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Proposed Removal of Fill Material, Infilling and Final Restoration of  
Land at Former Ely Brickworks, Woden Park, Vale of Glamorgan

Waste Planning Assessment

407.05238.00002

August 2015

Version: Final

**ADDITIONAL DRAWINGS**

Received 29.10.15



## **1.0 INTRODUCTION**

This Waste Planning Assessment (WPA) has been prepared in accordance with the requirements of Appendix B of Technical Advice Note 21: Waste (February 2014).

The WPA is required to ensure that consistent information is submitted to demonstrate how the proposed waste development will contribute towards meeting Wales' overriding objectives (Towards Zero Waste, Construction and Demolition Sector Plan) for dealing with waste. It accompanies the planning application submitted by Ermaer Limited for the proposed removal of fill material, importation of inert wastes with the progressive and final restoration of the former Ely Brickworks.

## **2.0 WASTE POLICY STATEMENT**

### **2.1 Provisions of Towards Zero Waste**

"Towards Zero Waste" and the associated document "Construction and Demolition Sector Plan" (CDSP) were published in 2010 and 2012 respectively. Along with other sector plans, they contribute to the delivery of the Welsh Government's commitments (including targets) set under relevant EU Directives in a way that meets and delivers key overarching policies and strategies on sustainable development and climate change, as well as those set by other Welsh Government functions.

The following key milestones and outcomes are set in Towards Zero Waste:

#### *"2025 - Towards Zero Waste*

*By 2025, there will be a significant reduction in waste, and we will manage any waste that is produced in a way that makes the most of our valuable resources. This means maximising recycling and minimising the amount of residual waste produced, and achieving as close to zero landfill as possible. This is an intermediate step on the way to our 2050 target of achieving zero waste and 'living within our environmental limits'. This is needed because reducing the impact of waste in Wales to 'One Wales: One Planet' levels will require big changes in the way that products and services are designed, and the actions that consumers and businesses take.*

#### *2050 – Achieving zero waste*

*By 2050, we will have reduced the impact of waste in Wales to within our environmental limits. Residual waste will have been eliminated and any waste that is produced will all be recycled. This means that the ecological footprint of waste in Wales will be at One Wales: One Planet levels."*

The Towards Zero Waste document explains that Construction & Demolition (C&D) waste is dominated by aggregates and soils, accounting for a combined total of 10.8 million tonnes of waste, some 89% of the arisings. Other wastes produced in high quantities are wood (406 thousand tonnes), hazardous wastes (200,000 tonnes), metals (178,000 tonnes) and insulation & gypsum (168,000 tonnes).

The reuse/recycling/composting rate was around 85% in 2005-06. Approximately 1.27 million tonnes (10.5%) was disposed of by landfill.

### **2.2 Construction and Demolition Sector Plan – Towards Zero Waste One Wales: One Planet (November 2012)**

The Construction & Demolition Sector Plan supports Towards Zero Waste, the overarching waste strategy document for Wales, by detailing outcomes, policies and delivery actions for organisations, companies and individuals involved with the construction and demolition sector in Wales. It forms part of the suite of documents that overall comprise the waste management plan/strategy for Wales, in accordance with the plan making requirements enshrined in Wales and EU legislation.

The residual C&D wastes proposed for the Ely Brickworks is of little significance in terms of impacts on the ecological footprint.

Towards Zero Waste sets out 4 sector specific milestones / targets for the construction and demolition sector:

**2015** – The amount of C&D waste disposed of to landfill will be reduced by 50%.

**2020** – The amount of C&D waste being prepared for reuse and recycled will have increased to a minimum of 90% by weight for all non-hazardous construction and demolition waste, excluding naturally occurring material

**2025** – There will be a significant reduction in the generation of C&D waste (23%) thereby reducing the impact of the ecological footprint of C&D waste.

**2050** – We will have further reduced the ecological footprint of waste due to a further reduction in the amount of C&D waste generated (61%) and will be at One Wales: One Planet levels.

The total amount of C&D waste arising in Wales in 2005-06 was estimated to be 12.2 million tonnes. The majority of the C&D waste arose from the Civil Engineering sector (8.0 million tonnes). The remaining sub-sectors contribute as follows: Construction (2.2 million tonnes), Demolition (1.4 million tonnes) and General Builders (431,000 tonnes) sectors.

