

## OFFICER REPORT

**Application Number:** 18/P/0706/FUL

**Received Date:** 24th October 2018

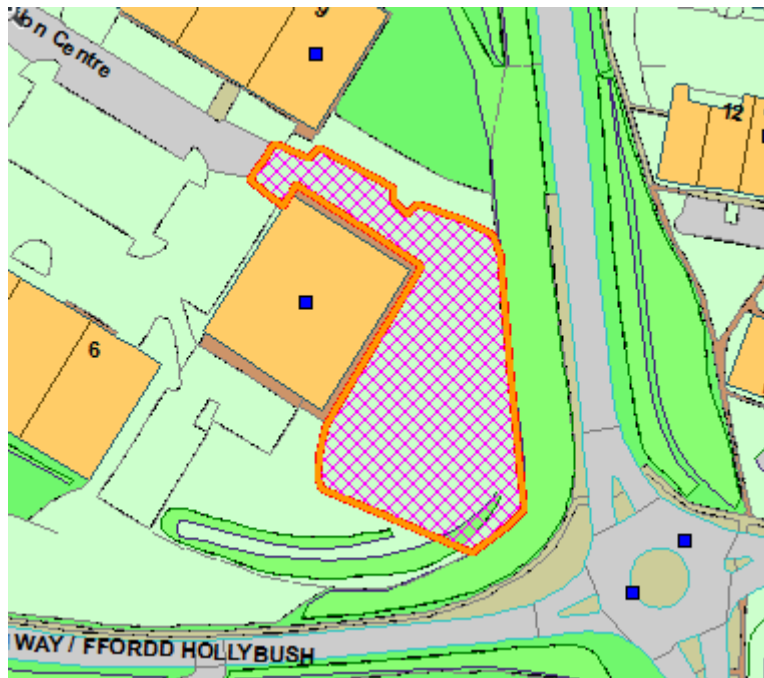
**Proposal:** Reconfiguration of existing waste transfer station (bulking, sorting & baling) used for household recycling including extension of external yard (change of use from open grassed area)

**Site Address:** Unit 7 - 8 Ty Coch Distribution Centre Ty Coch Cwmbran

**Ward:** Llantarnam

**Applicant:** Mr Cynon Edwards

**Agent:** Mr Lee Morgan



### SITE HISTORY:

App Number	Proposal	Status	Received Date	Decision Date
10/P/00315(W)	Variation of condition 3 to read: the premises shall be used for a recycling waste transfer station (sui generis) for paper, glass, card, cans, plastic, ferrous and non ferrous metals and for no other purpose, unless an	APPCON	22.06.2010	30.07.2010

	express grant of planning permission is given on an application made in that behalf.			
10/P/00038(W)	Retention of use of premises as a recycling centre and ancillary facilities.	APPCON	10.02.2010	08.04.2010
06/P/13733(W)	New Internal office facilities partial refurbishment of the front elevation and new hardstanding area	APPCON	28.02.2006	23.05.2006

## **BACKGROUND**

In 2010 planning permission was granted for the use of units 7 and 8 Ty Coch Industrial Estate as a recycling centre. The site currently has an area of operational outdoor space to the south of unit 7. This recycling centre is leased and operated by Torfaen County Borough Council. Kerbside collections are brought to this facility for onward transport (bulking and baling).

## **DESCRIPTION OF SITE**

This application site relates to an area to the north and north east of units 7 and 8. This site is comprised of a grass area to the side and rear of the existing recycling centre. The site is separated from Cwmbran Drive by a large mature treeline.

## **DESCRIPTION OF DEVELOPMENT**

This application is for the change of use of the land to the side and rear of the recycling centre from ancillary open space to an external yard in association with the existing recycling centre. It is also proposed to alter the access arrangements for the main building by installing two additional roller shutters doors on the rear elevation of the building so that the refuse vehicles can enter/egress the building to and from the new external yard. The yard area will be hard paved and will include a new access off the internal industrial estate road leading to a weighbridge, skip storage area and six bays for sorting and storage of materials (a mixture of glass, cardboard, plastics and steel cans). These outdoor storage areas are being relocated from the area to the south of the building. Some changes to the levels on the southern part of the yard are proposed consisting of lowering the levels by 1.2m. Additional landscape planting is also proposed on the northern and southern boundary of the site.

