

# Town & Country Planning Act 1990

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## FULL PLANNING PERMISSION

BROWNS RECYCLING GROUP LTD - STEVE BROWN  
C/O AGENT

Application No: **S/34071** registered: 05/07/2016 for:

**Proposal :** INERT WASTE PROCESSING CENTRE

**Location :** FORMER MORLAIS COLLIERY, PONTARDULAI ROAD, LLANGENNECH, LLANELLI,  
SA14 8YN

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*Carmarthenshire County Council HEREBY GRANT FULL PLANNING PERMISSION for the development proposed by you as shown on the application form, plan(s) and supporting document(s) subject to the following condition(s):*

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### CONDITIONS

1. The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
2. The development hereby permitted shall be carried out strictly in accordance with the plans and reports submitted namely;
  - a) The Waste Planning Statement (dated June 2016)
  - b) The reptile mitigation strategy (dated June 2016)
  - c) The planning statement (dated June 2016)
  - d) Section 5 of the Ecological Assessment (dated October 2015)
  - e) The Invasive species treatment and control method statement (received 29/6/2016)
  - f) Noise and vibration assessment (dated October 2016) and all subsequent responses to enquiries from the Noise Officer
  - g) Drainage Strategy (dated November 2016)
  - h) Flood consequence Assessment Report (dated June 2015)
  - i) Method Statement (dated November 2016)
  - j) Email dated 27/2/2017 confirming that no additional hard standings are to be created
  - k) Location Plan (received 26/6/2016)
  - l) Proposed Site Layout Plan (job no. IR16070, Drawing no. 001, Rev B)
  - m) Proposed site layout plan (job no. IR16070, Drawing no. 002)
  - n) Hedgerow Rejuvenation' drawing number GEN/JE/183a/0012D dated July 2016
  - o) Phase 1 - Assessment of land quality/desk study, dated July 2017

3. The material to be imported for processing on site shall be inert material or material that does not contain any contaminants which would pollute controlled waters. The definition of inert materials is as follows:

*Topsoil, subsoil, brickwork, stone set concrete, clay and silica (excluding finely powdered waste), glass, solid and granular dry materials free from any noxious, poisonous or polluting substance which does not decompose or for any which the environmental impact of decomposition is less than or comparable with that of topsoil and is virtually insoluble in water*

4. The amount of imported material entering the site shall not exceed 50,000 tonnes per annum
5. From the date of this permission the operator shall maintain records of their monthly input/output and the types of waste processed and shall make them available to the Local Planning Authority within 14 days of any written request.
6. The use hereby permitted shall not operate other than between the hours of 08:00 and 18:00 Monday to Friday and between 08:00 and 13:00 on Saturdays and not at all on Sundays, public or bank holidays.
7. Vehicles shall not access and/or leave the site other than between the hours of 08:00 and 18:00 Monday to Friday and between 08:00 and 13:00 on Saturdays and not at any time on Sundays, public or bank holidays.
8. HGV (vehicles 7.5 tonnes and above) movements from the site shall be restricted, to between the times of 09:15 and 16:30 Mon-Fri. On Saturdays HGV movements shall only take place between 08:00 - 13:00 hours, no HGV's shall access/leave the site on Sundays, public or bank holidays.
9. The maximum permitted total combined number of HGVs movements (to enter and leave the site) in any one day period, shall not exceed sixty (60).
10. Wheel washing on site shall be carried out in accordance with the details in section 4.0 of the 'Method Statement' dated November 2016. The wheel wash shall be utilised to ensure that no vehicles shall enter the public highway unless their wheels and chassis are in a clean condition.
11. Should the wheel wash (detailed in condition 11, above) be ineffective at any time, resulting in deleterious material being carried onto the public highway, during the operational life time of the site, a revised scheme shall be submitted for the written approval of the Local Authority, along with any remedial measures to be put in place to clear the highway of any such material. Any revised scheme shall be implemented as approved and utilised during the period of operation of the site.
12. The development shall be carried out in accordance with the dust control measures outlined in the Method Statement dated November 2016.
13. No loaded vehicles shall leave the site un-sheeted except those only carrying stone in excess of 75 mm.
14. Processed stone shall normally be conditioned with water or proprietary conditioning agents and this shall take place at or before the point of discharge from any conveyor.

Other appropriate measures shall include periodic conditioning with water or proprietary conditioning agents, according to weather conditions and the fitting of dust covers to all external conveyors.