Of the 10.7 million tonnes of aggregates and soils generated during 2005-06, the majority originated from the Civil Engineering sector (72%).

Over 6.8 million tonnes of C&D waste, representing 56% of the total C&D waste arising, was reused on site where the works were being undertaken.

Recycling is the second most used waste management option representing 17% of the total C&D waste arising, followed by reuse off site (11%) and landfill (11%). Around 544,000 tonnes of C&D waste went to a waste transfer station, representing 5% of the overall total<sup>13</sup>. A small proportion of C&D waste arising was incinerated (0.002%), treated (0.2%) and other (0.3%) which consists of composting and management at exempt sites where known.

For wastes that were taken off site for management, recycling was the dominant method of waste management. 39% of the 5.3 million tonnes managed off site was recycled, 26% was reused off site and 24% was landfilled.

The Waste Framework Directive contains a target for recycling and other recovery:

“By 2020, the preparing for re-use, recycling and other material recovery, including backfilling operations using waste to substitute other materials, of non-hazardous construction and demolition waste excluding naturally occurring material defined in category 17 05 04 in the list of waste shall be increased to a minimum of 70 % by weight”.

Within this sub-sector, the waste arisings are mainly soils and aggregates, most of which are separated out for recycling / reuse. However, a significant amount of this material is still landfilled so there may be further scope for reclamation of materials. There is also scope to increase onsite reuse, although this should not be done at the cost of reclamation of quality materials such as undamaged tiles, bricks, window & door frames etc.

It is clear that the C&D sector has led the way in achieving reduce/re-use/recycling targets. However there will always be an element of C&D wastes that are unable to be recycled. The need to landfill this material will remain.

## **2.3 Policy related to need and location**

### **2.3.1 Introduction**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In effect, this established a presumption in favour of granting planning permission for developments which are in accordance with the development plan.

The following reviews the key policy documents in relation to the proposed development.

### **2.3.2 National Planning Policy**

#### ***Planning Policy Wales (Edition 7 – July 2014)***

Planning Policy Wales identifies that the planning system is necessary and central to achieving sustainable development in Wales. The planning system provides for a presumption in favour of sustainable development to ensure that social, economic and environmental issues are balanced and integrated, at the same time, by the decision-taker (paragraph 4.2.2).

PPW identifies that planning policies, decisions and proposals should:

- Promote resource-efficient and climate change resilient settlement patterns that minimise land-take through preference for the re-use of suitable previously developed land and buildings.
- Support the need to tackle the causes of climate change.
- Minimise the risks posed by, or to, development on or adjacent to unstable or contaminated land and land liable to flooding.
- Play an appropriate role to facilitate sustainable building standards.
- Play an appropriate role in securing the provision of infrastructure to form the physical basis for sustainable communities.
- Contribute to the protection and improvement of the environment.
- Help to ensure the conservation of the historic environment and cultural heritage, acknowledging and fostering local diversity.
- Maximise the use of renewable resources, including sustainable materials.
- Encourage opportunities to reduce waste and all forms of pollution and promote good environmental management and best environmental practice.
- Promote quality, lasting, environmentally-sound and flexible employment opportunities.
- Support initiative and innovation and avoid placing unnecessary burdens on enterprises so as to enhance the economic success of both urban and rural areas.

The proposed development is considered to be sustainable for the following reasons:

- The development utilises an otherwise unrestored and derelict site for beneficial re-use;

- The development is responding to an identified market for the sustainable landfilling of materials;
- The development is well located so as not to adversely impact on local communities; and
- The development will protect the environment and support the prudent use of natural resources through the effective management of waste materials.

Significantly, PPW requires that the planning system should support economic and employment growth alongside social and environmental considerations within the context of sustainable development (Paragraph 7.1.3). To this end, the planning system, including planning policies, should aim to ensure that the growth of output and employment in Wales as a whole is not constrained by a shortage of land for economic uses. This development has a relatively modest direct economic benefit, but the effective and sustainable management of the waste materials will deliver indirect economic and environmental benefits to the construction and demolition industries.

Paragraph 8.7.1 states that, when determining a planning application for development that has transport implications, local planning authorities should take into account:

- the impacts of the proposed development on travel demand;
- the environmental impact of both transport infrastructure and the traffic generated (with a particular emphasis on minimising the causes of climate change associated with transport); and
- the effects on the safety and convenience of other users of the transport network.

