

Locks Yard Complex, Pant, Hirwaun, Heol y Cyw

Planning Statement for:

1. Variation of Permission P/16/658/RLX
2. Yard Extension for Storage

Notice

This Planning Statement was produced by Land & Mineral Management for South West Wood Products Limited for the specific purpose of accompanying two planning applications at Former Bryncethin Nurseries & Locks Yard, Pant, Hirwaun, Heol y Cyw.

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Foreword

Locks Yard has operated as a wood recycling facility for over 12 years and it extended to include the adjacent former horticultural nursery site approximately 5 years ago. The site has planning and environmental permitting authorisations although there have been compliance issues with these. South West Wood Products Limited (SWWP) has recently taken on the site as the previous operator has gone into administration. To establish a practical wood recycling operation SWWP are making appropriate planning and permitting submissions.

Whilst planning permission exists for the majority of the site SWWP propose amendments to existing planning permission, reference P/16/659-RLX, and to add an area of adjacent land which is used for storage but not included in the current permission boundaries. Hence two planning applications are required, one to amend the existing permission and the second to cover the area outside the current permission boundaries.

As both applications are part of the same operation this document provides a joint planning statement to give a comprehensive overview of the site and its operations whilst detailing the application submissions and providing an appropriate assessment in line with government legislative requirements and relevant planning policy and guidance, both national and local.

1 Introduction

1.1 South West Wood Products Limited (SWWP), the Applicant, have taken over the wood recycling operations at Former Bryncethin Nurseries & Locks Yard (hereinafter referred to as the Locks Yard Complex), Pant, Hirwaun, Heol y Cyw and have instructed LMM to submit two planning application submissions to regularise matters at the site.

1.2 This planning statement has been produced to support both applications which are part of the same operation. The aims of this statement are to:-

- describe the site and its surroundings;
- describe the proposed development;
- review the development plan context commenting particularly on those policies of relevance to the proposal; and,
- evaluate the key issues pertaining to the development including relevant material considerations.

Background

1.3 SWWP is an established wood recycler in South Wales and South West England with a network of sites. SWWP source waste wood from various suppliers including many Welsh Councils. They have supply contracts for their recycled wood products to major fibre board manufacturers and energy plants, including the recently opened Margam Power Plant. Maintaining continuity of supply is essential for their customers, notably the power plants, representing critical infrastructure for the economy.

1.4 SWWP, as an experienced wood recycler, has been able to assist Natural Resources Wales (NRW) in successfully clearing a number of illegal waste wood deposits. The wood recycling operations at Locks Yard have had a challenging compliance history with matters of breaches of planning control and their environmental permit, including several fire incidents. SWWP have recently been involved helping to clear parts of the site and they now have the opportunity to take over the site with the current operator in administration. SWWP consider Locks Yard Complex has the potential to be a valuable site in their supply network.

1.5 SWWP have reviewed the planning position and propose two applications to regularise matters to ensure that an appropriate operation can be run at the site. One application is to vary conditions on the existing permission (Permission Ref P/16/659/RLX) and the second is to regularise an area of wood storage to the south of that permission.

Planning Application Validation Requirements

1.6 The scope of information accompanying this planning application addresses the requirements of relevant legislation, regulations and guidance listed below:

- Town and Country Planning Act 1990 (Sections 61Z & 62),
- Town and Country Planning (Development Management Procedure) (Wales) Order 2012; and,
- Welsh Government Development Management Manual Section 7, Planning Applications Lists of Validation Requirements.

Planning Application Documents

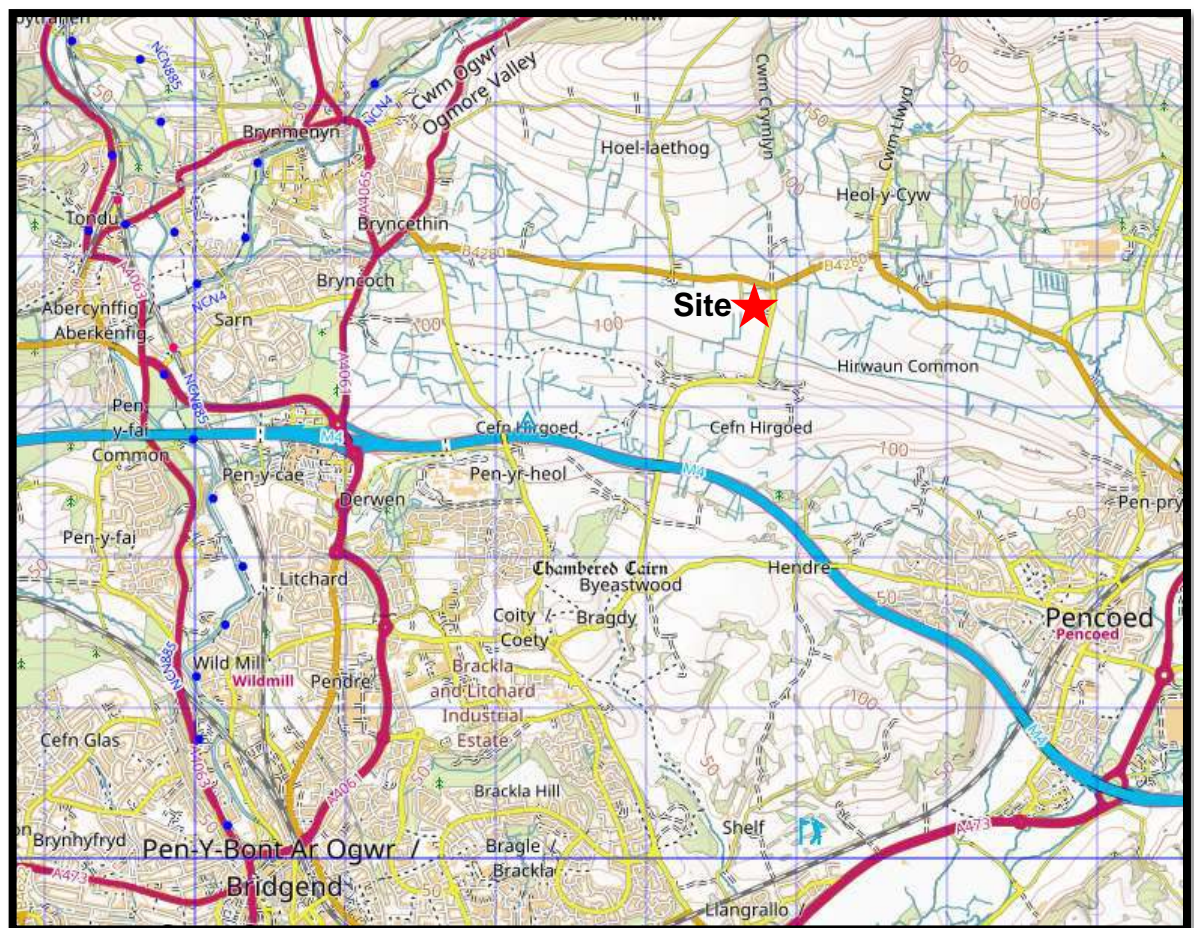
1.7 The documentation accompanying this application has been guided by the pre application advice for Council officers and the validation requirements outlined above. Additional specialist technical assessments and supplied as supporting documentation include a noise report, dust report, waste assessment and coal mining assessment and Pre-application Consultation Report.

2 Site and Surroundings

Location

- 2.1 The Locks Yard Complex lies in the community council area of St. Bride's Minor and Bridgend County Borough Council. The site is 2km north east of Bridgend and 1km north of the M4 motorway, just over a kilometre south west of the centre of the village of Heol-y-Cyw, see Figure 1 below. The site comprises part of a former nursery site and the adjacent Locks Yard site, and for ease of reference the site is referred to as the Locks Yard Complex. The site has two access points, one to the north to the B4280 through the former nursery site and the other to the east on local road (Heol Llan).

Figure 1: Location Map (nts)



Surroundings

- 2.2 The site is situated in open countryside which is largely rough grassland with limited small pockets of woodland and occasional scattered properties. A high ridge of land, running east to west, lies to the south of the site but the site itself lies on the relatively flat ground of Hirwaun

Common. There are few residential properties in the immediate vicinity. The nearest property is Mount Pleasant which is within the boundaries of Planning Permission P/16/659/RLX. The next nearest property lies to the south east on Heol Llan approximately 170m from the site and to the north are two further properties on the B4280, one of which is a cattery.

Application Site 1: Planning Permission P/16/659/RLX

2.3 Planning Permission P/16/659/RLX covers an area of approximately 2.7ha and historically this was two separate commercial enterprises which subsequently become one site approximately 5 years ago with the grant of P/16/659/RLX. A series of aerial photographic images in Appendix A show the occupation of the site since 2003 (no earlier images are available). The western part of the permission area was a horticultural nursery site and the eastern part a plant maintenance depot. The site boundaries are generally well defined by a combination of hedging, bunding and tree lines. There are two accesses, one to the east onto Heol Llan and the other to the north onto the B4280.

2.4 The approved layout plan, reference 10914-000-E, under planning permission P/16/659/RLX condition 1, shows the site divided into three main areas:

Eastern area

The original Locks Yard site, where wood storage and processing are shown on the approved plan with buildings, open yard areas, weighbridge and access onto Heol Llan. The approved plan buildings include a drying building, product hall, together with a separate building for offices and stores. The current position finds extensive wood storage here together with processing operations. In terms of buildings the product hall, a 'workshop' building and the offices, all elements associated with previous site operations (see historic aerial photographs), have been retained although the approved drying building has yet to be erected.

Central area

Part of the former nursery site, the approved plan shows the retention of a number of existing buildings and open yard areas for parking and container storage. There has previously been wood storage and processing here but this is now cleared. The existing buildings include the property known as Mount Pleasant which is included in the approved plan for use with the wood operations in permission P/16/659/RLX, However this has recently been sold and is occupied separately, used as a residential property.

Western area

Part of the former nursery site, on the approved plan has a yard area and two workshop buildings. The buildings have not been constructed to date and the area is used for wood storage.

