

ITEMS RECEIVED AFTER THE PRODUCTION OF THE REPORT
FOR THE PLANNING COMMITTEE
TO BE HELD ON 1 NOVEMBER, 2017

Page	Application	Location	Item No.	Description
P.68	2014/00995/FUL	Land adjacent to Llantwit Major Bypass, Boverton	1.	Amended wording to Condition 16.
P.113	2017/00329/FUL	Siteserv Recycling, Llandow Trading Estate, Llandow	2.	Amended wording to Condition 3.
			3.	Amended wording to Conditions 8, 10 and 16 following comments of WYG.
			4.	Amended wording to Condition 9 following consultations of Natural Resources Wales.

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 1 November 2017

Application No.: 2014/00995/FUL	Case Officer: Mr. Robert Lankshear
<p>Location: Land adjacent to Llantwit Major Bypass, Boverton</p> <p>Proposal: Change of use of agricultural land to residential development (C3) including demolition of a disused building and the development of 65 residential dwellings, public open space, landscaping, highway improvements and associated engineering works</p>	

From: Rob Lankshear, Planning Officer

Summary of Comments:

Proposed amended wording of condition 16 to remove reference to roost (to avoid confusion with regard to any presence of bats on the site).

- 16. No works shall commence unless the local planning authority has been provided with one of the following:
 - a) A licence issued by Natural Resources Wales pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 (as amended) authorising the specified activity/development to go ahead; or
 - b) A statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence;

The works and Post development monitoring of the **site** shall be carried out following completion of works as detailed in the NRW licence.

Reason:

In order to ensure that no protected species are adversely affected by the development and to ensure compliance with In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy), MD9 (Promoting Biodiversity),MG19 (Sites and Species of European Importance), MG20 (Nationally Protected Sites and Species), MG21 (Sites of Importance for Nature, Regionally Important Geological and Geomorphical Sites and Priority Habitats and Species) of the Local Development Plan.

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 1 November 2017

Application No.: 2017/00329/FUL	Case Officer: Mrs. Justina M. Moss
Location: Siteserv Recycling, Llandow Trading Estate, Llandow	
Proposal: Retention of a material change of use of land and a warehouse known as Hangar A from a storage and distribution use (use class B8) to a materials recovery facility and ancillary offices (use class B2) and retention of a weighbridge and weighbridge office	

From:

Justina Moss – Principal Planner (Appeals and Enforcement)

Summary of Comments:

Having considered further the hours of operation condition 3, the Officer is of the view that the conditions would be clearer and more precise if amended as suggested below. It is also considered more appropriate to have all elements of the mixed use carried out in accordance with a single set of hours of operation.

Action required:

Amend condition 3 and introduce a new condition to read as follows:

3. All activity and operations (including the movement of commercial vehicles, movement of skips, operations within Hangar A, deliveries to the site, export of material and the operation of any plant or equipment) relating to the use of the site hereby approved and set out in condition 2 as a facility for the receipt, sorting, storage and export of non-hazardous waste, together with an ancillary office; the use of the site for the storage of skips; and the use of the site for the storage of commercial vehicles shall not be carried out outside of the following specified hours:
 - Monday to Friday 07:00 to 18:00 excluding bank holidays and public holidays.
 - Saturday 07:00 to 16:00.
 - Not at all on a Sunday.

Reason:

In the interests of amenity, to enable the Local Planning Authority to maintain control over the nature of the use, and to ensure compliance with the terms of Policies MD2 - Design of New Development, MD7 – Environmental Protection and MD20 – Assessment of Waste Management Proposals of the Local Development Plan.

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE: 1 November 2017

Application No.: 2017/00329/FUL	Case Officer: Mrs. Justina M. Moss
<p>Location: Siteserv Recycling, Llandow Trading Estate, Llandow</p> <p>Proposal: Retention of a material change of use of land and a warehouse known as Hangar A from a storage and distribution use (use class B8) to a materials recovery facility and ancillary offices (use class B2) and retention of a weighbridge and weighbridge office</p>	

From:

White Young Green (WYG), Agent acting on behalf of the adjoining occupiers to the site.

Summary of Comments:

The agent has commented on a number of the conditions that are suggested in the report. Including some typographical errors, the comments are summarised as follows:

1. The requirements for the stockpile height/size of externally stored material.
2. The requirement for bound surfacing – this should be extended to the parts of the internal haul road that are also not surfaced.
3. The inadequacies of the Fire Prevention and Mitigation Plan.
4. The Biomass Boiler – there being no controls relating to the flue height and storage of material associated burnt in the boiler.

Officer Response:

The following comments are made with regard to the 4 matters raised above:

1. As is noted from the report, condition 4 only allows paper, plastic and cardboard to be on site. The NRW Permit does not allow these materials to be stored externally.

The condition 8 requirements for relating to externally stored material were intentionally in the event that the NRW Permit is changed in the future to so as to allow the external storage of paper, cardboard and plastic. The stockpile sizes, height, etc. are specified in the NRW Guidance Document on Fire Prevention and mitigation Plan Guidance – Waste (Version 1 May 2016).

