



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Vale of Glamorgan County Borough
Council
Development Control
Dock Office
Barry Docks
Barry
CF63 4RT

Reference: PAN-000256

Date: 17/06/16

16007620BS

Dear Sir or Madam

Consultation on environmental permit application

Application number: PAN-000256

Regulated facility type: A16 - Non-hazardous waste physical treatment facility

Regulated facility location: Unit 12F, Atlantic Trading Estate, Barry, Vale of Glamorgan, CF63 3RF

Please let us know when you receive this letter and whether or not you will be commenting on the enclosed application. You can email luke.burton@naturalresourceswales.gov.uk or write to us at the address below.

Please send any comments you have by 15 July 2016

Please complete the form attached and return it to us.

Please phone me if you have any questions on 03000 654229 or email me at the address above.

Yours faithfully

Luke Burton
Waste Permitting Officer

D.E.E.R
RECEIVED
ACTION BY: <i>TL</i>
NO: <i>7</i>
ACK: <i>7</i>



Wales Permitting Centre Cardiff, Natural Resources Wales, Cambria House, 29 Newport Road, Cardiff CF24 0TP
Canolfan Derbyn Trwyddedau, Cyfoeth Naturiol Cymru, Tŷ Cambria, 29 Heol Casnewydd, Caerdydd CF24 0TP
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Planning and Noise

Section 1 planning	
Question 1 Are there any planning conditions relating to noise applicable to this site? If yes, please enclose all relevant certificates with conditions and any advisory notes. If sound level conditions are specified, please enclose a map to enable us to find the monitoring points.	YES/NO - Condition 2 - noise impact assessment compliance - Condition 7 - Noise crusher operation
Question 2 Have any complaints been received alleging non-compliance with any planning conditions relating to noise within the past THREE years? If yes, please provide the following information for each complaint: Date, street name and postcode, noise source, action taken, outcome, comment. (Under comment, please outline any non-noise related issue that might have increased the sensitivity of the complainant e.g. a new planning application, change of process or operator, major emergency).	YES/NO
Question 3 Have formal planning enforcement actions been taken for noise related conditions within the past THREE years? Is there any outstanding planning enforcement action currently being undertaken? If the answer to either part is YES, please provide all relevant information including dates, actions taken, outcomes and present position.	YES/NO YES/NO
Question 4 Have you monitored noise related planning conditions within the past THREE years? If yes, please give details of the monitoring and the outcomes.	YES/NO
Question 5a Are there any noise sensitive developments for which planning consent has been granted or any areas zoned for noise sensitive developments that are likely to be adversely affected by noise from the installation. If so, please provide relevant information. There are no new developments but existing residential developments that could be affected (Benicker road). The site is an established industrial unit on an industrial estate.	YES/NO
Section 2 statutory nuisance	

Question 5b Have any complaints been received alleging a noise nuisance within the past THREE years? If yes, please provide the following information for each complaint: Date, street name and postcode, noise source, action taken, outcome, comment. If there are a large number of complaints, a summary in substitute for individual complaint data would be useful. (Under comment please outline any non-noise related issue that might have increased the sensitivity of the complainant e.g. a new planning application, change of process or operator, major emergency).	YES/NO - No planning ↳ You may want to seek environmental health advice
Question 6 Have you taken any informal or formal action taken in response to any noise complaints within the past THREE years? Is there any outstanding enforcement action currently being undertaken? If the answer to either part is 'YES', please provide all relevant information including dates, actions taken, outcomes and the present position.	YES/NO YES/NO
Section 3 local noise initiatives	
Question 7 Are the premises in an area where there are local noise initiatives? If yes, we will seek further information.	YES/NO
Section 4 private action	
Question 8 Is the Council aware of any action being taken by anyone against the present or previous operator about noise problems? If yes, please provide details.	YES/NO
Section 5 permit conditions	
Are there any specific points that the Council feel should be addressed in any permit issued by us? If yes, it would be helpful if you would provide a brief outline.	YES/NO

Please bring to our attention any matter you feel might be relevant to noise, including the effectiveness of any existing conditions.

The mini crusher is the most concerning noise issue. The noise assessment demonstrated that the dB level would be acceptable outside the nearest residential property & the use of the crusher has been restricted to local hours.

RECEIVED 20 JUN 2016 Regeneration and Planning

THE VALE OF GLAMORGAN COUNCIL

Town and Country Planning Act 1990
Planning and Compulsory Purchase Act 2004
The Town and Country Planning (Development Management Procedure) (Wales)
Order 2012

FULL PLANNING PERMISSION

Agent:
Mr. Michael Simmonite,
MS Design
37, Open Hearth Close
Griffithstown
Pontypool
NP4 5JR

Applicant:
Mr. Dean Horgan,
Install Skip Hire Ltd.
Unit 12F, Atlantic Trading Estate
Barry
Vale of Glamorgan
CF63 3RF

**Change of use to a non hazardous waste transfer station at Unit 12F,
Atlantic Trading Estate, Barry**

The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS PERMISSION** for the carrying out of the proposed development as described above and in accordance with the application and plans registered by the Council on 24 September 2015 subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

Transport Assessment Document received 14th September 2015
Noise Impact Assessment received 14th September 2015
Planning Statement received 30th September 2015
Waste Planning Assessment received September 2015
Draw ref -ISH- 002 Rev C site plan and elevations received 22nd October 2015
Draw ISH 003 Rev A- Swept path received 22nd October 2015
Email with Additional information received 17th December 2015

Reason:

For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.