Application Site 2: South Western Extension Area

- 2.5 The application site covers an area of approximately 0.5ha and abuts the south western edge of permission P/16/659/RLX but is not covered by any extant planning permission. The site was formerly occupied by buildings associated with the nursery use but these were removed sometime between 2013 and 2016, see historic aerial images (see Appendix A). The site is currently occupied by a deposit of waste wood. There is an established hedgerow bounding the site to the west, south and east.

Site Constraints and Designations

- 2.6 The site does not fall within any landscape, national or international conservation or heritage designations. With the exception of the eastern part, the site lies in the non-statutory Cefn Hirgoed Site of Importance for Nature Conservation, a local designation, for an area of 277ha designated for its moor grass and rough pasture interests. The nearest statutory conservation site is the Blackmill Woodlands located 1,800m to the north which is both a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC). In terms of heritage designations the earthworks at Pant-Y-Pyllau are the nearest scheduled monument, 1,275m to the south west on the opposite side of the M4. The nearest listed building also lies to the south 1,800m away on the opposite side of the M4, Ty Mawr a late sixteenth century farmhouse.
- 2.7 The site is not in the floodplain and lies in Zone A 'Considered to be at little or no risk of fluvial or coastal/tidal flooding' according to Natural Resources Wales (NRW) Flood Risk Map Development Advice Map. No public rights of way cross the site nor are found nearby.

Planning History

- 2.8 Locks Yard Complex is covered by a variety of planning permissions which are detailed in table 1 overleaf.

Table 1: Planning History

Western Area, Former Nursery Site	Eastern Area, Former Depot Site
P/97/957/FUL – Erection of two glasshouses – Conditional consent (08/12/1997)	77/576 – Plant maintenance depot (11/05/79)
P/98/834/FUL – Two Polytunnels 9m x 24m – Unconditional consent (03/11/1998)	82/697 – New fitting shop (24/06/82)
P/98/977/FUL – Erection of Polytunnel – Unconditional consent (10/12/1998)	87/140 – Plant storage area and staff canteen (05/03/87)
P/00/73/FUL – Construction of greenhouse – Unconditional consent (14/03/2000)	87/494 – change of use to general class IV industrial use (02/07/87)
P/00/255/FUL – Poly Tunnel – Unconditional consent (03/05/2000)	89/1674 – relaxation of conditions of 87/494 to allow use of yard for general industrial purposes (08/02/90)
P/00/256/FUL – Poly Tunnel – Unconditional consent (03/05/2000)	P/03/902/FUL – Wood storage and recycling plant. (30/09/03)
P/00/257/FUL – Poly Tunnel – Unconditional consent (03/05/2000)	P/05/588/FUL – Recycle Waste Paper from Premises (05/08/05)
P/00/070/FUL – Erection of Poly Tunnels – Unconditional consent (30/11/2000)	P/13/472/FUL – Retention of wood storage and recycling plant/facility (27/08/14)
P/02/113/FUL – Poly Tunnel – Unconditional consent (08/03/2002)	
P/02/459/FUL – Triple Poly Tunnel – Unconditional consent (11/06/2002)	
Joint Permissions*	
P/14/711/FUL – Change of use of former nursery and residential building to vehicle storage and welfare facilities, demolition of building and erection of two new buildings, new access	
P/16/659/RLX - Relax condition 12 of P/14/711/FUL to extend the time period in which to submit the Noise Management Plan.	
P/17/706/DOC - Approval of details for conditions 10 and 11 of P/16/659/RLX	

*No planning permissions cover the southern area.

2.9 The main planning permission covering the operations at Locks Yard Complex is planning permission P/16/659/RLX, a copy of this is provided in Appendix B. The permission is for a wood recycling operation and there are 13 conditions controlling operations at the site which include matters such as hours of operation, noise and dust.

Planning Enforcement

- 2.10 Bridgend County Borough Council have taken enforcement action at Locks Yard Complex, the most recent of which are detailed in the table below.

Table 2: Bridgend Borough County Council Enforcement Action

Date	Notice Type	Matter
07/08/2018	Enforcement	Wood Storage
07/08/2018	Breach of Condition	Non-compliance with approved plans for site layout
02/07/2019	Temporary Stop Notice	Non-compliance with Noise Management Plan requirements for hours of transportation
02/07/2019	Breach of Condition	Non-compliance with Noise Management Plan requirements for hours of transportation

- 2.11 The enforcement notice lies to the south of permission P/16/659/RLX relating to the planning breach of the unauthorised change of use of the land for the storage of wood material requiring removal of the wood. The other notices relate to compliance issues with the main permission P/16/659/RLX. All the notices, bar the temporary stop notice, remain in force. None of the notices were subject to challenge by the previous operator at the time of their issue.

Environmental Permitting

- 2.12 The site is partially covered by an environmental permit, permit no. EPR/FP3095ET, issued by Natural Resources Wales. SWWP are seeking the transfer and variation of this permit.

3 Development Proposals

Description of Development

3.1 The proposal is for the continuation of the current wood recycling operations with two application submissions:

1. Variation of planning permission P/16/659/RLX:
 - a) condition 1 approved plans: substitution of new site layout plan
 - b) condition 5 height of stockpiles: changed from 5m to 7m
2. Extension to site area for stockpiling of unprocessed wood (temporary 3-year period)

Changes to Permitted Wood Operations

3.2 The two applications, seek to regularise current site conditions and allow amendments to the existing waste wood operations which will secure a more effective and efficient recycling and address outstanding enforcement actions. The applications provide for:

- Amended storage arrangements with the workshop area of permission P/16/659/RLX changed to storage and inclusion of additional land to the south west solely for storage;
- Exclusion of areas not controlled by the applicant from site activities (Mount Pleasant which is now a residential property and no longer part of the recycling operations);
- New buildings permitted under permission P/16/659/RLX (workshops and drying buildings) to remain unconstructed; and
- Increase in storage capacity with permitted heights for storage wood increased to 7m (from 5m)

Planning permission P/16/659/RLX Condition Amendments

3.3 Condition 1 states:

The development shall be carried out in accordance with the following approved plans and documents: Plan Numbers 10914-000B, 10914-00-C, 10914-00-D, 10914-000-E, 10914-001-A and 10914-001-B and the Dust Management Plan (dated 18th March, 2015).

Reason: For the avoidance and confusion as to the nature and extent of the approved development.

3.4 The wording amendment the Applicant proposes is:

The development shall be carried out in accordance with the following approved plans and documents: Plan Numbers 10914-000B, 10914-00-C, ~~10914-00-D~~ LMM/039/02, 10914-000-E, 10914-001-A and 10914-001-B and the Dust Management Plan (dated 18th March, 2015).

3.5 Condition 5 states:

The height of all external stock piles shall not exceed 5m at any time.

Reason: In the interests of visual amenity and the prevention of pollution.

3.6 The wording amendment the Applicant proposes is:

The height of all external stock piles shall not exceed ~~5~~7m at any time.

Extension Application

3.7 The extension application is for a change of use of land to storage for waste wood. Pre-selected waste wood will be brought to site and temporarily stored here prior to processing on the adjacent Locks Yard. For the avoidance of doubt no processing operations will take place here. Also, no additional built infrastructure is proposed as the existing yard hardstanding is sufficient for the storage operations.

3.8 There is a deposit of waste wood which has been on site for some time and is deteriorating with a potential pollution risk if the material continues to biodegrade. The Applicant will remove this¹ by blending on the adjacent Locks Yard with fresh waste wood to meet specification requirements for biofuel. With the removal of the historic wood new fresh waste wood will be stored here in stockpiles.

3.9 The stockpile configuration will vary throughout the year with a peak of on-site storage of wood towards the end of the summer months whereas in winter stocks of wood are reduced with less storage. The storage of waste wood will be subject to stock rotation to ensure its timely removal with varying storage durations typically less than 6 months and storage heights will not exceed 7m. The storage will be controlled by the provisions of an environmental permit and a Fire Prevention Plan.

¹ The Applicant has worked with NRW assisting with the removal of old waste wood illegally deposited on other sites in Wales.

- 3.10 The hedgerow surrounding the western, southern and eastern boundaries will be maintained with an appropriate standoff to any storage piles of 5m to avoid damaging the established vegetation.

Site Layout – General

- 3.11 The proposal seeks to amend the layout plan, reference 10914-000-E, under planning permission P/16/659/RLX condition 1 with an amended layout plan reference LMM/039/02. The eastern part of the site with the buildings, storage and processing operations will not change in the new layout plan. The central area will also be largely unchanged with the retention of open yard areas for vehicle parking and container storage but Mount Pleasant and its associated land is shown as excluded from the wood operations. The main change is to the western area which will be maintained as an open yard for storage of wood without the erection of the workshop buildings. The second application, the site extension, continues this area of storage within the same field.

Site Operations

Processing Operations

- 3.12 The Applicant does not propose to change the nature of the approved operations nor the location of processing operations as shown on the approved layout plan, drawing no 10914-00-E (condition 1) i.e. processing will only take place on the eastern part of the site as currently permitted. Processing is essentially a sizing operation of wood material. The main processing plant is specialist mobile wood shredding equipment, such as a Doppstadt, which includes magnets to remove any metals (e.g. nails) that may be in the wood. Mobile screens also form part of the processing operations. The other main elements of plant are the machines used to load the processing plant and move material about site, loading shovels and 360-degree excavators, which are used across the site.

Waste Type and Sourcing

- 3.13 The Applicant does not propose to change the materials that are processed at the site. A single material is recycled at Locks Yard Complex: wood. The wood material is both virgin wood and end of life timber, i.e. waste wood, although currently the majority is end of life wood material. The wood is sourced from the construction, demolition, commercial, industrial and municipal waste streams. All suppliers are given pre-contract details to specifying the types of wood that will be accepted so only preselected wood is accepted to site i.e. any waste wood

failing to meet this set criteria is 'rejected' and not accepted to site. This avoids any contaminated wood or general waste being accepted to site.

