

PLANNING STATEMENT: AMENDED RESTORATION PROFILE AT PWLLFAWATKIN LANDFILL SITE

PONTARDAWE



PREPARED BY



4245 Park Approach | Thorpe Park | Leeds |
LS15 8GB

PREPARED FOR



FCC Environment | 3 Sidings Court | White
Rose Way | Doncaster | DN4 5NU

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WRITTEN & PREPARED BY
Francesca Wray | Senior Planner

REVIEWED & APPROVED BY
James Cook | Principal Planner

AUTHORISED BY
Sirius Planning

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DRAWING SCHEDULE

Drawing Number	Drawing Title	Scale
WR7816/12/01	Site Location Plan	1:50,000
WR7816/12/02	Planning Application Boundary and Ownership Plan	1:2,500
WR7816/12/03	Proposed Phasing Plan	1:2,500
WR7816/12/04	Pre-Settlement Waste Contours	1:2,500
WR7816/12/05	Post-Settlement Waste Contours	1:2,500
WR7816/12/06	Site Sections Location Plan	1:2,500
WR7816/12/07	Site Sections Through Proposed Landform	1:1,250
WR7816/12/08	Proposed Restoration Plan	1:2,000
WR7470/01/01 Rev G	Surface Water Management Scheme	1:1,000

APPENDIX SCHEDULE

Appendix No.	Title
Introduction	
1.1	Scoping Opinion
Landscape and Visual Impact	
7.1	LVIA Methodology
7.2	Figures 7.1 – 7.5 and Viewpoint 1 to 5
7.3	LANDMAP National Landscape Character Area
Ecology	
8.1	Ecological Appraisal (FPCR, 2018)
8.2	Amphibian and Reptile Reasonable Avoidance Measures Method Statement
8.3	Ecology Figures 8.1 – 8.2
Hydrology and Drainage Strategy	
9.1	Flood Consequence Assessment
9.2	Surface Water Management Plan
Air Quality	
10.1	Air Quality, Dust and Odour Appendices



1. INTRODUCTION

1.1 FORWARD

- 1.1.1 The Welsh Government recognises the important role that landfill plays as part of an integrated sustainable approach to waste management. A culture shift over recent years means that society views waste as a resource, and challenging targets have been established for recycling, re-use and recovery of waste in order to divert waste away from landfill.
- 1.1.2 The success of Government policy to reduce the amount of waste material sent to landfill and increase recycling and recovery of materials means that landfills across Wales are experiencing reduced input rates. It is also clear that reliance on landfill as a waste management option is reducing. However, as not all waste can be recycled or recovered, landfill will always have a role to play in waste management and existing sites provide important strategic disposal points.

1.2 SUMMARY OF SITE AND PROPOSAL

- 1.2.1 Three former coal spoil tips form the majority of FCC Environment's (FCC) landholding at Pwllfawatkin. Two of these tips, Tip 891 and Tip 890, are located to the north of Baran Road. The third tip, Tip 871 is located to the south of Baran Road.
- 1.2.2 Tip 891 has been restored for some time now, however Tip 890 is still accepting non-hazardous waste. Tip 871 is, where necessary, used as a source of engineering material for Tip 890.
- 1.2.3 Two planning consents that allowed the restoration of Tips 890 and 871 expired on 30th September 2018. P2002/1016 was granted in January 2005 and covers the three tips 890, 891 and 871. In December 2011, permission P2011/0537 was granted and allowed the continued restoration of Tip 871 and supersedes the 2005 permission but only on Tip 871. In March 2016 the 2011 consent was updated by P2014/0693 which amended the surface water scheme.
- 1.2.4 An application to vary conditions (reference P2018/0512) to allow an extension of time and revised restoration profile to Tip 890, that reduced the remaining site void from that consented, was submitted to Neath Port Talbot County Borough Council in 2018 but was refused at planning committee, against officer recommendation for approval, in December 2020 on odour nuisance grounds.
- 1.2.5 A separate planning application (reference P2018/0511) was submitted in 2018 to vary the conditions of planning permission P2014/0693 to extend the period to complete restoration of Tip 871 and amend the restoration profile. To date the Welsh Government have issued a decision on a call-in request in which it was not considered that the application should be called in for determination by the Welsh Ministers and this application was still awaiting a decision by the local planning authority.
- 1.2.6 As the consent that covered Tip 890 has expired, FCC are submitting a new planning application for a revised restoration profile in order to safely close the landfill operation. The red line application boundary is limited to the future operational area of Tip 890 and not the entire landfill landholding. The amendments to the restoration profile and scheme for Tip 890 proposed in this application follow on from the restoration scheme previously approved for the wider landfill.