3. The application site shall be used only as a waste transfer site for non hazardous commercial construction material specified in the application and for no other purpose whatsoever.

Reason:

To control the precise nature of the use of the site, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

4. The clean hardcore material shall only be stockpiled in the areas indicated on the approved site layout plan ref ISH-002 Rev C and the material on site shall not exceed 2m in height above ground level.

Reason

In the interests of visual amenity and to comply with Policies WAST2 and ENV27 of the Adopted UDP 1996-2011.

5. There shall be no more than 25,000 tonnes of non hazardous commercial construction material waste delivered to the site per calendar year. A written record of all tonnage entering the site associated with the permission hereby granted shall be kept onsite and shall be made available to the Local Planning Authority for inspection upon request within 14 days of the request being made.

Reason:

In the interests of highway safety and to ensure compliance with Policies ENV27 and WAST2 of the Unitary Development Plan.

6. No putrescible waste material shall be transported or stored within the site.

Reason:

In the interests of local residential amenity, and to ensure compliance with Policies WAST2, EMP2, EMP3, ENV27 and ENV29 of the Unitary Development Plan.

7. Operating of the mini crusher shall be contained within the building and shall be restricted to the following hours of use: - Monday to Friday : 08:00 - 17:30; and no use of on Saturdays, Sundays or recognised Bank Holidays, unless any variation is first agreed to in writing by the Local Planning Authority.

Reason:

In the interests of local residential amenity, and to ensure compliance with Policies WAST2, EMP2, EMP3, ENV27 and ENV29 of the Unitary Development Plan.

8. The development shall not be brought into beneficial use until details of an Odour Management Plan are submitted to and approved in writing by the Local Planning Authority. The control and mitigation measures set out in the approved management plan shall be carried out in conjunction with the approved use and maintained at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect residential amenity in accordance with the criteria of Policy WAST2 of the Unitary Development Plan.

9. No development shall take place until a drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means.

Reason:

To prevent hydraulic overloading of the public sewerage system and to ensure no pollution or to the detriment to the environment, in compliance with Policy WAST2 of the adopted UDP 1996-2011

10. No part of the development hereby approved shall be brought into beneficial use until such time as the parking areas, including all associated access and turning areas, have been laid out in full accordance with the details shown on ISH-002 Rev C and the parking, access and turning areas shall thereafter be so retained at all times to serve the development hereby approved.

Reason:

To ensure the provision on site of parking and turning facilities to serve the development in the interests of highway safety, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

Reason for Granting Planning Permission

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to National and Regional Policies on Waste and Strategic Policies 12 and 13, WAST1 – Provision of Waste Management Facilities, WAST2 – Criteria for Assessing Waste Management Facilities, ENV7 – Water Resources, ENV16 – Protected Species, ENV27 – Design of New Developments, ENV29 – Protection of Environmental Quality, EMP2 – New Business and Industrial Development, EMP3 – General Industry, TRAN10 - Parking and TRAN11 – Road Freight of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, and the advice within Planning Policy Wales 7 Edition, and Technical Advice Notes 11, 15, 18, 21, 23, it is concluded that the proposal would represent a sustainable, waste recycling proposal, which meets the above policies, while also satisfactorily protecting the interests of local residential and visual amenity, and highway safety.

NOTE:

- 1. The applicants are advised that all necessary consents / licences must be obtained from Natural Resources Wales (formerly Environment Agency Wales) prior to commencing any site works. The Natural Resources Wales, Ty Cambria, 29 Newport Road, Cardiff, CF24 0TP General enquiries: telephone 0300 065 3000 (Mon-Fri, 8am - 6pm).**

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 developers) 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 formal 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.

Dated: 18 December 2015

M. J. Goldsworthy

Head of Regeneration and Planning

**IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES
ATTACHED TO THIS FORM.**

NOTES

Notification to be sent to an applicant when a Local Planning Authority refuse planning permission or grant it subject to conditions.

Appeals to the Welsh Government:

- If you are aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act 1990 (as amended).
- If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff CF10 3NQ.
- The Welsh Government can allow a longer period of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Welsh Government need not consider an appeal if it seems that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any Development Order and to any directions given under a Development Order.
- In practice, the Welsh Government does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

Purchase Notices:

- If either the Local Planning Authority or the Welsh Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).

PLEASE NOTE: THIS NOTICE RELATES ONLY TO A PLANNING DECISION AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY LEGISLATION UNDER:

BUILDING REGULATIONS
LISTED BUILDING LEGISLATION
HIGHWAY LEGISLATION

IF PLANNING CONSENT HAS BEEN GRANTED IT IS ADVISABLE TO ESTABLISH WHETHER ANY OTHER FORM OF CONSENT IS REQUIRED AND TO OBTAIN SUCH CONSENT BEFORE COMMENCING DEVELOPMENT

Please quote the application number in all correspondence.