## **PLANNING POLICY:**

LDP Policy BW1 - provides a detailed Borough wide General Policy on Development Proposals with criterion covering 'Amenity and Design', the 'Natural Environment', the 'Built Environment', 'Utilities Provision' and 'Design and Transport', against which all planning applications will be determined in conjunction with other relevant policies of the Local Development Plan.

LDP Policy W1 states that in-building facilities for the handling, treatment or transfer of waste will be directed generally towards B2 industrial land and premises or existing or previous waste facilities; and that open air facilities are best located away from existing sensitive locations.

Technical Advice Note: 21 (Waste) provides advice and guidance on waste developments.

### **CONSULTATION RESPONSES:**

Community Council	No Objections.
Highways And Transportation	<p>There will be no significant increase in staff or vehicular movements as a consequence of this application.</p> <p>I would not oppose the application from a highway standpoint and there are no specific conditions that I would wish to see attached to any grant of approval.</p>
Natural Resources Wales	No reply received
Tree (Arboricultural) Officer	I have no objections to the proposed site extension.
Ecology Officer	No reply received.
Environmental Health (noise/contam/housing)	<p>Public Health advise that due to the history of this site the potential for contamination is a material consideration. Some supporting documents have been submitted with the application in relation to this.</p> <p>The Preliminary (desk) Study Report produced by Capita and dated March 2018 is accepted as satisfactory.</p> <p>The Geotechnical Report produced by Capita and dated September 2018, insofar as it relates to contamination, is not satisfactory in that it does not appear to build on the preliminary report, has no revised conceptual model or updated contamination risk assessment and does not generally follow the best practice for such contaminated land reports. As such the application should be conditioned accordingly. The conditions below are the model conditions for contaminated land as agreed with Welsh Government.</p> <p>Public health recognise that part (a) of the above has been complied with and that the physical site investigation has also been undertaken, however the reporting requirement in relation to this along with the remaining condition sections cannot be discharged on the basis of the information submitted to date.</p>

#### Contaminated Land.

All work should comply with the latest guidance which includes;

BS 10175:2011

Welsh Government Document WG 15450, Contaminated Land Welsh Statutory Guidance.

Welsh Local Government Association Document, Requirements for the Chemical Testing of Imported Materials for Various End Uses.

#### Contamination

(1) No part of the development hereby permitted shall commence until:

a) An appropriate Desk-Study of the site has been carried out, to include a conceptual model and a preliminary risk assessment, and the results of that study have been submitted to and approved in writing by the Local Planning Authority.

b) If potential contamination is identified then an appropriate intrusive site investigation shall be undertaken and a Site Investigation Report to BS 10175:2011 containing the results of any intrusive investigation, shall be submitted and approved in writing by the Local Planning Authority.

c) Unless otherwise agreed in writing by the Local Planning Authority as unnecessary, a Remediation Strategy, including Method statement and full Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority.

No part of the development hereby permitted shall be occupied until:

d) Following remediation a Completion/Validation Report, confirming the remediation has been carried out in accordance with the approved details, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

#### Contamination Unforeseen

(2) Any unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as is practicable. Unless otherwise agreed in writing by the Local Planning Authority as unnecessary, an appropriate ground investigation and/or remediation strategy

shall be submitted to and approved in writing by the Local Planning Authority, and the approved strategy shall be implemented in full prior to further works on site. Following remediation and prior to the occupation of any building, a Completion/Validation Report, confirming the remediation has been carried out in accordance with the approved details, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

#### Contamination Imported Material

(3) No part of the development hereby permitted shall be occupied until:

Prior to import to site, soil material or aggregate used as clean fill or capping material, shall be chemically tested to demonstrate that it meets the relevant screening requirements for the proposed end use. This information shall be submitted to and approved in writing by the Local Authority and must comply with the Welsh Local Government Association Document, Requirements for the Chemical Testing of Imported Materials for Various End Uses 2011. No other fill material shall be imported onto the site.

Reason: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

Drainage Officer

The drainage strategy sets out the design rationale against the WG guidance and I have no objections or comments to make on the proposal.

Dwr Cymru/Welsh Water  
Treharris

We have previously completed a review on the proposed reconfiguration of the above site when the applicant progressed with our own pre planning advice application service, whereby we confirmed that we would accept foul water at a rate no greater than 2 litres per second and surface water at an attenuated rate no greater than 5 litres per second.