15. The use of hydraulic peckers at the site is not permitted at any time
16. The rating level of the noise emitted from the site operations at the proposed development shall not exceed the existing background noise level. The noise levels shall be determined at the nearest noise sensitive premises or at another location that is deemed suitable by the authority. Measurements and assessments shall be made in accordance with BS 4142 Methods for rating and assessing industrial and commercial sound.
17. If the Local Planning Authority receives a complaint about noise that it considers to be justified, the operator shall within 28 days of the receipt of written request from the Local Planning Authority submit a noise assessment conforming to BS 4142 Methods for rating and assessing industrial and commercial sound to determine whether noise arising from development exceeds the level specified in condition 15 above. The assessment shall be undertaken under the supervision of the Local Authority. In the event that the limit of noise in Condition 15 is exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the noise level specified in condition 15. The development shall then be undertaken in accordance with the approved details.
18. No vehicles shall remain idle on the site or the access road with engines running outside the permitted vehicle access times set out in Conditions 6 and 7 above.
19. The best practical means shall be used to minimise noise from reversing devices which are fitted to mobile plant and vehicles on site. This shall include the fitting of 'smart' alarms to vehicles.
20. All plant, equipment and other machinery used in connection with the operation and maintenance of the development shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in good condition in accordance with that specification at all times throughout the development.
21. Any facilities for the storage of oils, fuels or chemicals on the application site shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.
22. All ditches and/or drainage channels on the site shall be retained, protected and maintained in working order and should they become blocked or cease to work effectively they shall be cleaned out to allow for effective functioning and subsequently maintained in working order

23. No additional hardstandings or impermeable surfaces shall be constructed on site unless planning permission is granted for such works.
24. Should any excavations be carried out on site, if required, for its development or construction or for the preparation of drainage infrastructure for its proposed end use, this course of action/works shall be outlined in a desk top study/ preliminary risk assessment report, submitted for the written approval of the Local Authority, prior to works commencing. Details shall include
  - a) A desktop study (Preliminary Risk Assessment) which shall include the identification of previous land uses, potential contaminants that might reasonably be expected given those uses and other relevant information, such as pathways and exposure to potential receptors. This information shall also be presented in tabular or diagrammatical form (Conceptual Site Model) for the site and all potential contaminant sources, pathways and receptors shall be included. In order to complete the conceptual site model, it may be necessary at this stage to undertake limited exploratory sampling. The Preliminary Risk Assessment shall be submitted to and be approved by the Local Planning Authority.
  - b) A detailed scheme for the investigation and recording of contamination for the site (where necessary). The detailed site investigation report (Quantitative Risk Assessment) shall be submitted to and approved by the Local Planning Authority. The report shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation and British Standards.
  - c) Detailed proposals for site remediation and verification (Remediation Strategy) which may involve the removal, containment or otherwise rendering harmless such contamination. The proposals shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation and British Standards and shall be submitted to and have received in writing the approval of the Local Planning Authority prior to commencing the works.
25. If, during development, any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the 'Remediation Strategy' then a revised 'Remediation Strategy' shall be submitted for the approval of the Local Planning Authority within 1 month of the contamination being encountered. The Revised Remediation Strategy shall be implemented as approved.
26. If, during development, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed 'Remediation Strategy' or as amended by any subsequent revised Remediation Strategy.
27. Any soil imported for use in a remediation strategy (if required by condition 25, above) must be suitable for use and any soil arising from elsewhere on the development site must be subject to same requirements as imported materials.
28. Should soils need to be imported for remediation works, as specified by condition 25, above, any imported materials require the following validation
  - a) A copy of the certificate of analysis, details of the source of the topsoil and an interpretation of the analytical results by a suitably qualified individual [topsoil must be approved in writing by the Local Authority prior to importation].

29. Any development (crushing/screening operations and stockpiling) should only be carried out on land over 7.25 metres AOD, as detailed in the Flood Consequence Assessment
30. Prior to the erection of any lighting on site, the details of such lighting shall be provided for the prior written approval of the Local Planning Authority.
31. The development must be carried out in strict accordance with the recommendations contained within Section 5 of the Ecological Assessment by Amber Environmental Consultancy dated October 2015, The Hedgerow Rejuvenation Plan, The Invasive Species Treatment and Control Method Statement by Sayonara Knotweed and the Reptile Mitigation Strategy by Amber Environmental Consultancy dated June 2016.
32. Within 1 month of the date of this permission a ground preparation and cultivation scheme for the proposed tree planting shall be submitted for the written approval of the Local Planning Authority. Following the written approval for this scheme the trees shall be planted in the next available planting season (*31 October in any one year and 31 March in the following year*) and in accordance with the approved plan ('Hedgerow Rejuvenation' drawing number GEN/JE/183a/0012D dated July 2016) and the approved ground preparation and cultivation scheme.
33. Trees, shrubs and hedges planted in accordance with the approved scheme ('Hedgerow Rejuvenation' drawing number GEN/JE/183a/0012D dated July 2016) shall be maintained and any plants which (within five years of planting) die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing with the Local Planning Authority.
34. The existing trees, bushes and hedgerows within the site shall be retained and shall not be felled, lopped, topped or removed without the prior written consent of the Local Planning Authority. Any such vegetation removed without consent, dying, being severely damaged or becoming seriously diseased shall be replaced with trees or bushes of such size and species as may be specified by the Local Planning Authority, in the planting season immediately following any such occurrences (*31 October in any one year and 31 March in the following year*).
35. The top surfaces of all tips, soil mounds and storage mounds shall be sloped at a suitable gradient to encourage surface water drainage and prevent ponding and erosion. The maximum height of all storage mounds shall not exceed 3m above adjacent existing ground level for topsoil and 4m in any other case.
36. The operator/landowner shall inform the Local Authority when operations cease at the site. Within 6 months of the cessation of operations at the site the site shall be left as shown on plan 'Proposed Site Layout Plan (job no. IR16070, Drawing no. 001, Rev B)' any hard standings, tracks or buildings shall be removed and their sites ripped to minimise compaction. Any plant and/or old machinery/waste shall be removed from site and there shall be no stockpiles of inert waste remaining on site, any remaining inert waste shall be removed from site to a site licensed to accept the waste.

