

14. Waste

14.1 PARAGRAPH 12.3.5 Waste Disposal & Management in the County Borough

Objection

PCO/51209/2232 Countryside Council for Wales

Issue

14.1.1 The main issue is whether or not the paragraph should refer to the cost of landfill tax.

Conclusions

14.1.2 The CCW considers that the text should not refer to the detailed cost of landfill as this would vary throughout the Plan period. These figures were introduced by a proposed amendment in the PIMS. Whilst I recognise that they may become out of date before the end of the Plan period, it is clear that the paragraph refers to the current situation. I consider that they are useful in identifying the different costs of landfilling inert waste and household waste and that no further change to the Plan is necessary.

14.1.3 The PIMS includes proposed amendments to paras 12.2.1 and 12.3.2 to provide additional, up to date information on the Materials Recovery and Energy Centre at Crymlyn Burrows. No objection has been made to these proposed changes, which in my opinion are informative.

Recommendation

14.1.4 I recommend that paragraph 12.3.5 be modified as shown in the PIMS.

14.2 POLICY W1 Sustainable Transportation of Bulk Waste Future Regeneration Site at Tondu

Objection

DO/50880/942	Bridgend Biodiversity Partnership
DO/51177/1395	Cllrs W R & M J Dunphy
DO/51080/1221	B Evans
DO/51180/1398	Mr G Haines
DO/51179/1397	Mrs J Haines
DO/51181/1399	Mr J Marshall
DO/51178/1396	Newcastle Community Council
DO/50017/21	Rhys-Davies Services Ltd
DO/50778/1227	Cllr Mrs M C Wilkins

Issues

14.2.1 The main issues are :

- Whether or not alternative sites, or alternative uses for the site, should have been considered;
- Whether or not the allocation of the site would have a detrimental effect on nature conservation and geology;
- Whether or not use of the site for waste collection and transfer purposes would be harmful to the living conditions of local residents;
- Whether or not the allocation is a realistic one bearing in mind land ownership considerations and the proposals for comprehensive redevelopment of the area.

Conclusions

14.2.2 On the first issue, the UDP proposes a waste transfer station within the larger key regeneration site allocated at Tondu. The Council advises that the precise location of the proposed facility has not been determined, but a feasibility study, Materials Recycling and Energy Centre (MREC) Rail Link, (CD151), illustrated that a refuse transfer centre could be established on the eastern/southern boundary of the Tondu site. The site was allocated for employment uses in the Ogwr Borough Local Plan. Objectors question whether alternative sites for the proposed waste transfer facility have been considered. The Council argues that the facility needs to be centrally placed in the County Borough and be capable of accommodating a waste transfer station and, possibly, an associated civic amenity site.

14.2.3 In the Council's view, the site needs to be located close to the railway line, to allow a spur to be connected for loading purposes. The facility could then serve the MREC in Crymlyn Burrows, the Council having entered into a contractual agreement with Neath Port Talbot CBC to supply 62,000 tonnes of domestic waste a year to that facility. The Council argues that the most suitable point for rail access in the Borough would be the Pyle to Maesteg Line, as there are no suitable large sites on the Bridgend to Maesteg line, which mainly runs through built up areas. This conclusion was supported by the MREC rail link study (CD 151).

14.2.4 Neither the objectors nor the Council have put forward any possible alternative sites for the proposed waste facility, although the MREC study examined the alternative use of road transport to transfer waste. The use of rail freight for the transfer of waste is strongly supported by national planning policy, and I consider that the Council is fully justified in seeking to utilise the railway. The waste transfer station would form part of a mixed use development on a large site. National planning policy favours the promotion of mixed use developments in UDPs. Some objectors argue that the site could be used more appropriately for other purposes, especially as it is located close to existing residential areas and is accessible to the M4. However, I consider that the wider regeneration site offers the potential for a variety of beneficial land uses. I conclude that the principle of locating a waste disposal and transfer facility on this site at Tondu, to serve the needs of the County Borough, is acceptable.