We would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

#### Conditions

Surface water flows from the development shall only communicate with the public surface water sewer) through an

attenuation device that discharges at a rate not exceeding 5 l/s.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Foul water only flows from the development shall only communicate with the public foul water only sewer at a rate not exceeding 2 l/s.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

#### Advisory Notes

If the development will give rise to a new discharge (or alter an existing discharge) of trade effluent, directly or indirectly to the public sewerage system, then a Discharge Consent under Section 118 of the Water Industry Act 1991 is required from Dwr Cymru / Welsh Water. Please note that the issuing of a Discharge Consent is independent of the planning process and a consent may be refused although planning permission is granted.

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Our response is based on the information provided by your application. Should the proposal alter during the course of

the application process we kindly request that we are re-consulted and reserve the right to make new representation.

Ward Members

No reply received

## **PUBLICITY**

An Article 12 Site Notice was erected at the site on 29 October 2018.

A Press Notice was placed in the Free Press on 1 November 2018.

Neighbour Notifications: Units 1 - 12 Ty Coch Ind Estate.

## **REPRESENTATIONS RECEIVED**

None have been received.

## **ASSESSMENT AND CONCLUSION**

This application relates to the existing Ty Coch Bulking and Baling site at Ty Coch Industrial Estate. This operation is run by Torfaen County Borough Council to process the kerb side collection of recycling in the borough. The main considerations with regard to this application is whether the extension of this facility into the area of land to the rear will be acceptable in principle, will be acceptable from a highway safety point of view, whether it will have a detrimental impact on the visual amenities of the area, and whether it will have an adverse impact on the residential amenities of any nearby dwellings.

With regard to the first issue, these additional facilities are required in order to facilitate the efficient use of the existing bulking and baling facility. The area of land is currently incidental open space of the industrial estate located to the rear of units 7 and 8. Due to its location this area of open space is not visually prominent and doesn't perform any function at present. As the use of this area is required in connection with the existing use of the buildings as the area of open space has limited value to the industrial estate, it is considered the principle of the use of this area is acceptable.

With regard to the impact on highway safety, the traffic management of the site will be amended so that the kerbside collection vehicles can enter and egress the building through the new roller shutter doors to the rear. The submitted Transport Statement states that the proposed facilities will not result in an increase in staff trips or trips by kerbside collection vehicles. The Highway Officer is satisfied with this proposal. It is therefore considered that this proposal will not have a detrimental impact on highway safety.

As referred to above, this application site relates to an existing grassed area on the industrial site to the rear of units 7 and 8. To the east of the site is a row of mature trees which form a screen from Cwmbran Drive. Whilst a large part of this grassed area will be lost it is considered that due to its location this proposal will not have a detrimental impact on the visual amenities of the area.

Some of the operations, such as tipping the glass recycling can be noisy operations. However, the nearest dwellings are approximately 230m away and the existing use currently undertakes such operations in the yard area to the south of unit 7. These operations will be relocated to the proposed yard area. No objections have been received from the Council's Environmental Health Officer. It is therefore considered that given its location and its association with the existing use, this proposal will not have a detrimental impact on the residential amenities.

With regard to the drainage of the site, the Council's Drainage Officer and Welsh Water are satisfied with the proposals. This site has potential contamination due to its previous uses. Although some contamination studies have been carried out there is a requirement for further investigations and remediation strategy and therefore it is normal practice to impose a condition requiring this information to be submitted and approved prior to the commencement of development.

The application submission includes an Arboricultural Impact Assessment. Some smaller trees within the centre of the site will be removed but the mature treeline on its boundary will be retained and protected as during construction. The Arboricultural Impact Assessment sets out the tree protection measures to be put in place and also sets out a method statement for the works to ensure that the retained trees are protected. The Council's Tree Officer is satisfied with the proposal. The submission also included a Preliminary Ecological Appraisal which identified the site as having low ecological value.

For the above reasons it is considered that this proposal complies with policies BW1 and W1 of the Adopted Torfaen Local Plan. It is therefore considered that this proposal is acceptable and it is recommended that planning permission be granted subject to the following conditions.