- 3.14 The wood is sourced primarily from South Wales including waste wood from many local authorities. There are no other dedicated wood processing operations in the Bridgend area and the nearest alternative sites are the Applicant's existing sites at Newport and Swansea.

Throughput

- 3.15 The site throughput has varied over the years and there is no planning restriction on the site throughput. Environmental permitting has allowed up to 195,000tpa throughput at the site. The Applicant does not propose to exceed historic levels of production at the site. Whilst the proposals do not create additional capacity they help to sustain existing capacity. If the operations at Locks Yard Complex were to cease there would be a significant reduction in recycling capacity.

Storage

- 3.16 SWWP are looking to maximise the storage capacity at the site by changes to the layout as detailed above, by varying the layout plans and an extension to the south western part of the site providing additional land. SWWP also propose to increase height limits on wood storage from 5m to 7m which will provide additional storage capacity, this proposal is part of the first application varying the existing permission P/16/659/RLX condition 5 to increase stockpiling heights.
- 3.17 Adequate storage capacity for unprocessed wood is the main reason for both applications as it is a critical aspect of wood recycling operations which cannot be understated. To maintain a viable wood recycling operation the demands of customers are for a continuous supply all year round. SWWP and their operations hold an important position in the logistic chain supplying power plants such as the recently opened Margam power plant. Typically power plants do not have any processing facilities to make biofuel and only a limited storage capacity for their biofuel, circa 3 days at Margam. If their supply chain is compromised they are unable to generate power hence SWWP, who feed biofuel directly to the power plants, need to ensure they have stock provision able to maintain continuity of supply 365 days of the year.
- 3.18 Allied to this is the seasonal element in the generation of wood wastes. Higher arisings occur during the spring and summer months. Storage capacity is required to accommodate the spring/summer arisings ensuring there is sufficient material available for processing during the

autumn/winter months. This translates into a peak of storage in the summer with the converse of almost empty yards in the winter.

3.19 Wood is processed to contract requirements so SWWP effectively process wood to order and typically keep only limited amounts of processed wood is on site at any one time. The reason for this is that processed wood can deteriorate rapidly, primarily due to changes in moisture levels and such deterioration means the wood product can fail to meet specification requirements. To this end SWWP intend to store processed wood in the existing product hall building at Locks Yard.

3.20 Waste wood storage is strictly controlled by environmental permitting which requires a Fire Prevention and Mitigation Plan (FPMP) to detail storage arrangements to prevent fire incidents. SWWP will be submitting a revised FPMP to NRW. The permit, with operational requirements including stock rotation, will ensure that no unprocessed wood is stored on site for over 6 months.

Historic Wood Storage (Application No.2)

3.21 Wood has been deposited on the area of Application No.2 sometime ago and whilst this is not considered a fire risk it is beginning to degrade which could give rise to pollution in nearby watercourses. The Applicant proposes to remove this wood as a product by careful blending with 'fresh' waste wood. The other alternative for the removal of the material would be to landfill which is prohibitively expensive, jeopardising the continued operation of the wood recycling operations. The landfilling option is also considered highly unsustainable.

3.22 The time taken to remove all this 'old' wood material will depend on its condition and the amount of blending required to create an acceptable product. In clearing this area SWWP intend to continue to use this area to store 'new' unprocessed wood but in accordance with the general site operations with typical storage periods of up to six months.

Hours of Operation

3.23 The current hours of operation for processing are:

- 6am to 6pm Monday to Fridays
- 8am to 1pm Saturdays
- With no operations on Sundays or Public Holidays.

3.25 The arrival and departure of vehicles entering and exiting the site are only permitted between:

- 6am to 6pm Monday to Saturdays
- Not at all on Sundays or Public Holidays.

3.26 No changes are proposed to the permitted hours for operations and transportation at the site.

Site Infrastructure

3.27 The general site infrastructure will remain unchanged utilising the existing accesses and buildings. At this point in time SWWP do not propose to construct the additional buildings. No changes to the site drainage are proposed.

Site Traffic and Access Arrangements

3.28 SWWP do not anticipate any fundamental change to site throughputs that would generate any significant changes to traffic generation. Wood is typically brought to the site in articulated trailers and product is removed by similar vehicles with backloading where possible to minimise road movements. Loads are always full enclosed. The operations will continue to use the access onto Heol Llan for the majority of site traffic, with the northern access only used in emergency and for 'non-wood' vehicles.

Employment

3.29 The direct employment at the site totals 15 staff comprising 5 site staff, 2 office staff and 8 drivers with indirect employment for other drivers and many associated businesses including suppliers and customers. Ensuring an effective operation will secure continuity of existing jobs.

Security Measures

3.30 The site will not be open to members of the public and will only be used by vehicles authorised by the applicant. Site entrances will be locked outside operating hours. There is no public or other private access at the site and 24 hours security is provided at the site with CCTV coverage.

Noise Management

3.31 A noise management plan (NMP) was approved for the site under submission P/17/706/DOC which was to comply with conditions 10 and 11 of permission P16/659/RLX. The NMP has been included with these proposals, see Appendix C. SWWP do not propose to change the site

operations and will continue to work to this NMP. As per the NMP measures SWWP will keep the operations under review and investigate complaints taking actions as appropriate.

Dust Management

- 3.32 Condition 3 of planning permission P/16/659/RLX provides for dust management in line with the Dust Management Plan (DMP) dated 18th March 2015, see Appendix D. The DMP is considered to remain relevant for the proposed amended operations as the main processing area remains unchanged and whilst there are additional areas of unprocessed wood storage, the DMP identified storage as having a 'negligible' magnitude of emissions. Hence the Applicant will implement the measures in the approved DMP which include locating processing plant at least 20m from site boundaries, maintaining dust suppression netting on the south eastern boundaries, use of water suppression equipment on processing operations and installation of dust monitors. The Applicant will further review the monitoring findings after one year of full operation to assess if changes need to be made to dust management measures at the site.

- 3.33 Additionally the environmental permit has provision for dust management which provides additional regulatory controls over matters of dust.

Landscaping

- 3.34 Whilst SWWP do not propose any new landscaping areas, as the site boundaries are already well vegetated with hedging and trees, they will maintain boundary planting and undertake infill planting where there are gaps in boundary hedging.

Community Liaison

- 3.35 The application is situated relatively remotely away from major areas of residential properties and the majority of the development already has planning permission and an environmental permit. Pre-Application Consultation (PAC) has been undertaken as whilst the additional development is limited, only an additional 0.5ha for storage purposes, as the nature of this is 'waste development' PAC is automatically required. Going forward, following the PAC exercise, as SWWP operate an open-door policy they are prepared to attend any local meetings as invited. SWWP operate a complaint procedure to ensure action is taken in response to any complaints or concerns.

4 Planning Policy and Considerations

Introduction

Sustainable Development

- 4.1 The Planning Act (Wales) 2015 introduced a statutory purpose for the planning system to exercise planning functions in accordance with the principles of sustainable development as defined by the Well-being of Future Generations (Wales) Act 2015 that, “....*development and use of land contribute to improving the economic, social, environmental and cultural well-being of Wales*”.

Development Plan and Material Considerations

- 4.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that, “... *for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the (development) plan unless material considerations indicate otherwise*”. Thus, planning applications shall be determined in accordance with the approved Development Plan, unless material considerations indicate otherwise.

Development Plan

- 4.3 The Development Plan system in Wales has a three tier hierarchy: National Development Framework (NDF), Strategic Development Plans (regional level) and Local Development Plans. At this point in time there are no adopted development plans at national or strategic level so for this proposal the Development Plan comprises:

- Bridgend Local Development Plan (BLDP), Adopted September 2013.

Material Considerations

- 4.4 A material planning consideration is a relevant matter when determining a planning application. In terms of policy the Planning Policy Wales (December 2018), the Technical Advice Notes (TANs) and the National waste strategy for Wales (Towards Zero Waste) are material considerations. Additionally policy in emerging development plans can also be a material consideration. Emerging development plan policy includes the draft National Development Framework for Wales produced in 2019.
- 4.5 A review of the relevant planning guidance and policies are provided below.

Planning Policy Wales (PPW) 2018

- 4.6 The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development in line the Well-being Act, a presumption in favour of sustainable development in accordance with the development plan unless material consideration indicate otherwise. The PPW makes clear the planning system should operate efficiently, effectively and simply and where possible avoid duplicate with other statutory regimes.
- 4.7 The PPW states the planning system has an important role in facilitating sustainable waste management recognising the social, economic and environmental benefits when managing waste as a resource. Waste development should: minimise adverse environmental impacts; protect designated landscapes and nature conservation sites; and, protect the amenity of residents, landuses and users affected by waste development.
- 4.8 The PPW states the planning system should support the aspirations of strategic waste policy in 'Towards Zero Waste' and follow the waste hierarchy, see figure 2 below.

Figure 2: PPW Waste Hierarchy



- 4.9 The PPW looks to planning authorities to support a diverse range of waste infrastructure and the contribution of a proposal to the waste management objectives, policy, targets and assessments contained in national waste policy will be a material planning consideration. The

PPW notes that achieving circularity of materials with high quality recycling will need a collaborative approach with the industry and planning authorities to ensure efficient operations.

National Policy Guidance: Towards Zero Waste: One Wales One Planet (2010)

- 4.10 Towards Zero Waste provides the long-term national waste strategy for Wales meeting the challenges relating to sustainability, ecological footprint, climate change and security of resources. The aim is to reduce the impact of waste in Wales to within environmental limits by reducing the ecological footprint of waste to 'one planet' levels by 2050. The strategy seeks to ensure that high rates of recycling are secured recognising the economic potential of recyclable materials and looks to the waste industry provide of the necessary infrastructure.

Technical Advice Note 8 Planning for Renewable Energy (2005)

- 4.11 Technical Advice Note (TAN) 8 supplements the PPW and has targets for the amount of electricity generated by renewable sources which it looks to the planning system to assist in delivering.