14.2.5 On the second issue, objectors are concerned over the impact of the development on the nature conservation interests and on the site's geology. Bridgend Biodiversity Partnership considers that development of the site for a waste transfer station should not be permitted without conditions or obligations to protect and enhance the habitat of species listed in the Bridgend BAP, in particular the Barn Owl (*Tyto Alba*) and the blue-tailed damselfly (*Ischnura pumilio*). The Council states that at present only the principle of the use

of the site is being considered and that any boundaries for areas of nature conservation interest have yet to be identified. Following a full assessment of the site, any nature conservation interests could be retained and protected or measures provided for their translocation. Development of the site would only involve superficial excavation that would not affect the underlying geology.

14.2.6 As I report in Chapter 17, the Council is agreeable to a strip of land which forms part of the Parc Slip Nature Park being excluded from the wider regeneration site, allocated under Policy REG3. The Plan's Environment Chapter includes a number of policies which would safeguard habitats and wildlife. I conclude that there is no need to address these matters again in Policy W1, nor do nature conservation and geology concerns provide sufficient justification to delete or modify the policy.

14.2.7 On the third issue, several objectors have expressed concern over the impact of a waste transfer station on local living conditions, particularly with respect to visual intrusion, smells, noise, litter, vermin and hours of operation. I am aware that a primary school is located south of the railway line at the end of Meadow and West Streets. Objectors cite particular concerns with the potential health effects of the development with respect to air pollution and the release of dioxins. The Council points out that the facility is intended for the transfer of waste, not its deposition or incineration, although the Council does not necessarily rule out other waste management processes occurring on the site at some future date. Dioxins would not be produced as these are only emitted following incineration, for which there are no plans. I have no evidence that other health problems might be expected.

14.2.8 The policy clearly only relates to the collection and bulk transfer of waste, and I am advised that the facility would deal with household waste only, and would handle it within an enclosed space. In my view, this should enable smells and litter to be contained. I am satisfied that any detailed health or environmental implications could either be addressed as part of a planning application, for example by the imposition of planning conditions to limit the hours of operation, or as part of other legislation to control processes and emissions. I consider that the visual impact of any development on neighbouring residential areas would be mitigated by the surrounding topography and woodland belt beside the railway.

14.2.9 Several objectors express concern about the amount of road traffic that the development of the site will cause, its effect on the amenity of residents in relatively small village streets and the capacity of the local road network. The Council argues that, as the policy relates to the broad principles of development, the effect of the development on highways would be most appropriately addressed as a detailed consideration when an application for development is made. I understand the objectors' concerns, as this type of operation would undoubtedly result in an increase in heavy goods traffic with consequent increases in noise and pollution. However, Policy T16(9) of the UDP, Access to Land West of Maesteg Road, Tondu, is intended to secure improvements to the A4063 in association with the comprehensive development of the regeneration site. A development brief will provide details of access arrangements, according to para 6.9.26 of the UDP, and should be available for further public consultation. I conclude that any harmful effects on the living conditions of the local community are capable of being addressed through development control procedures, and are not so substantial that they would justify the deletion or modification of Policy W1.

14.2.10 On the fourth issue, Rhys Davies Services Ltd informs that there have been no discussions with the companies that own the allocated land about its use as a waste transfer station. Given the Council's requirements for the comprehensive redevelopment of the site, the objectors argue that the site is unlikely to come forward. However, the Council advises that any negotiations with land owners would take place at an appropriate time after the UDP has

been adopted. If it cannot acquire the site by voluntary agreement in the first instance, the Council indicates that it would use compulsory purchase powers, to acquire the land in the public interest. I accept that new facilities are much needed to handle the waste which will be generated in the County Borough over the Plan period, and conclude that this policy should remain in the Plan.