1.3 THE APPLICANT

- 1.3.1 The planning application is being submitted by FCC Environment which is part of FCC, the international environmental services, infrastructure and energy group.
- 1.3.2 FCC is one of the largest waste and resource management companies in the UK; employing over 2,400 staff and operating more than 200 facilities in England, Scotland and Wales. Each year they handle around 15 million tonnes of household, commercial and industrial waste including waste from contracts with more than 50 local authorities across England, Scotland and Wales.
- 1.3.3 The applicant has a proven track record of developing and operating sustainable, waste management facilities and currently operate a wide range of facilities including waste transfer

stations, materials recovery facilities, household waste recycling centres, composting sites, energy from waste plants and landfills.

1.4 PRE-APPLICATION DISCUSSIONS

- 1.4.1 A Scoping Request was submitted to Neath Port Talbot County Borough Council in September 2021. A Scoping Opinion was received on 4th November 2021. The formal Scoping Opinion (presented in Appendix 1.1) confirmed the scope for project specific surveys, methodologies and consultation that the waste planning authority considered necessary to assess the potential environmental impacts of the proposal.

1.5 PLANNING STATEMENT SCOPE

- 1.5.1 This Planning Statement has been prepared in support of the planning application to revise the restoration profile of Tip 890 at Pwllfawatkin Landfill Site to facilitate closure of the tipping operation in a safe and environmentally responsible manner.
- 1.5.2 This Planning Statement has been organised into the following chapters:
- Introduction;
 - The Site and Surroundings;
 - The Proposed Development;
 - Environmental Considerations;
 - Planning Policy and Material Considerations Appraisal; and
 - Summary and Conclusions.
- 1.5.3 The application is accompanied by an Environmental Statement.

1.6 OBTAINING INFORMATION

- 1.6.1 Electronic copies of all documents submitted to Neath Port Talbot County Council in respect of the planning application are available at the following website:
- <https://planningonline.npt.gov.uk/online-applications/>
- 1.6.2 Paper format copies of the planning application and supporting information are available on request at the following price:
- Full Hard Copy - £75
 - Electronic CD Copy - £15
- 1.6.3 All requests for hard copy information should be addressed to the following:

PlanningConsultations@thesiriusgroup.com

Or,

FCC Environment Ltd

c/o Sirius Planning

4245 Park Approach

Thorpe Park

Leeds LS15 8GB



2. THE SITE AND SURROUNDINGS

2.1 INTRODUCTION

- 2.1.1 This chapter provides a description of the site in terms of its location, history, and surrounding land uses.

2.2 LOCATION

- 2.2.1 FCC's Pwllfawatkin Landfill landholding is located approximately 5km to the north of Pontardawe on National Grid Reference (NGR) 269817, 208799. The proposal site measures c. 10.4ha located towards the northern portion of the landholding and is illustrated on drawing WR7816/12/02 and indicated on the aerial image below.

Figure 2.1: Aerial Image of Tip 890 looking north



- 2.2.2 The proposal site is situated within the Upper Clydach Valley and located approximately 350m to the west of the A474. The Upper Clydach Valley runs along the eastern boundary of the proposal site. A small industrial estate is situated c. 300m to the south-east of the proposal site off the A474.
- 2.2.3 Pwllfawatkin Farmhouse lies c. 460m to the west of the site and is currently used as the site office. The nearest residential properties are Nant y Gafalau approximately 240m to the west of the site boundary and three residential properties on the eastern side of the A474 approximately 340m to the east of the proposal site boundary.

2.3 SITE CHARACTERISTICS

- 2.3.1 The proposal site incorporates the currently operational area of Tip 890, existing access off Baran Road, weighbridge, landfill gas engines, leachate storage tanks, site staff welfare cabins, the access road and the former household waste recycling centre.
- 2.3.2 FCC's landholding incorporates the restored and operational landfills that occupy the main colliery spoil tips of the former Abernant Colliery which closed in 1988. The past and present uses of the valley for mining and landfill is recognised as a physical characteristic of this area. To the west of the site, the ground rises as part of the western slope of the Clydach Valley and Mynydd Carnellechart and Bryn Mawr. A continuation of woodland largely surrounds the site

which provides effective screening.

- 2.3.3 Baran Road bisects FCC's landholding; north of the road the former colliery spoil tips have been developed as a containment landfill for the disposal of imported waste, it comprises areas of active and restored landfill, a household waste recycling centre, a landfill gas management compound and other ancillary development. South of the road is a former colliery tip which does not form part of the imported waste disposal operation to the north other than as a source of engineering materials. A landfill leachate collection facility is also located south of the road.