Technical Advice Note 18 Transport (2007)

- 4.12 Technical Advice Note (TAN) 18 looks to the planning system to help achieve an efficient and sustainable transport system is a requirement for a modern, prosperous and inclusive society integrating transport modes and land uses in line with other policies for the environment, education, social justice, health, economic development and wealth creation. Where there a development is likely to result in significant trip generated TAN 18 expects planning applications to be accompanied by transport assessments which assess the suitability of the transport demands and impacts.

Technical Advice Note 21 Waste Practice Guide

- 4.13 This document is supplementary guidance which does not form Welsh Government policy but aims to give an understanding of the different types of waste infrastructure. Descriptions are provided of waste wood operations: *The purpose of a wood treatment facility is to sort wood by grade and send it for appropriate end-uses which are dependent on the quality of the product. The end uses can include reuse, reprocessing by panel-board manufacturers, recovery as animal bedding or preparation of a fuel for energy recovery.*
- 4.14 The Practice Guide notes: *facilities which physically treat discrete waste streams can vary in size, from small operations to large facilities which manage waste streams such as waste*

wood (with throughputs of over 50ktpa). Also that wood operations tend to be largely external in nature.

National Development Framework (NDF) draft 2019

- 4.15 The NDF is a spatial plan setting out the direction for development in Wales to 2040 and is to be read alongside the PPW. The NDF does not have any direct policies for waste development and looks to Strategic Development Plans (SDP) to outlines how waste will be managed. The SDPs are to provide a co-ordinated framework for a circular economy which should include waste treatment and disposal.

Bridgend Local Development Plan 2006-2021 (BLDP) (adopted September 2013)

- 4.16 The relevant policies of the BLDP policy are:
- Strategic Policy SP1: Regeneration Led Sustainable Development – the policy focuses development on the major urban areas in Bridgend.
 - Strategic Policy SP2: Design and Sustainable Place Making – the policy seeks to ensure sustainable development whilst have regards to a development surrounds.
 - Policy PLA4: Climate Change and Peak Oil – all development should make a positive contribution towards tackling and adapting to climate change.
 - Strategic Policy SP4: Conservation and Enhancement of the Natural Environment – looks to protect important conservation sites and secure enhancements to the nature environment where possible.
 - Policy PLA1: Settlement Hierarchy and Urban Management – provides for the location of future planned development in settlements.
 - Policy ENV1: Development in Countryside – restricts development that may take place in the countryside.
 - Policy ENV4: Local/Regional Nature Conservation Sites – seeks to avoid development having an adverse impact on local or regional conservation sites.
 - Policy ENV7: Natural Resource Protection and Public Health – seeks to avoid harm to amenity, health and biodiversity.

- Strategic Policy SP7: Waste Management – identifies sites for new waste treatment facilities and that employment sites may be suitable provided they meet Policy ENV16 requirements.
- Policy ENV16: Commercial and Industrial Waste – supports development appropriately located on employment land where they comply with criteria to address amenity and traffic impacts.
- Strategic Policy SP8: Renewable Energy – supports development which contributes to meeting national renewable energy targets where there are no significant adverse impacts.

5 Case for the Development

- 5.1 The two applications relate to an existing permitted wood operation and do not represent a wholly new waste development on a green field site. The principle of a wood recycling operation is already accepted in this location and the majority of the existing planning conditions controlling the impacts of the operations will remain as will the additional controls provided by the environmental permit that also controls operations at the site. So whilst not providing new capacity the proposals will critically secure existing recycling capacity with only limited amendments to the approved operations ensuring an efficient and viable recycling operation.

Economy, Resources and Renewables

- 5.2 The recycling of waste wood at Locks Yard is already making a substantial contribution to the local economy supporting local jobs and the wider Welsh economy by supplying local power stations and manufacturing outlets. The proposals will secure this established contribution on a more enduring basis increasing the resilience of this part of the economy.
- 5.3 The proposals are helping to minimise the use of non-renewable resources providing alternatives to fossil fuels with benefits of conserving existing natural resources and helping to minimise climate change impacts as well as avoiding the high costs, financial and environmental, associated with the alternative of landfilling the waste material that the site handles. The site's operations are not only contributing to recycling targets of Zero Waste but also renewable energy targets in Wales with the Applicant having supply contracts for the nearby Margam power plant. Hence the development is highly sustainable, in line with the PPW for 'productive and enterprising places'.

Waste Management

- 5.4 The Locks Yard Complex is a specialist physical treatment facility operation dedicated to recycling a single waste stream which allows efficient recycling, 100% of the wood is recycled and the residue of extracted metals is also recovered from the wood and sent to a reprocessing site. The operations as a dedicated facility achieve the highest recycling rates possible. The site, in line with Zero Waste, PPW and the waste hierarchy, is diverting waste wood from landfill and retaining the wood resource in the economy for longer.
- 5.5 TAN 21 has a number of overarching objectives for waste management development and Appendix E presents a table TAN 21's objectives with commentary on the proposals

compliance. TAN 21 specifically requires a waste assessment to be undertaken and details for this are provided in Appendix F. TAN 21 also has guidance on some of the detailed considerations for waste developments, these are considered later in this section.

Locational

- 5.6 The thrust of planning policy, both national and local (BLDP Policy SP1 and PLA1), is to direct new development to strategic locations urban areas in existing settlement boundaries to assist with regeneration however these proposals do not constitute ‘new’ development on a green field site in open countryside. The development proposals are not for future development but for the enhancement of an established operation to improve its viability. Whilst located in open countryside outside settlement boundaries the majority of the site already has an extant permission accepting the principle of the development. Indeed the site prior to the wood operations was already in employment use i.e. it is previously developed land and this includes the extension area. The area of the proposed site extension itself is relatively limited in size compared to the existing permission area and, as a point of note, this small parcel of land was previously part of the planning unit of the nursery operations as can be seen on the historic aerial photographs with structures and yard areas dating back to 2003² and beyond.
- 5.7 Planning policy has restrictions on development in the open countryside, if the operations only involved virgin wood it would be considered a forestry operation and could comply BLDP ENV1 which lists acceptable operations in the open countryside. The only difference between the proposals and a forestry operation is that the wood material is ‘end of life timber’ not virgin timber.
- 5.8 Many waste operations such as this are not well suited for urban locations given the potential amenity impacts when in close proximity to multiple receptors and a rural location avoids these issues. Locks Yard Complex as a long-established industrial site in the countryside is an excellent location for the operations and planning policy does provide support for this in BLDP Policy ENV16. The policy supports the principle of the location of waste facilities on existing employment sites providing it meets certain environmental criteria. Locks Yard as an existing industrial site therefore has policy support for its location.

² 2003 is the earliest date that aerial imagery is available for the site.

Landscape and Visual Impact

- 5.9 The site does not lie in any protected landscape zones however BLDP SP2 in achieving high quality development looks to development to respect and enhance landscape character. The site, with the exception of the extension area, is already an established wood recycling operation. Indeed it should be noted for many years before the wood recycling operations various activities took place on the site, including the extension area. The site is not virgin countryside but previously developed land as confirmed by the historic aerial photographs. The proposals do not introduce a new use to the landscape but are a position of no change in terms of activities in the landscape.
- 5.10 The main changes are the increased storage areas and height of storage piles. However the impact of these is mitigated as the site is enclosed well by established field boundaries with extensive hedging, mature trees and additionally on the eastern site area there is a 4m high boundary bund. Many of the trees are well over 7m high which will assist in screening stockpiles being well above the proposed new maximum height limit for storage. The boundary vegetation will be maintained ensuring its continued contribution to the landscape of the area.
- 5.11 Additionally the extant permission provides for new buildings to be constructed. To date these have not been constructed and the Applicant does not propose to build them. The approved scheme of the extant permission allows the erection of 7m high workshop buildings on the western part of the site. This confirms an acceptable building height which at 7m is directly comparable to the proposed new storage height limit. Similarly on the eastern part of the site the existing product hall building is over 13m high, almost double the proposed storage heights. Here the extant permission provides for a further drying building to be built to a similar height. The construction of the drying building would have a far greater visual impact than the limited increase in storage heights. The proposals are therefore not considered to introduce a new development to the area but merely are amendments of an existing operation which is already well screened. The proposals offer a positive enhancement as and there will be a reduction in the built elements on the site compared to the approved scheme of the extant permission. The development will therefore accord with BLDP SP2 (2).

Environmental: Amenity

- 5.12 Waste management facilities have a number of potential environmental impacts, especially larger facilities with open yard areas, and the guidance of TAN 21 and BLDP ENV16 seek to

minimise adverse impacts. The site is well located being relatively remote from residential properties and other land uses which helps minimise potential impacts. The nearest property, Mount Pleasant, lies in the main permission area and was formerly associated with the site. In purchasing the property the new owner was well aware of the operations on the adjacent land. That said site, layout does not see any wood processing or storage in this central part of the site adjacent to Mount Pleasant.

Noise and Dust

- 5.13 Noise and dust are the two of the main impacts from wood recycling operations arising primarily from the processing activities. At Locks Yard there are already approved management plans for both noise and dust in place to control these impacts to an acceptable level. As the operations are not changing these management plans remain appropriate and will be adhered to by the Applicant to ensure these operations impacts are minimised at all times. This accords with TAN 21, BLDP ENV7 and ENV16 (1).

Odour, Litter and Vermin

- 5.14 The nature of the waste restricts some of the impacts that can occur at waste sites. Waste wood is does not generate odour problems. Litter will not be a problem at Locks Yard as only pre-selected material is accepted which will not contain material such as plastics or paper that could become windblown and create litter problems. The wood waste itself should not generate litter as it arrives at site unprocessed, typically in larger fragments >100mm and does not become windblown. Similarly pests are attracted to certain types of waste and can become a nuisance and health issue. The operations at Locks Yard do not give rise to these impacts as they do not contain wastes which attract animals such as food wastes for example. Noting the lack of impacts this aspect of the development accords with TAN 21 and BLDP ENV16 (1).