**RECOMMENDATION:** Approve with Conditions

**CONDITIONS:**

- 1 The development shall begin not later than five years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990

- 2 Unless otherwise specified by another condition of this Notice, the development shall be carried out in accordance with the following approved plans and the recommendations as set out in the following documents:

Approved plans:

TCB-CAP-61-XX-DR-C-6110 REV P01  
TCB-CAP-61-XX-DR-C-6111 REV P01  
TCB-CAP-61-XX-DR-C-6112 REV PO1  
TCB-CAP-61-XX-DR-C-6113 REV PO1  
TCB-CAP-61-XX-DR-C-6115 REV PO1  
TCB-CAP-61-XX-DR-E-6114 REV P01  
TYC-CAP-VES-XX-DR-V-0001 REV P01  
TCB-CAP-61-XX-DR-S-6116  
TCB-CAP-61-XX-DR-S-6117

Documents:



Drainage Strategy prepared by Capita dated October 2018  
Hazardous Materials Survey prepared by Capita dated 13/07/18  
Geotechnical Report prepared by Capita dated September 2018  
Preliminary Ecological Appraisal (Desk) Study Report dated March 2018  
Refurbishment Asbestos Survey prepared by Capita dated 13/07/18  
Preliminary Fire Strategy Report prepared by F and P Fire Ltd dated 28/05/2018  
Preliminary Ecological Appraisal prepared by Capita dated 15/02/18.

Reason: To ensure the development is carried out in accordance with the approved details. Any material alteration to the approved details may have an impact that has not been assessed.

- 3 The development shall be carried out in accordance with the tree protection measures and the method statement as set out in the following report:

Ty Coch Bulking and Baling Recycling Facility, Cwmbran, BS55837:2012 Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement prepared by Capita dated 06/03/2018.

Reason: To ensure that the trees are adequately protected during construction.

- 4 No part of the development hereby permitted shall commence until:
- a) An appropriate Desk-Study of the site has been carried out, to include a conceptual model and a preliminary risk assessment, and the results of that study have been submitted to and approved in writing by the Local Planning Authority.
  - b) If potential contamination is identified then an appropriate intrusive site investigation shall be undertaken and a Site Investigation Report to BS 10175:2011 containing the results of any intrusive investigation, shall be submitted and approved in writing by the Local Planning Authority.
  - c) Unless otherwise agreed in writing by the Local Planning Authority as unnecessary, a Remediation Strategy, including Method statement and full Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority.
- No part of the development hereby permitted shall be occupied until:
- d) Following remediation a Completion/Validation Report, confirming the remediation has been carried out in accordance with the approved details, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

- 5 Any unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as is practicable. Unless otherwise agreed in writing by the Local Planning Authority as unnecessary, an appropriate ground investigation and/or remediation strategy shall be submitted to and approved in writing by the Local Planning Authority, and the approved strategy shall be implemented in full prior to further works on site. Following remediation and prior to the occupation of any building, a Completion/Validation Report, confirming the remediation has been carried out in accordance with the approved details, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

6 No part of the development hereby permitted shall be occupied until:

Prior to import to site, soil material or aggregate used as clean fill or capping material, shall be chemically tested to demonstrate that it meets the relevant screening requirements for the proposed end use. This information shall be submitted to and approved in writing by the Local Authority and must comply with the Welsh Local Government Association Document, Requirements for the Chemical Testing of Imported Materials for Various End Uses 2011. No other fill material shall be imported onto the site.

Reason: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

7 Surface water flows from the development shall only communicate with the public surface water sewer through an attenuation device that discharges at a rate not exceeding 5 l/s.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

8 Foul water only flows from the development shall only communicate with the public foul water only sewer at a rate not exceeding 2 l/s.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

9 The development hereby permitted shall only be used in connection with the existing waste transfer station at units 7 and 8 Ty Coch Distribution Centre and for no other purpose.

Reason: In the interest of highway safety and general amenity.

INFORMATIVES:

1 Torfaen Local Development Plan covers Torfaen County Borough. The following policy/policies is/are relevant to the consideration of this application: BW1 and W1.

Mrs Helen Smith

<b>Appendices</b>	None
<b>Background Papers</b>	<b>Note: Members of the public are entitled, under the Local Government Act 1972, to inspect background papers to reports. The following is a list of the background papers used in the production of this report.</b>

	Planning Application File: 18/P/0706/FUL
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<b>For a copy of the background papers or for further information about this report, please telephone: Richard Lewis, Head of Development Management (Tel. 01633 647628)</b>
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