The application site is well located in terms of access to the local highway network and the Transport Statement confirms the suitability of the site.

Chapter 12.5 relates to Waste Management and indicates the Government's aspiration to move toward 'Zero Waste'. Paragraph 12.5.3 states that the planning system has an important role to play in facilitating sustainable waste management by providing a framework for decision making which recognises the social, economic and environmental benefits that can be realised from the management of waste as a resource to meet the needs of society and businesses, whilst at the same time:-

- minimising adverse environmental impacts and avoiding risks to human health;
- protecting areas of designated landscape and nature conservation from inappropriate development; and
- protecting the amenity of residents, of other land uses and users affected by existing or proposed waste management facilities.

Paragraph 12.7.2 continues by stating that the benefits which can be derived from proposals for waste management facilities as well as the impact of proposals on the amenity of local people and the natural and built environment must be adequately assessed to determine whether a planning application is acceptable, and, if adverse impacts on amenity or the environment cannot be mitigated, planning permission should be refused. Further advice on general and specific planning principles and detailed planning considerations can be found in Technical Advice Note 21: Waste.

The application proposal will not impact upon the amenity of neighbouring occupiers and the site is well located in terms of its proposed function.

It is considered that the proposals entirely accord with the overall thrust of Planning Policy Wales.

### ***TAN21: Waste (February 2014)***

Paragraph 1.10 of TAN21 outlines that sustainable development is a key functioning principle of the Welsh Government and its policies. The movement towards sustainability in relation to planning for waste should be guided first by the wider principles of sustainability contained in Planning Policy Wales, however, with specific reference to waste management land use planning should help to:

- Drive the management of waste up the waste hierarchy and facilitate the provision of an adequate network of appropriate facilities;
- Minimise the impact of waste management on the environment (natural and man made) and human health through the appropriate location and type of facilities;
- Recognise and support the economic and social benefits that can be realised from the management of waste as a resource within Wales.

The proposed development accords with this ethos in terms of the sustainable management of materials. Furthermore, as outlined above, the application site is appropriately located in terms of use, minimising impact upon amenity and accessibility.

### ***2.3.3 Regional Planning Policy***

#### ***Regional Waste Plan 1<sup>st</sup> Review (2008)***

The Regional Waste Plan ('RWP') provides a long-term strategic waste management strategy and land-use planning framework for the sustainable management of waste and recovery of resources in South East Wales. The aims of the RWP 1st Review seek to:

1. Minimise adverse impacts on the environment and human health;
2. Minimise adverse social and economic impacts and maximise social and economic opportunities;
3. Meet the needs of communities and businesses alike; and
4. Accord with the policies and principals of European and National legislation and policy framework.

In responding to these aims, the RWP seeks to advice on a technological strategy and requirements across south Wales, whilst also providing a spatial strategy for the types of locations that would be likely to be deemed acceptable.

This planning statement outlines the key considerations associated with the proposal and its surroundings and, as such, it is considered that the proposal fully accords with both the ethos of the RWP and the sites at which such proposals would be deemed most appropriate.

### ***2.3.4 Local Planning Policy***

The key development plan documents of relevance to the consideration of this application are:

- Vale of Glamorgan Unitary Development Plan 1996-2011 (July 2006)
- Vale of Glamorgan Deposit Draft Local Development Plan 2011-2026 (October 2013)

The following paragraphs consider each of the documents that currently comprise the development plan, highlighting the key policies that are applicable to the proposed development.



### ***Vale of Glamorgan Unitary Development Plan 1996-2011 (July 2006)***

The Vale of Glamorgan Unitary Development Plan was formally adopted on 20th July 2006 and was subsequently saved until July 2009.

The application site is not allocated for any particular use within the proposals map and lies outside of any identified settlement boundary.

Policy ENV1 states that development within the countryside will only be permitted for:

1. Development which is essential for agriculture, horticulture, forestry or other development including mineral extraction, waste management, utilities or infrastructure for which a rural location is essential;
2. Appropriate recreational use;
3. The re-use or adaptation of existing buildings particularly to assist the diversification of the rural economy; or
4. Development which is approved under other policies of the plan.

The application proposal seeks to remedy the unrestored nature of a former extraction site and bring the site into beneficial use. It therefore has a positive impact on the nature of the site and surrounding landscape.