Water and Pollution

- 5.15 Locks Yard has been operating for some time and no known water pollution incidents have occurred. The historic wood deposit which has the potential to cause pollution will be removed from the site with these proposals. The application will not change the nature of the operation nor introduce any additional infrastructure or changes to ground conditions that could change drainage arrangements at the site. The site is not located in an area subject to flooding and the proposals will not increase flood risk off site. As such the proposals are considered to accord with TAN 21 requirements and BLDP ENV7 and ENV16 (3)

Biodiversity

- 5.16 In terms of biodiversity the site has no habitats for any flora or fauna and there are no protected sites in the locality. The site is partially covered by a SNIC however the proposals do not change the impact on the SNIC over and above the current site conditions. Whilst extra land is included the footprint of the extension area (Application No 2) was already previously developed land as evidenced with the historic aerial photographs with buildings and yard areas which are understood to pre-date the establishment of the SNIC.
- 5.17 The proposals will see the removal of the historic wood deposit with the associated pollution risk that this is causing to the SNIC. Going forward storage of future waste wood here will be subject to stock rotation avoiding any potential issues of biodegradation and pollution risk. There will be no adverse impact to the SNIC and there should be greater level of protection to the SNIC with the removal of the historic waste wood hence the proposals accord with BLDP ENV4.

Traffic

- 5.18 Locks Yard, whilst in a rural area, has good links to the strategic highway network being only a short distance from the M4 which is the main route for wood arriving at the site and also for the distribution of processed material, with Margam power station only 20km west just off the M4. With good transport connections providing efficient access the development complies with BLDP SP2 (7).
- 5.19 There is no known history of traffic safety issues at the site with a separation of traffic with staff and visitors using the entrance to the north off directly off the B4280 whilst all the wood traffic uses the Locks Yard entrance away from residential properties minimising impacts from the vehicles. As the development does not propose to increase traffic movements over and above that generated by the existing operations it is not considered necessary to prepare a transport assessment in accordance with the advice of TAN18. As the traffic is already accommodated on the local highway network and no changes are proposed the development complies with the relevant criteria in TAN 21 and BLDP ENV (3).

Pollution Control

- 5.20 As mentioned in Section 2, in addition to the extant planning permission, the site is regulated by an environmental permit issued by NRW. The PPW is clear that the planning system should not duplicate other regulatory controls. The permit requires a comprehensive management system operates to minimise the impacts of the operations. The permit and its associated

management system will ensure appropriate site management for the duration of the development in compliance with BLDP ENV16(4) and ENV7.

Stability

- 5.21 The site lies in an area of former coal mining workings, coal mining assessments have been provided with this application confirming there are no stability issues.

Enforcement Notice

- 5.22 The area of the second application is covered by an extant enforcement notice which requires:
1. Cessation of the use of the land for storage and processing;
 2. Removal of the wood; and,
 3. Grass seeding or turfing of the land.
- 5.23 The reasons for serving the notice were given as failing to comply with policies BLDP PLA1 and also ENV1 in relation to development in the open countryside and impact on visual amenities. The notice was not appealed so the appropriateness and reasons for issuing the notice were not subject to challenge or further scrutiny.
- 5.24 Examining the specifics of the notice in relation to the second application there will be no processing on this land which step 1 seeks to prohibit. Compliance with step 2 with the removal of the existing historic deposit of waste wood will be undertaken at the expense of the Applicant not the tax payer³. The third step of the notice to reinstate the land to grass does not reflect the original condition of the land which as evidenced by the historic aerial photographs was not virgin agricultural land but was previously occupied by a number of structures and associated yard areas. Enforcement notices should not seek to reinstate to a state which is beyond the former condition of the land prior to the alleged breach of planning control.
- 5.25 The development going forward with the proposed site extension of application no.2 is only for wood storage with no additional activities or structures. There will be very limited impacts,

³ As the previous operator has gone into administration if the Applicant does not take on the site then the pollution risk will remain and fall to regulatory authorities (either the council or NRW) to secure the removal of the wood at considerable cost to the public purse.

amenity or visual, associated with these operations as has been discussed earlier in this section. There only remains the apparent policy conflict that the land is outside settlement boundaries so contrary to BLDP PLA1 and ENV1. However paragraphs 5.6-5.8 considered the locational aspects of the development and it is considered the location is appropriate under the terms of ENV16 which allows waste development employment land. The proposals constitute only an amended of a well-established operation. It is clear the policy aims of BLDP PLA1 and ENV1 are addressing new future development, otherwise established developments outside settlement boundaries would not be able to adapt and growth naturally and such a blanket approach does not provide for sustainable development.

- 5.26 The Applicant is aware that the council has concerns given the history of the operations at the site and in discussion with the council he is proposing initially a temporary planning permission for this area allowing him to remove the historic wood and demonstrate that the operational use of the land can be done in an acceptable manner.

6 Concluding

- 6.1 Planning permission already exists at Lock Yard Complex for a comprehensive wood recycling facility which has been operating for a number of years. The two applications' development proposals represent relatively minor development in the context of the existing site operations, the amendments reflect current site arrangements and improve the efficiency of the operation securing its longer-term future.
- 6.2 The two applications' development proposals will have minimal environmental impact and are unlikely to be readily indistinguishable from outside the boundaries of the site. Many of the original operating conditions on the extant permission will remain unchanged and it is not proposed to intensify the use or increase in traffic.
- 6.3 The development is considered to be highly sustainable, already helping to meet waste and renewable energy targets. Indeed failure to secure a practical and viable wood operation at this site, which these proposals assist with, would jeopardise the established contribution that this site is already making. The operations at Locks Yard embody the circular economy approach by maximising the reuse of a material with minimal impacts and reducing demands on primary resources so as such the development as is wholly in line with the PPW and TAN21, and appropriately located in terms of the BLDP.
- 6.4 The Applicant respectfully requests that Bridgend Council grants planning permission for these proposals.