## REASONS

- 1 Required to be imposed pursuant to section 91 of The Town and Country Planning Act 1990.

- 2,4            To ensure compliance with the approved documents and drawings.
- 3             The prevention of pollution of the water environment.
- 5,  
9,10          In order that the effect of vehicle movements can be controlled and the impact fully assessed.
- 6-8,  
15,17  
29            In the interests of residential amenity.
- 9,10          In the interests in highway safety.
- 10-14        In order to ensure dust impacts are kept to a minimum.
- 16-20        To keep noise impacts to a minimum.
- 21-23,  
& 29          For the protection of the water environment.
- 24-29        To protect users of the site and the surrounding area from potential contamination issues.
- 31            For the protection of the environment.
- 32-35        To reduce potential visual impacts.
- 36            To ensure the site is left in a satisfactory condition.

## NOTES

It is recommended that the applicant (or their agent) contacts officers in the Land & Air Team of Public Health Services to discuss the proposals in detail.

It is also advised that the applicant has regard to the information contained within the attached document "Land Contamination: A guide for Developers" which was produced by the Welsh Local Government Association/Environment Agency Wales working group.

These comments do not prejudice any Environmental Health enforcement action required as a result of the proposals, therefore it is important that any development does comply with all Environmental Health legislation, particularly that of statutory nuisance under the Environmental Protection Act 1990.

The activity proposed in this planning application may require an environmental permit or exemption under The Environmental Permitting (England and Wales) Regulations 2010. An environmental permit or exemption must be in place before any waste activity takes place on site. Advice regarding permits and exemptions can be found at the following link:

<http://naturalresources.wales/apply-for-a-permit/waste/waste-permitting/do-you-need-to-apply-for-a-permit-or-register-an-exemption/?lang=en>

Please contact Natural Resources Wales for advice regarding an Environment Permit application on 0300 065 3000, or use the link below:

<http://naturalresources.wales/apply-for-a-permit/waste/waste-permitting/?lang=en>

Undertaking this proposed activity without the benefit of an Environmental Permit or exemption is an offence against Environmental Legislation and may result in enforcement action being taken against the operator.

Obtaining planning permission does not necessarily ensure you will be issued an environmental permit.

## FOUNDATIONS

Network Rail offers no right of support to the development. Where foundation works penetrate Network Rail's support zone or ground displacement techniques are used the works will require specific approval and careful monitoring by Network Rail. There should be no additional loading placed on the cutting and no deep continuous excavations parallel to the boundary without prior approval.

## GROUND DISTURBANCE

The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

## PILING

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

## EXCAVATIONS/EARTHWORKS

All excavations/earthworks carried out in the vicinity of Network Rail's property/ structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

## SIGNALLING

The proposal must not interfere with or obscure any signals that may be in the area.

## PLANT, SCAFFOLDING AND CRANES

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.

#### SAFETY BARRIER

Where new roads, turning spaces or parking areas are to be situated adjacent to the railway; which is at or below the level of the development, suitable crash barriers or high kerbs should be provided to prevent vehicles accidentally driving or rolling onto the railway or damaging the lineside fencing.

#### ACCESS POINTS

Where Network Rail has defined access points, these must be maintained to Network Rail's satisfaction.

In order to mitigate the risks detailed above, the Developer should contact the Network Rail's Asset Protection Wales Team well in advance of mobilising on site or commencing any works.

The initial point of contact is [assetprotectionwales@networkrail.co.uk](mailto:assetprotectionwales@networkrail.co.uk) [<mailto:assetprotectionwales@networkrail.co.uk>](mailto:assetprotectionwales@networkrail.co.uk). The department will provide all necessary Engineering support subject to a Basic Asset Protection Agreement.

**DATED:** 24/08/2017

**SIGNED:** *Julian Edwards*

Development Management Manager  
for and on behalf of  
LLINOS QUELCH, BA (Hons), MSc, MRTPI  
HEAD OF PLANNING