Policy ENV29 seeks to protect environmental quality and states that development will not be permitted if it would be liable to have an unacceptable effect on either people's health and safety or the environment:

- By releasing pollutants into water, soil or air, either on or off site; and
- From smoke, fumes, gases, dust, smell, noise, vibration, light or other polluting emissions.

The site is well located to ensure that it will have minimal impact upon the amenity of neighbouring properties. The proposed uses will not allow for the emission of noise, dust or other pollutants which may impact upon amenity.

Policy TRAN11 relates to the movement of road freight and states that in order to reduce the unacceptable environmental effects of heavy goods vehicles:

1. Developments which generate HGV movements which would unacceptably affect the amenity and character of the existing or neighbouring environments by virtue of noise, traffic congestion, or parking problems will not be permitted;
2. Sufficient operational parking within the cartilage of HGV operating centres will be required; and
3. Traffic management measures will be used where appropriate.

The proposal will have a negligible impact upon the highway network.

Policy WAST1 states that proposals for the provision of waste management facilities including the handling, treatment and transfer of waste will be permitted where they are located on:

1. Existing waste sites;
2. Existing and allocated B2 and B8 employment sites;
3. Within operational mineral working sites; or
4. In the case of green waste composting and management, on land within or adjacent to farm building complexes.

It is accepted that whilst the former brickworks site is not presently operational it does benefit from extant planning permission; this application offers the potential to remedy the final restoration of the site.

Policy WAST2 continues consideration of waste management facilities and states that they will be permitted provided the proposal:

1. Conforms with the principle of the waste hierarchy (reduction, re-use, recovery and safe disposal); the proximity principle; the principle of regional self sufficiency; the objective of waste avoidance, reduction and disposal; the setting of targets for reduction and modes of disposal;
2. Does not unacceptably affect residential amenity or pose a threat to public health;
3. Does not unacceptably affect the quality or quantity of water resources (both surface and groundwater);
4. Has regard to the adequacy of the highway network and the need to minimise the demand on the transport network;
5. Does not unacceptably conflict with the interests of agriculture, nature conservation, areas of ecological, wildlife or archaeological importance or features of geological or geomorphological importance or landscape protection policies;
6. Has a high standard of layout, landscaping and design;
7. Provides arrangements for the after treatment and future use of the site which are to the satisfaction of the local planning authority; and
8. Is not at an unacceptable risk of flooding, including tidal inundation, or does not increase the risk of flooding elsewhere,

As outlined within this planning statement, and the supporting documents to the application, the proposals clearly accord with the requirements stipulated within Policy WAST2.

#### ***Vale of Glamorgan Deposit Draft Local Development Plan 2011-2026 (October 2013)***

The Local Development Plan has now reached deposit stage and was submitted to the Welsh Government in June 2015 for consideration. Whilst yet to reach formal adoption, it is understood that the deposit draft LDP will be a material consideration during the determination of any planning application.

The application site is, again, unallocated within the proposals map for the deposit draft LDP.

Policy SP8 relates to sustainable waste management. The policy makes provision for "open air facilities" through the application of criteria similar to those set out in in WAST1 of the adopted Plan, discussed above.

Policy MD8 states that development proposals will be required to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and/or the natural environment. This includes:

1. Pollution of land, surface water, ground water and the air;
2. Contaminated land;
3. Hazardous substances;
4. Noise, vibration, odour nuisance and light pollution;
5. Flood risk or land stability; or
6. Any other identified risk to public health and safety.

Where appropriate, the local planning authority will ask for measures to be employed to minimise any impact identified to an acceptable level.

The information contained within this planning statement, and the supporting technical reports, confirms that the proposals will not have a detrimental impact on any of the issues raised above. As such, it is contended that the application proposal accords with the requirements of Policy MD8.

### **2.3.5 Policy Considerations**

The prevailing national and local policies seek to ensure that effective management of residual waste is managed. The proposed development seeks to implement this approach, and to bring otherwise derelict land into productive use.

Whilst the site is not currently operational, the proposed use is considered entirely appropriate and will not compromise amenity considerations.

## **2.4 Future Demands**

The operations at the site are expected to handle up to 40,000 m<sup>3</sup> of waste per annum, with the intention that the entire operation will be completed within 5 years. As such, there will be no provision for longer term demand.