Drawings

Drawing no - LMM/039/01

Drawing no - LMM/039/02

Drawing no - LMM/040/01

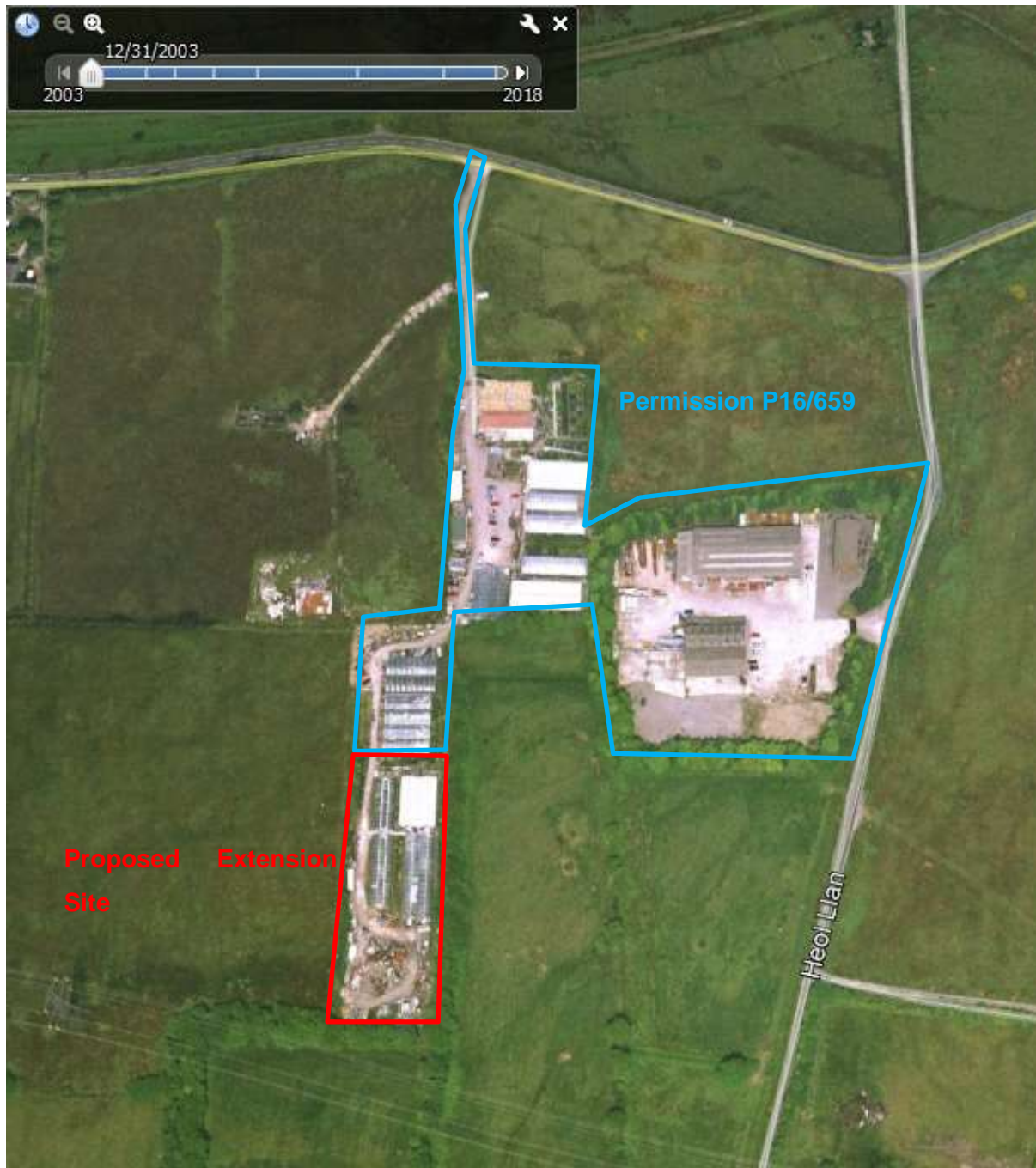
Drawing no - LMM/040/02

Appendices

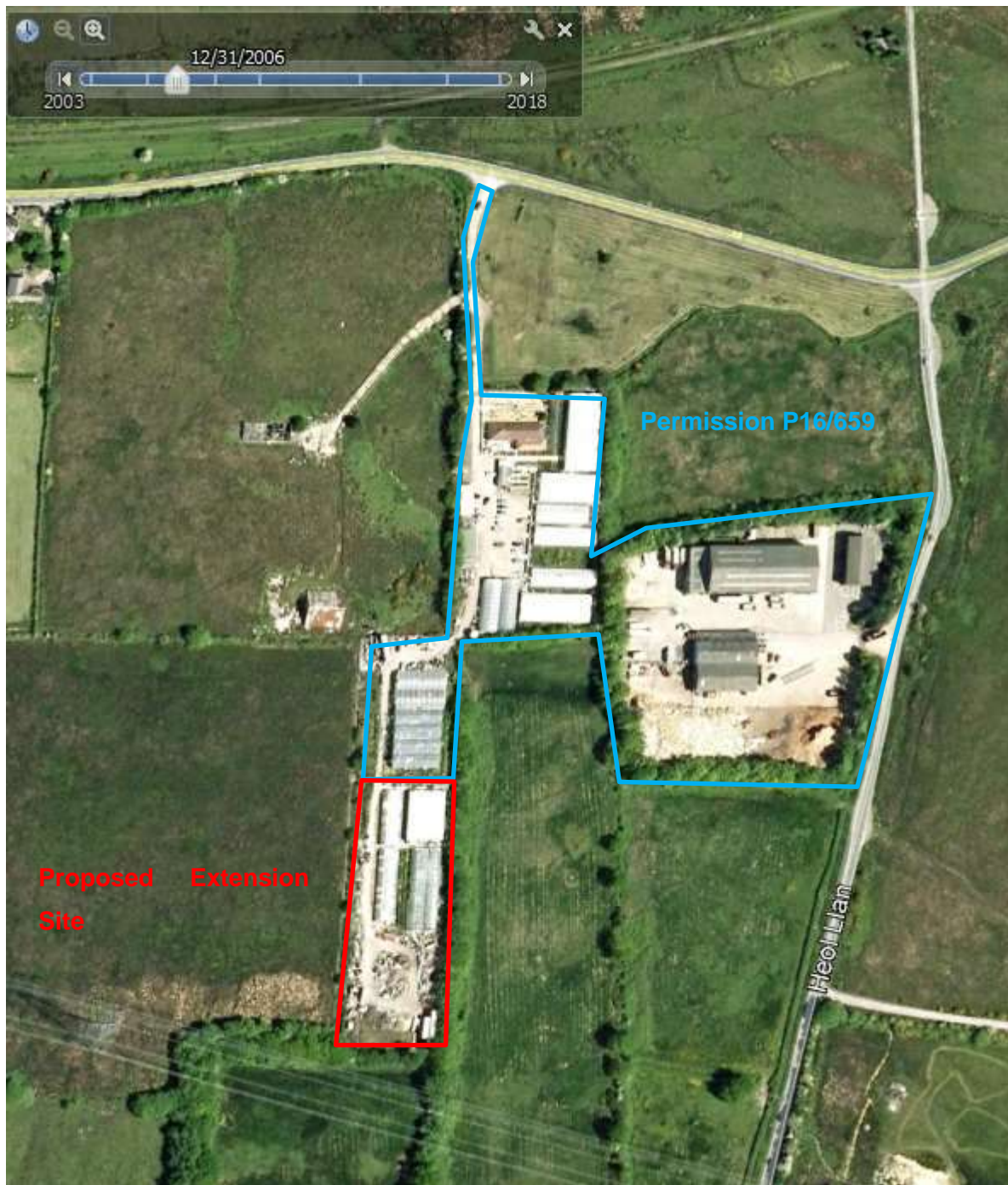
Appendix A - Historic Aerial Images

Historic Aerial Photographic Images (source Google Earth)

Locks Yard Complex

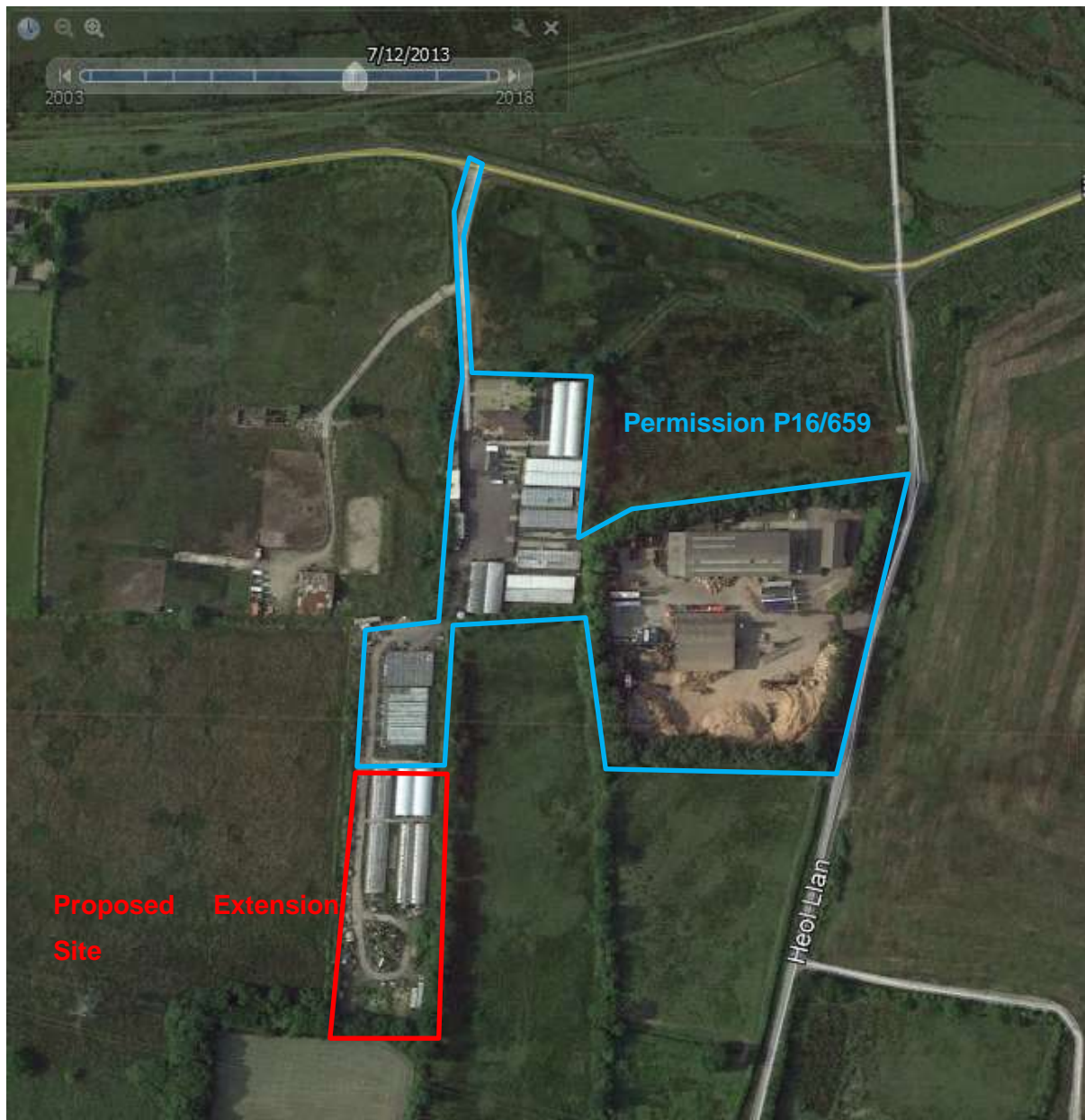




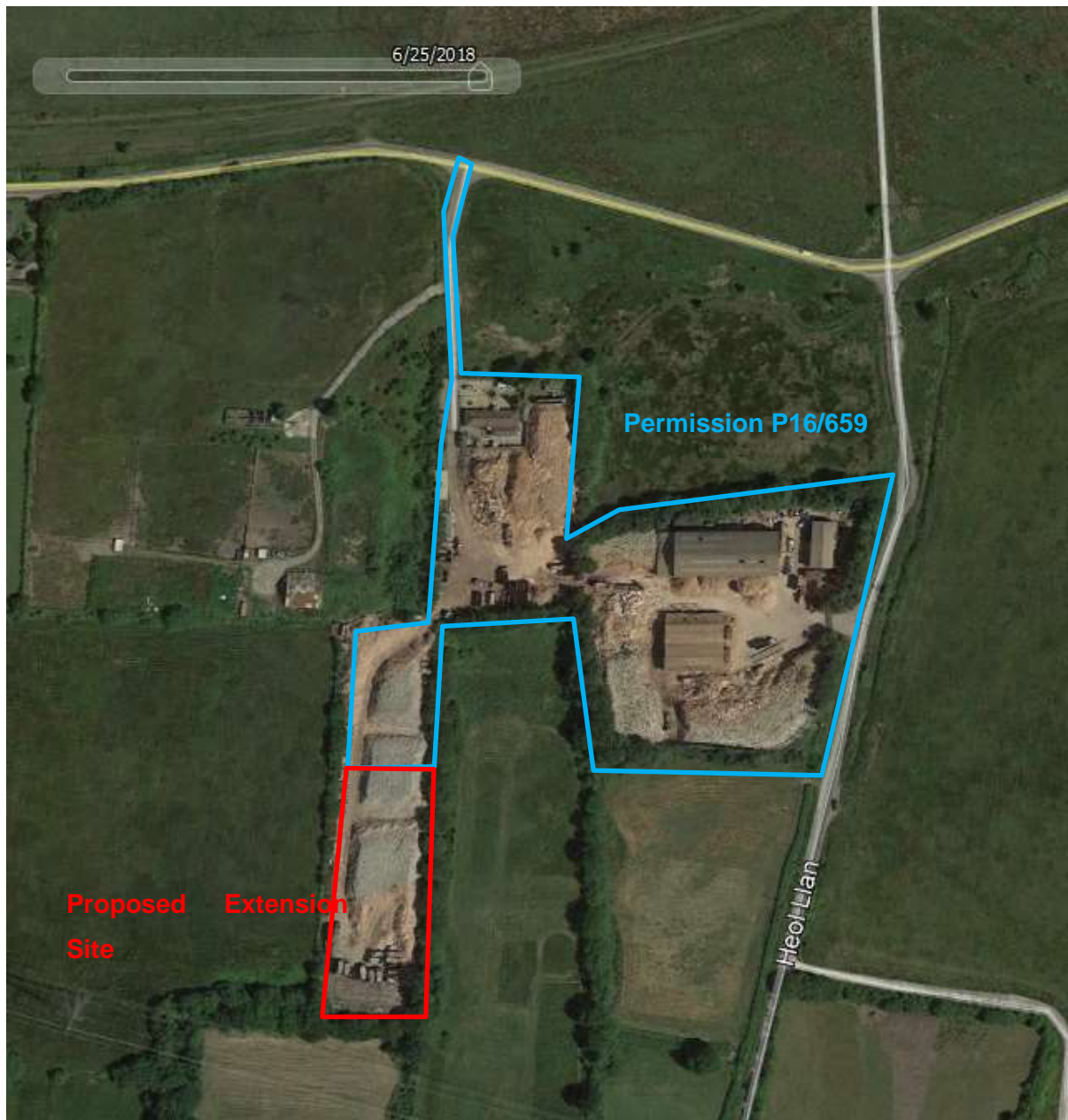












Appendix B - Planning Permission P/16/659-RLX

Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr Bridgend County Borough Council