Recommendation

14.2.11 I recommend that no change be made to the policy.

**14.3 POLICY W2
Provision of Waste Disposal Site
Tythegston Quarry**

Objection

*Conditionally Withdrawn
DO/51229/2123 National Assembly for Wales*

Issue

14.3.1 The main issue is whether or not the use of the words 'will be favoured' is appropriate.

Conclusions

14.3.2 The Council has used the clause 'will be favoured' in circumstances where compliance with a policy would not in itself be sufficient to grant planning permission, but would count in the proposal's favour if it displayed the characteristics identified (CD147). I consider that Policy W2 describes desirable characteristics of a development that the UDP should identify and encourage. I note the NAW's position that it would conditionally withdraw its objection to 'favoured', where it would be inadvisable to use the term 'permitted'. I consider that 'permitted' would be inappropriate in this policy, as compliance with the policy may not be sufficient to make a proposal permissible.

Recommendation

14.3.3 I recommend that no change be made to the policy.

**14.4 POLICY W3
Reduction & Control of Landfill Sites**

Objection

DO/51211/1711 Forest Enterprise

Issue

14.4.1 The main issue is whether or not the wording of the policy is clear and reasonable.

Conclusions

14.4.2 The objector considers that criterion 1 of the policy is unreasonable in requiring 'clear and significant land improvement', given the requirements of the policy's other criteria, especially criterion 8. The Council argues that criterion 1 is necessary, as there is a history in the district of landfill schemes being proposed on poor quality agricultural land. Some so-called land improvement schemes have yielded no improvements in terms of agricultural land classification and have been harmful to biodiversity. The objector puts forward an amendment to criterion 3 to cover adverse impact on nature conservation. However, I agree with the Council that criterion 3 deals with a separate matter, namely visual impact, from criterion 1. Nevertheless, I consider that criterion 8 of this policy and the Plan's nature conservation policies in Chapter 3 are sufficiently rigorous to guard against the circumstances set out in the Council's rebuttal. As nature conservation is clearly a matter of concern to the Council, the first criterion could be amended to retain the latter part and delete the reference to 'clear and significant land improvement'. I conclude that this would meet the objector's principle concern.

14.4.3 Forest Enterprise also argues that criteria 3 and 4 should be reworded to introduce a degree of flexibility to the policy. However, the policy's phraseology accords with its approach in CD147, and I consider that use of the term 'unacceptable', suggested by Forest Enterprise, would add an unnecessary and unclear qualification to the policy. I shall not recommend the suggested change.

Recommendation

14.4.4 I recommend that criterion 1 of the policy should be modified to read:

'The development would not adversely affect areas of importance for nature conservation.'

14.5 POLICY W5 Waste Minimisation & Recycling

Objection

DO/51227/1810 Harmer Partnership

Issue

14.5.1 The main issue is whether or not the policy should be included in the Plan in the light of the coverage given by other legislation.

Conclusions

14.5.2 The objector considers that the policy should not be included in the Plan as its provisions are covered by other legislation and should therefore be deleted. However, TAN 21 (CD113) advises that the land use planning system should ensure that opportunities for incorporating waste management and recycling facilities into new developments are considered. I conclude that the inclusion of this policy is entirely justified.

Recommendation

14.5.3 I recommend no change to the Plan.

14.6 POLICY W6 Re-Use & Recycling of Materials

Objection

DO/51227/1811 Harmer Partnership

Issue

14.6.1 The main issue is whether or not the requirements of the policy are reasonable and/ or better covered by other legislation.

Conclusions

14.6.2 The objector considers that the requirements of this policy are unduly onerous and covered by other legislation. The Council considers that it is a reasonable requirement for the Plan to influence the reuse and recycling of construction waste material, as this relates to a fundamental part of integrated waste management. In my opinion, TAN 21 expects planning applications involving significant demolition to give consideration to the potential for recycling of materials. Such applications should be favourably treated, provided they are acceptable in other respects. I recognise that the recycling of construction materials is addressed by other legislation, but I consider that national guidance on planning supports the inclusion of a policy concerning this matter in the Plan. I conclude that the policy is reasonable and should be retained.

Recommendation

14.6.3 I recommend that no modification be made.

Post Script

The PIMS puts forward a change to para 12.7.2 to provide more recent information on civic amenity sites. I consider that this information is helpful. I have not addressed the matter elsewhere in this chapter, since no objections / counter-objections have been made to the paragraph.