## **2.5 Markets served by Proposed Development**

The Vale of Glamorgan and Cardiff are forecast to be subject to a significant increase in construction activity over the next five years. The implication is that the vast majority of fill material generated by the site, and the residual C&D waste to be imported will be used/derived from those areas.

## **2.6 Current shortfall in treatment capacity**

This is addressed in Section 2.1 above.

## **2.7 Consultation undertaken**

Pre-application consultation (in the form of a Screening Opinion) was undertaken with Vale of Glamorgan Council. This application takes the responses received into account.

## **2.8 Declaration**

See section 4

### **3.0 DEVELOPMENT**

#### **3.1 Time-scale**

The site will have a life of approximately 5 years or less once permitted. .

#### **3.2 Types and quantities of waste to be managed**

The planning application seeks permission for the importation of inert wastes predominantly from the Cardiff and VoG areas with the progressive restoration of the former mineral working areas within the site. In order to achieve stability, and appropriate engineering of the site, initial works will involve the removal of some 60,000 m<sup>3</sup> of clays and fill material which will be used on site for engineering purposes and any surplus volumes removed off site for use in local engineering works and construction. .

All imported material will comply with the NRW permit that will be in place before the commencement of development. This permit will require that all operations are undertaken in accordance with strict management requirements imposed by the terms of the Permit. All plant will be controlled and maintained in accordance with any relevant planning permission, and the Permit.

#### **3.3 Design, layout, building and plant**

The planning application sets out the nature of the development which, apart from a temporary office/weighbridge, will be on the basis of a phased extraction/landfill operation. The full details of the scheme are set out in the accompanying Statement, and are summarised below:

##### **3.3.1 Phase 1**

The initial phase involves the extraction of materials from Phase 1 from an area of some 16,300m<sup>2</sup> and currently ranges between 43m AOD in the western part of the phase to 54m along the southern boundary.

The initial activity will be the creation of the quarry access ramp at a slope not exceeding 12% which will run along the southern boundary. This will facilitate the removal of clays and soils to a formation level of between 44 and 45m AOD.

The total quantity to be removed from this phase is 31,000m<sup>3</sup> of materials of which 7,000m<sup>3</sup> of suitable clays will be retained in the western part of the floor to form the geological barrier for the filling operation.

##### **3.3.2 Phase 2**

A temporary ramp will be formed at the western end of the phase to ensure access can be achieved from the Phase 1 area along the elongated length of the site. A drain around the southern part of Phase 2 will be implemented at this time and link in to the northern boundary surface water drain to ensure appropriate drainage measures are in place for the duration of the operations, and once restoration is completed.

### **3.3.3 Phase 3**

Phase 3 will involve the infilling of the eastern part of the site. The importation of approximately 35,000m<sup>3</sup> will achieve the profile to tie in with the existing profile of Caerau Wood along the southern boundary. It is anticipated that the infilling operations will take approximately 1 year to achieve from commencement, and all access to the site will be gained via the temporary haul road constructed during Phase 2 of the operations.

### **3.3.4 Phase 4**

Upon completion of the Phase 3 profile, attention will be turned to the infilling operations associated with the area created as a result of the Phase 2 operations.

The infill area associated with phase 4 extends will involve the importation of approximately 100,000m<sup>3</sup> of material to achieve the restoration levels which will include a slope of approximately 1 in 3 to the 58m contour beyond which the land will gradually slope upwards towards the woodland that currently forms the southern boundary of the site.

Upon completion of the required profile levels the surface water drain will be implemented along the western and southern boundaries to ensure that it ties in with the existing surface water drainage system implemented as a result of the road construction.

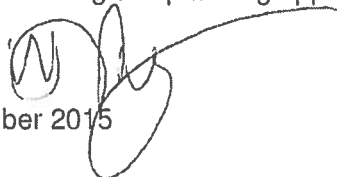
## **3.4 Amenity and Nuisance**

The application proposal will not impact upon residential amenity, and will be implemented in accordance with the terms of the Environmental Permit required to operate the site.

## **4.0 DECLARATION**

This statement sets out how the waste hierarchy has been considered in developing the proposals currently forming this planning application.

Signed:



on behalf of Ermaer Limited

Date: 14<sup>th</sup> September 2015