Swyddfaedd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB



Planning Reference No : P/16/659/RLX

Revision 1

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012

PERMISSION FOR DEVELOPMENT

To:
Technia Environment & Planning Ltd
Suite 4 St Margarets Park
Pengam Road
Aberbargoed
SA81 9FW

Whereas you did on the 16 August 2016 make application in writing for permission to develop, short particulars of the development being as follows:

Applicant Name : South Wales Wood Recycling Ltd
Development : Relax condition 12 of P/14/711/FUL to extend the time period in which to submit the Noise Management Plan
Location : Former Bryncethin Nurseries & S Wales Wood Recycling,
Pant Hirwaun, Heol y Cyw, Bridgend CF35 6BU

BRIDGEND COUNTY BOROUGH COUNCIL as the Local Planning Authority, hereby PERMIT the proposed development to be carried out in accordance with the plans (if any) submitted with the said application, subject to compliance with the condition(s) specified below:

1. The development shall be carried out in accordance with the following approved plans and documents: Plan Numbers 10914-000B, 10914-00-C, 10914-00-D, 10914-000-E, 10914-001-A and 10914-001-B and the Dust Management Plan (dated 18th March, 2015).

Reason: For the avoidance and confusion as to the nature and extent of the approved development.

2. All vehicles, including trailers, which are carrying any woodchip or wood dust, processed on the site, away from the site shall be securely sheeted prior to leaving the premises.

Reason: In the interests of safeguarding the environment, preventing pollution and highway safety.

3. The recommendations contained in Sections 4.3 and 4.3.1 of the Dust Management Plan (dated 18 March, 2015) shall be implemented within three months of this consent being granted. All works, which form part of the Dust Management Plan (dated 18th March, 2015) shall thereafter be maintained in accordance with the approved details.

Reason: In the interests of safeguarding the environment and preventing pollution.

4. Apart from the measures identified in Condition 3 above, all other measures detailed in the Dust Management Plan (dated 18th March, 2015), including the complaints procedures (Section 4.1.4), which are in place to control and monitor dust shall be maintained in accordance with that plan throughout the duration of the operation of the site as a wood recycling facility.

Reason: In the interests of safeguarding the environment and the prevention of pollution.

5. The height of all external stock piles shall not exceed 5m at any time.

Reason: In the interests of visual amenity and the prevention of pollution.

6. The premises shall be used for the storage and processing of wood, drying the wood within the drying shed with associated boiler and for no other purpose including any wood pelleting processing or any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 or any statutory instrument revoking or re-enacting that Order and the staff, visitor and HGV parking areas, workshops and container storage shall remain, in perpetuity, ancillary to the main use of the premises as defined within this condition.

Reason: To ensure that the Local Planning Authority retains effective control over the use of the site in the interests of general amenity.

7. No more than two external shredders shall be operated at the site at any one time.

Reason : In the interests of preventing noise nuisance and safeguarding the amenities of neighbouring occupiers.

8. Deliveries shall not be taken at or dispatched from the site outside the hours of:-

08:00 hours and 18:00 hours Mondays to Saturdays

and not at all on Sundays, Bank and Public Holidays nor shall there be loading/unloading of HGVs outside the above mentioned times.

Reason: To ensure that the Local Planning Authority retains effective control over the operation of the premises.

9. Shredding operations and processing of waste shall only be carried out between the following times:-

08:00 hours - 18:00 hours Mondays to Fridays;

08:00 hours - 13:00 hours Saturdays;

and not at all on Sundays, Bank or Public Holidays.

Reason: To ensure that the Local Planning Authority retains effective control over the operation of the shredders in the interests of safeguarding the amenity of neighbouring occupiers.

10. Within three months of the date of this consent, a noise management plan containing a scheme of works to minimise the noise being experienced at existing residential receptors from site operations, including the use of the shredders and investigation of complaints shall be submitted to and agreed in writing by the Local Planning Authority. The Noise Management Plan shall include the following:-

'A scheme of work to reduce the noise from the shipping/shredding and screening operations and all plant associated with the movement, loading and stockpiling of materials;

"If barriers are to be used as a form of noise mitigation, the design/height and construction of the barriers, together with the noise reduction it is intended to achieve. Stockpiles shall not be used as suitable mitigation measures as the height and location of these will vary depending on the inputs and outputs of the site;

"For permanent bunds that are being used as a barrier, the location, height and materials used for the bund. It is understood from the last Noise Management Plan that the height of the bund has been increased, but it is not stated to what height or what noise reduction this has achieved;

"A complaints investigation procedure and the action that will be taken if complaints are found to be justified e.g. details of the current noise being emitted from this plant when it is operating inside the building and outside in the yard, the predicted or measured noise levels at the nearest residential receptor and the expected noise reduction that is expected from any mitigation measures.

Reason: In the interests of safeguard the amenities of neighbouring occupiers.
(P/17/706/DOC - Details agreed 23 August 2017 by Bridgend County Borough Council)

11. The Noise Management Plan referred to in Condition 10 above shall include a programme and time scale for the implementation of mitigation works, which shall be agreed in writing by the Local Planning Authority. All mitigation works, which form part of the agreed Noise Management Plan, shall be completed in accordance with the agreed programme and time scale and thereafter maintained in accordance with the agreed details.

Reason: To ensure the timely provision of the noise management plan's mitigation measures in the interests of safeguarding neighbouring occupiers.
(P/17/706/DOC - Details agreed 23 August 2017 by Bridgend County Borough Council)

12. Prior to installation, a lighting design strategy for biodiversity for the site shall be submitted to and agreed in writing by the Local Planning Authority. The strategy shall:-

"Identify those areas/features on and surrounding the site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example for foraging; and

"Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding or resting places.

All external lighting shall be installed in accordance with the agreed specification and locations set out in the agreed strategy and thereafter maintained in accordance with the strategy. No other external lighting shall be operated without the prior written consent of the Local Planning Authority.

Reason: In the interests of safeguarding a European Protected Species, the environment and the amenities of neighbouring occupiers.

13. No construction works shall commence on site until the intrusive site investigation works identified in the Coal Mining Risk Assessment have been undertaken. In the event that the site investigations confirm the need for remedial works, to treat any areas of shallow

mine workings to ensure the safety and stability of the development, these remedial works shall be undertaken prior to the development being brought into beneficial use.

Reason: In the interests of safety and to mitigate potential adverse impacts from any coal mining legacy present on the site.

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

- (a) This application is recommended for approval because the development complies with Council policy. When assessing the application against the relevant national planning policy advice, there are no reasons why the planning conditions cannot be varied in the manner indicated in the preceding Appraisal Section of the Report.
- (b) The objections raised in respect of the earlier planning consent (P/14/711/FUL) were largely material planning considerations and as such highly relevant to the determination of the application. However, national planning guidance also indicates that matters of economic benefit be afforded equal weight to other material considerations in the determination of planning applications. In respect of this case, it is considered that the proposal will safeguard and create and number of jobs and issued of amenity and highway safety can be mitigated by conditions and/or may be controlled under separate consenting regimes. As such, the proposal is considered to comply with national and local policy and on balance the likely impacts of development do not outweigh the potential economic benefits of the development.
- (c) The developer is reminded of their responsibilities in respect of the management of non-native invasive plant species such as Himalayan Balsam and Japanese Knotweed under the provisions of the Wildlife and Countryside Act, 1981.
- (d) Foul and surface water discharges shall be drained separately from the site.
- (e) No surface water shall be allowed to connect either directly or indirectly to the public sewerage system.
- (f) Land drainage run off shall not be permitted to discharge either directly or indirectly into the sewerage system.
- (g) The development is reminded that the site is permitted under the Environmental Permitted (England and Wales) Regulations (as amended) 2014. Any extension or change in operation may require a change to the permit and therefore Natural Resources Wales recommend the enquiries line is contacted on 0300 085 3000 or enquiries@naturalresourceswales.gov.uk.
- (h) The observations of Natural Resources Wales relating to P/14/711/FUL in respect of emission into surface waters or groundwaters and pollution prevention remain relevant and should be taken into consideration by the developer.
- (i) The development is reminded that the implementation of any part of this consent will result in the creation of a new planning unit whereby all previous planning permissions are superseded and are no longer relevant.

