed 40,000 tonnes of inert waste per annum.

Reason: To define the scope of the consent granted, and to ensure that the intensification of 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.

7. The outside storage of skips, goods and materials shall at no time shall exceed 2m in height above the existing ground level, except for the storage of inert crushed materials which shall at no time exceed 5m above the existing ground level, unless otherwise approved in writing with the Local Planning Authority.

Reason: To protect the visual amenity of the area in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

8. 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 have been submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be carried out in accordance with the approved details.

Reason: To prevent light pollution and to protect the amenities of neighbouring residential properties in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

9. Notwithstanding the development hereby approved, details of the on-site car park, to be relocated outside of land designated as Flood Risk Zone C2, shall be submitted to and approved in writing by the Local Planning Authority. Use of the car park shall be implemented prior to the beneficial use of the new storage and waste processing building.

Reason: In the interest of the safety of employees and site visitors in accordance with Policies AW10 of the Rhondda Cynon Taf Local Development Plan.

10. If during development works any contamination should be 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 and approved in writing by the LPA prior to the work recommencing. Any revised contamination proposals shall be carried out by a competent person.

Reason: In the interest of health and safety and environmental amenity in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.