Figure 2.2: View of Tip 890 looking north-east



2.4 SITE ACCESS

- 2.4.1 Access to the landfill site is off the A474 to the west of the site along an unnamed road. The A474 runs north to south and connects Pontardawe and the more urbanised Swansea Valley to the south and the more rural Ammanford in Carmarthenshire to the North.

2.5 IDENTIFIED RECEPTORS AND DESIGNATIONS

- 2.5.1 Under the adopted Neath Port Talbot Local Development Plan Proposals Map, the site is allocated as a Waste Management Site.
- 2.5.2 The site does not lie within or immediately adjacent to any statutory designations. The nearest statutory ecological site is the Hafod Wennol Grasslands SSSI located approximately 1.6km to west of the site. Four non-statutory SINCs are located within 2km of the proposal site.
- 2.5.3 The nearest designated heritage asset is the Bancbryn Cairn Cemetery Scheduled Monument located approximately 1km to the north-west of the site. There are no Listed Buildings within 1km of the site.
- 2.5.4 The site is located in Flood Zone 1 which is considered to be at little risk of fluvial or coastal / tidal flooding.
- 2.5.5 No public rights of way cross the site or are located in close proximity to the proposed development, the closets footpath runs to the west of the site along the western slope of Bryn Mawr.

2.6 SITE HISTORY

- 2.6.1 There has been a long history of waste activities at the proposed development site, in particular those activities associated with landfilling / restoration. Pwllfawatkin Landfill Site has been operational since the 1970s.



3. THE PROPOSED DEVELOPMENT

3.1 INTRODUCTION

3.1.1 FCC are seeking to revise the restoration profile of Tip 890 to safely bring the site to closure. The new scheme, when compared to the previously consented scheme (P2002/1016), will result in:

- Revised restoration contours (covering a reduced area than previously consented) to complete the restoration of Tip 890 by constructing a sidewall extension to the operational cell 4 and not developing the previously consented cell 5;
- Localised re-profiling of cells 3 and 4;
- A reduction in void space from that previously consented;
- An amended scheme of surface water management to account for the revised restoration profile;
- Amended phasing scheme; and
- Amended scheme of landscaping.

3.1.2 The planning consent for the restoration of Tip 890 expired in September 2018 with the site not being fully restored. For long term stability, avoidance of differential or excessive settlement, protect capping integrity and for the long-term function of the environmental control systems for gas, leachate and surface water, it is necessary to complete the site to a designed profile. This can only be achieved through waste importation.

3.1.3 Differential or excessive settlement can not only impact on capping, restoration soils and environmental control infrastructure but also the delivery of final restoration and after use with delivering restoration schemes and aftercare management being particularly difficult on differentially settled landforms. Completing the site to a suitable final landform now will reduce the likelihood of needing to return to site at a later date to correct the differential settlement involving cap stripping / repaid, placement of additional wastes or soils.

3.1.4 As outlined in Section 5 of the accompanying Environmental Statement, alternative restoration profiles were considered for the site, however the proposed restoration profile enables a domed shaped profile in line with NRW's minimum requirements on slop angles for landfills designed to prevent differential settlement and associated issues outlined above.

3.1.5 Tip 890 therefore needs to be completed to a profile that meets NRW guidance and ensure long term stability of the site.

3.2 TIMESCALES

3.2.1 The rate of infilling originally anticipated that would have allowed completion of the consented restoration has not materialised. The shortfall in anticipated waste inputs to site is a result of increased recycling rates that have diverted materials from landfill. This together with the economic slowdown over the last decade and more recently the disruption caused by the CVOID pandemic has led to shortfalls in expected waste volumes.

3.2.2 Preliminary forecasting of likely residual waste arising has been undertaken by FCC to estimate likely timescales for completion of the proposed restoration profile. Assuming c. 7,000 – 8,000 tonnes per month of residual waste is deposited on site then an anticipated end date for waste importations is 31st October 2023. A further two years to complete the restoration will be necessary.

3.3 REVISED RESTORATION PROFILE

3.3.1 The previous consent allowed for five containment cells to be constructed across Tip 890. Under the revised restoration profile, FCC is seeking to reduce the number of cells to four but include a sidewall extension to cell 4. Drawing no. WR7816/12/04 presents the proposed pre-settlement profile and drawing no. WR7816/12/05 presents the proposed post-settlement profile. The footprint of cell 5 will simply be graded to tie into surrounding levels.