Dated: 9 June 2017

Updated 23 August 2017

Signed:



CORPORATE DIRECTOR COMMUNITIES

YOUR ATTENTION IS DRAWN TO THE FOLLOWING (some of which may not be applicable):-

a. Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developer's) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

b. The enclosed notes which set out the rights of applicants who are aggrieved by the Council's decision.

c. This planning permission does not convey any approval or consent required by Building Regulations or any other legislation or covenant nor permits you to build on, over or under your neighbour's land (trespass is a civil matter). To determine whether your building work requires Building Regulation approval, or for other services provided by the Council's Building Control Section, you should contact that Section on 01656 643408 or at <http://www.bridgend.gov.uk/buildingcontrol>

d. Developers are advised to contact the statutory undertakers as to whether any of their apparatus would be affected by the development

e. Attention is drawn to the provisions of the party wall etc. act 1996

f. Attention is drawn to the provisions of the Wildlife and Countryside Act 1981 and in particular to the need to not disturb nesting bird and protected species and their habitats.

g. If your proposal relates to residential development requiring street naming you need to contact 01656 643136

h. If you are participating in the DIY House Builders and Converters scheme the resultant VAT reclaim will be dealt with at the Chester VAT office (tel: 01244 684221)

i. Developers are advised to contact the Environment and Energy helpline (tel: 0800 585794) and/or the energy efficiency advice centre (tel: 0800 512012) for advice on the efficient use of resources. Developers are also referred to Welsh Government Practice Guidance: Renewable and Low Carbon Energy In Buildings (July 2012):- <http://wales.gov.uk/topics/planning/policy/guidanceandleaflets/energyinbuildings/?lang=en>

j. Where appropriate, in order to make the development accessible for all those who might use the facility, the scheme must conform to the provisions of the Disability Discrimination Act 1995 as amended by the Disability Discrimination Act 2005. Your attention is also drawn to the Code of Practice relating to the Disability Discrimination Act 1995 Part III (Rights of Access to Goods, Facilities and Services)

k. If your development lies within a coal mining area, you should take account of any coal mining related hazards to stability in your proposals. Developers must also seek permission from the Coal Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 7626848 or www.coal.gov.uk

l. If your development lies within a limestone area you should take account of any limestone hazards to stability in your proposals. You are advised to engage a Consultant Engineer prior to commencing development in order to certify that proper site investigations have been carried out at the site sufficient to establish the ground precautions in relation to the proposed development and what precautions should be adopted in the design and construction of the proposed building(s) in order to minimise any damage which might arise as a result of the ground conditions.

m. The Local Planning Authority will only consider minor amendments to approved development by the submission of an application under section 96A of the Town and Country Planning Act 1990. The following amendments will require a fresh application:-

* re-siting of building(s) nearer any existing building or more than 250mm in any other direction;

- * increase in the volume of a building;
- * increase in the height of a building;
- * changes to the site area;
- * changes which conflict with a condition;
- * additional or repositioned windows / doors / openings within 21m of an existing building;
- * changes which alter the nature or description of the development;
- * new works or elements not part of the original scheme;
- * new works or elements not considered by an environmental statement submitted with the application.

n. The developer shall notify the Planning Department on 01656 643155 / 643157 of the date of commencement of development or complete and return the Commencement Card (enclosed with this Notice).

o. The presence of any significant unsuspected contamination, which becomes evident during the development of the site, should be brought to the attention of the Public Protection section of the Legal and Regulatory Services directorate. Developers may wish to refer to 'Land Contamination: A Guide for Developers' on the Public Protection Web Page.

p. Any builder's debris/rubble must be disposed of in an authorised manner in accordance with the Duty of Care under the Waste Regulations.

Appendix C - Noise Management Plan

Appendix D – Dust Management Plan

Appendix E - Consideration of TAN 21 Annex C Objectives

Objective	Compliance Commentary
Prudent use of land and resources	The proposal will enable the recovery of a waste material which otherwise would be destined for landfill. The resultant biomass product will replace fossil fuels in the generation of electricity and the board products minimises demand for virgin wood material which all assists with the conservation of finite nature resources
Minimising greenhouse gas emissions	The treatment of wood does not give rise to the generation of bioaerosols or any gases and, as the facility avoids the need to landfill, the associated generation of landfill gases is reduced by the operation of this site.
Minimising adverse effects on air quality and quantity	The site is not located in an Air Quality Management Area. The site operations are controlled by a Dust Management Plan to minimise fugitive dust emissions.
Protect & enhance the landscape, townscape & cultural heritage	The site is not located near any listed buildings, in a conservation area or other area of protected landscape. The proposals do not introduce any new built development. The site has substantial screening around its boundaries, with hedging and tree belts, which will remain in place and contribution to the local landscape.
Minimising adverse effects on water quality	The development should not give rise to pollution from the residues generated by the degradation of waste i.e. leachate. The second application will assist with the removal of a historic deposit of wood which is beginning to show signs of deterioration which could give rise to pollution. The environmental permit required for the site's operation provides additional on-going controls on water quality for the life of the operations.
Avoid increasing the risk of flooding	The site lies outside the floodplain and will not give rise to increased flooding issues for the adjoining land uses.
Protecting biodiversity	Whilst partially located in a Site of Importance for Nature Conservation the proposals are not considered to have an adverse impact on the SNIC as the site footprint with wholly a previously developed land.
Providing employment opportunities & support long-term jobs & skills	The facility will secure 15 full time jobs and support other associated employment.
Minimising adverse effects on residential property	The site is remote from any residential areas with only limited properties in the locality. The operation of dust and noise management plans will ensure impacts on the nearest properties are kept to a minimum.
Minimising the increased cost of waste management	The development is a dedicated facility for a single waste stream, waste wood, allowing a more effective and efficient (more economically viable) operation than a mixed waste facility. The facility avoids the need to landfill wood waste and so reduces costs for management of the waste material as a far cheaper alternative to landfill.
Protecting local amenity	The operations are limited in nature, located on an established site with screening around the wholly site with hedging and tree planting which together with the fact that the site is remote from sensitive receptors there are no issues with impacts on local amenity. The type of waste and the operation of the site does not give rise to issues with litter, odour or vermin.
Minimising adverse effects on public health and to avoid increasing health inequalities	The nature of the waste and proposed operations will not give rise to health issues.
Minimising local transport impacts	The site is situated well in respect of the main highway network.

Appendix F - TAN 21 Waste Assessment


Waste Planning Assessment

1. There is an established waste wood recycling operation at Locks Yard which has planning permission and an environmental permit. A new operator, South West Wood Products (SWWP), are taking over the site and in addressing operational issues there is a need to submit two planning applications, one to vary the current planning permission at the site and the other for a small site extension.
2. Technical advice note (TAN) 21: waste requires a Waste Planning Assessment (WPA) to be undertaken on planning applications for waste development. Whilst it is not clear that this is required for a site extension or changes to an existing operation SWWP have prepared this document to provide a WPA to accompany their planning submission.
3. A Waste Planning Assessment should be appropriate and proportionate to the nature, size and scale of the development proposed. Annex B of TAN 21 outlines the details this must cover.
4. A detailed Planning Statement accompanies the planning application includes assessment of the details of TAN 21 Annex B as relevant to the development. To avoid repetition this document provides cross reference to the parts of the Planning Statement which cover the required matters. For ease of reference this is provided in the table below.

Appendix F Table Signposting Waste Planning Assessment Details in Planning Statement

TAN 21 Waste Planning Assessment Requirements	Comments/ Location in Planning Statement
Waste Policy Statement: contribution to 'Towards Zero Waste'	See planning statement paras 5.3 and 5.4
Waste Policy Statement: policy compliance with policy related to need & location requirements	See planning statement paras 5.2 – 5.8
Waste Policy Statement: existing and projected future demand	See planning statement paras 5.2 – 5.5
Waste Policy Statement: markets served by the proposed development	Primarily energy generation and board manufacture. See planning statement paras 5.2 – 5.5
Waste Policy Statement: current shortfall in treatment capacity	Facility already providing treatment capacity loss of facility would reduce existing capacity. See planning statement paras 5.2 – 5.8
Waste Policy Statement: description of the	Compliance with Pre Application Consultation requirements and see

consultation undertaken by the applicant	accompanying PAC report (to be finalised with formal submission)
Time Scale: Lifespan of the operation	Permanent
Time Scale: Days and hours of operation	Monday to Friday 6am to 6pm and Saturdays 8am to 1pm, no working Sundays or public holidays
Types and quantities of waste: Estimated annual quantity of each waste type to be received, and estimated total capacity	Estimated annual figure 150,000t and total capacity for 200,000 t of wood waste
Types and quantities of waste: destination of any end product (residues and any hazardous materials)	Recycled products are used for board manufacture, power generation and animal bedding. The only residues are extracted metals which are fully recovered, sent to go to metals recycling facilities for processing
Types and quantities of waste: minimum and maximum quantities that the facility could process and remain operational.	100,000tpa minimum and 200,000 tpa maximum wood waste
Types and quantities of waste: Waste amount (tonnes) the facility is designed for	150,000tpa wood waste.
Design, layout, buildings and plant: processes involved, including transportation to and from the site	No changes are proposed to processes or transportation. Details as to the processes or transportation are provided in section 3 of the planning statement.
Design, layout, buildings and plant: layout and design of buildings, plant, operational areas, haul roads and external lighting	The site layout utilises existing site infrastructure without proposing any changes or any new infrastructure. Details as to the site's layout are provided in section 3 of the planning statement and accompanying plans.
Design, layout, buildings and plant: landfill gas and leachate control infrastructure	Not Applicable
Design, layout, buildings and plant: restoration and aftercare	Not Applicable
Amenity and Nuisance: compatibility of the proposed development with existing or neighbouring land uses	See planning statement paras 2.1 to 2.7 for description of setting including neighbouring uses – an isolated but established industrial site relatively remote from housing or other landuses (other than agriculture – rough grazing) no unacceptable amenity or nuisance issues are anticipated, see planning statement section 5.12 to 5.15.
Amenity and Nuisance: Measures to prevent and control land contamination, light pollution, noise, smell, dust, birds and vermin, litter	See planning statement section 5.12 to 5.15, 5.18 to 5.20.
Amenity and Nuisance: Any emissions	See planning statement section 5.12 to 5.15, 5.18 to 5.20.

associated with the proposed operations	
Air Pollution: emissions of gasses from processes	Not Applicable
Energy Efficiency: how energy recovered from the incineration process will be maximised	Not Applicable
Energy Efficiency: R1 energy efficiency calculation	Not Applicable
Declaration: This proposal forming the two application submissions has been developed in line with the Waste Hierarchy.	 1 st June 2020