Notwithstanding this, if NRW were to change their permit so as to allow for the external storage of material, in addition to the issues of fire prevention (which the original working of condition 8 was seeking to address) there may well also be an issue of impact on amenity the of adjoining land uses. Such impact can only be considered via the planning process. Accordingly, it is considered appropriate to remove the reference to externally stored material from condition 8 and to amend condition 10 to limit not only the sorting but the storing of material to within the confines of Hangar A.

2. The comments of WYG are noted and condition 16 should be amended to also require the surfacing of the unbound parts of the internal haul road with a bound material.

- 3. The Comments of WYG are noted with regard to the Fire Prevention and Mitigation Plan. These have been addressed in the Late Matters Arising Notes relating to the comments of NRW and condition 9.
- 4. With regard to the Biomass Boiler, the suggested inadequacies of the flue height is not a matter that can be controlled through the planning system and is a matter that is being investigated by both NRW and the Council's Shared Regulatory Services. Furthermore, should the matter of storage of wood associated with the boiler become a concern in the future, such a matter can be controlled by condition 10.

Action required:

- 1. Amend condition 8 and 10 to read as follows:

8. Individual stockpiles of internally stored material shall not exceed 5 metres in height if loose material or 4 metres in height if bailed material; shall not be stored within 6 metres from any other stockpile; shall not exceed a volume of 750 cubic metres; and shall not cover an area greater than 235 square metres.

Reason:

In the interests of preventing fire, to enable the Local Planning Authority to maintain control over the nature of the use, and to ensure compliance with the terms of Policies MD2 - Design of New Development, MD7 – Environmental Protection and MD20 – Assessment of Waste Management Proposals of the Local Development Plan.

10. Material sorting and storage shall only take place within the building identified as Hangar A on the Plan number 0002/B – Site Layout and no material shall be sorted or stored externally.

Reason:

To safeguard local amenities, to enable the Local Planning Authority to maintain control over the nature of the use, and to ensure compliance with the terms of Policies MD2 - Design of New Development, MD7 – Environmental Protection and MD20 – Assessment of Waste Management Proposals of the Local Development Plan.

- 2. Amend condition 16 to read as follows:

16. Notwithstanding the submitted plans, within one month of the date of this decision details of the extent and type of surfacing of the haul road and vehicle parking / skip storage area indicated on plan number 002/B - Site Layout Plan shall be submitted to and approved in writing by the Local Planning Authority. The details shall propose a bound surface and, for the vehicle parking / skip storage area, the installation of an oil, diesel and petrol interceptor. The bound surface and oil, diesel and petrol interceptor shall be completed in accordance with the approved details within three months of the date of their approval and shall thereafter be so retained.

Reason:

(3ii)

In the interests of amenity and to ensure compliance with the terms of Policies MD2
- Design of New Development, MD7 – Environmental Protection and MD20 –
Assessment of Waste Management proposals of the Local Development Plan.

3. Amend condition 9 as suggested in the NRW Matters Arising Note.
4. No amendment is necessary.

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From:

Natural Resources Wales (NRW)

Summary of Comments:

Your officers have recently met with NRW to discuss this site, amongst other matters. NRW were advised of the recommendation for the approval of this application and the suggested conditions of the permission were discussed with them. They commented on the suggested condition 9 and confirmed that a new Fire Prevention and Mitigation Plan (18th May, 2017) was to be prepared for the site to replace the one submitted with the application and referred to in this condition as the Plan is not considered to be adequate.

NRW also confirmed that, the preparation of a Fire Mitigation and Prevention Plan was not a specific requirement of the NRW Permit for the site at present, but that there is a proposal to amend the Permit in the near future to include such a requirement within the Rules of the Permit.

Officer Response:

The verbal comments of the NRW officers are noted and a written confirmation of these comments has been requested.

Having noted their view on the 18th May, 2017, Fire Prevention and Mitigation Plan, it is suggested that condition 9 is amended to require the submission of an amended Plan for consideration by the Council in consultation with NRW. Such a requirement is not considered to duplicate the controls of NRW as, at present the Permit does not contain a specific requirement for the preparation of a Fire Prevention and Mitigation Plan.

Action required:

Condition 9 is amended as follows:

Notwithstanding the submitted plans and documents, within one month of the date of this consent a Fire Prevention and Mitigation Strategy (to include a revised Fire Prevention and Mitigation Plan and details of monitoring and review of the Plan) shall be submitted to and approved in writing by the Local Planning Authority. Once the Fire Prevention and Mitigation Strategy has been approved in writing, the use of the site for a mixed use as a facility for the receipt, sorting, storage and export of non-hazardous waste, together with

(H1)

an ancillary office; for the storage of skips; and for the storage of commercial vehicles shall be carried out at all times in accordance with the approved Fire Prevention and Mitigation Strategy.

Reason:

In the interests of preventing fire, to enable the Local Planning Authority to maintain control over the nature of the use, and to ensure compliance with the terms of Policies MD2 - Design of New Development, MD7 – Environmental Protection and MD20 – Assessment of Waste Management Proposals of the Local Development Plan.