3.4 LOCALISED REPROFILING

- 3.4.1 The previously approved contours for Tip 890 reached a maximum height of 192m AOD. From recent topographical surveys of cells 3 and 4 it is clear that the current profile of the cells is lower than the previously approved levels. The difference in height is up to a maximum of 2m in some places. This is largely due to differential settlement in the waste mass.
- 3.4.2 To address this, soils would be used to achieve restoration contours under the requirements of restoration and aftercare as per the previous consent.

3.5 SURFACE WATER MANAGEMENT

- 3.5.1 The current scheme of surface water management relies on a gravity drainage system and includes a ditch collection system excavated into the re-profiled tip, feeding under gravity into an attenuation and settlement ponds prior to discharging to the Upper Clydach River.
- 3.5.2 Whilst a new restoration profile for the site is being sought for Tip 890, the area of land to be drained is not increasing, furthermore, the principles of surface water management across the site will not alter significantly. An updated scheme of surface water management is presented in Drawing no. WR7470/01/01 R4.

3.6 LANDSCAPING

- 3.6.1 The main restoration elements of the previously consented scheme are retained in the amended scheme of restoration, including:
- Approximate field pattern, size and distribution;
 - Field treatments of meadow grassland and agricultural pasture; and
 - Distribution of proposed hedgerows, woodland and scrubland; and
 - Retained features of infrastructure.
- 3.6.2 The restoration proposals are shown on Drawing no. WR7816/12/08, the restoration plan is accompanied by the following plant schedules.

Table 3.1: Plant Schedules

Scrub Planting		
Species	Common Name	% Mix
Betula pendula	Silver Birch	15
Corylus avellana	Hazel	10
Crataegus monoygna	Hawthorn	30
Ilex aquifolium	Holly	10
Ligustrum vulgare	Privet	10
Salix cinerea	Grey Willow	5
Prunus spinosa	Blackthorn	10
Ulex europaeus	Gorse	5
Viburnum opulus	Guelder Rose	5
Woodland Planting		
Species	Common Name	% Mix
Alnus glutinosa	Black Alder	15
Betula pendula	Silver Birch	10
Crataegus monoygna	Hawthorn	20
Fagus sylvatica	Beech	10
Prunus padus	Bird Cherry	5
Quercus petraea	Sessile Oak	20
Salix fragilis	Crack Willow	10
Sorbus aucuparia	Rowan	10
Hedgerow Planting		
Species	Common Name	% Mix

Corylus avellana	Hazel	7.5
Crataegus monoygna	Hawthorn	65
Euonymus europaeus	Spindle	5
Fagus sylvatica	Beech	2.5
Ilex aquifolium	Holly	7.5
Prunus spinosa	Blackthorn	7.5
Viburnum opulus	Guelder Rose	5
Grassland seed mix		
Species	Cultivar	% Mix
Standard Reclamation Mix (sown at 20g/m ²)		
4Turf Tetraploid Perennial Ryegrass	Double	25
Perennial Ryegrass	Esquire	25
Strong Creeping Red Fescue	Maxima	50

3.7 OTHER OPERATIONAL CONSIDERATIONS

Hours of Operation

- 3.7.1 The proposed hours of operation will remain unchanged from the previous consent, i.e. 07:00 hours to 17:00 hours Monday to Friday and 07:00 hours to 13:00 hours on Saturdays for waste disposal and up to 19:00 Monday to Friday and 15:00 on Saturday for daily cover and restoration activities.

Traffic

- 3.7.2 Condition 63 of the previous consent, P2002/1016, limited waste imports to 180,000tpa and condition 20 limited the number of HGV daily visits to 125 (Monday to Friday) and 60 on Saturday. FCC anticipate that approximately 7,000 to 8,000 tonnes per month will be imported to site. Taking the higher scenario of 8,000 tonnes of waste per month imported to site, assuming an average load of 18 tonnes per HGV and that waste will be deposited at the site for 2 years (2021 to 2023) based on a 5.5 day working week then circa 20 daily deliveries will be made by HGVs, or 40 vehicle movements.
- 3.7.3 As part of the restoration there will be a requirement to import engineering material for the cap and restoration materials. Clearly, there is significant reduction in vehicles delivering residual waste to site compared to that previously consented.
- 3.7.4 Vehicles associated with the continued operation of the landfill will use the A474 as per the existing consent.

Noise

- 3.7.5 The scale and nature of the operations at the landfill site will remain unchanged from current operations, therefore the potential noise generation will not change from current operations.

Employment

- 3.7.6 The proposed development would not create any additional job opportunities; however, the continued operational use of the Pwllfawtkin Landfill will provide job security for existing employees.

Lighting and Security

- 3.7.7 No additional lighting or security measures will be required as part of the continued operation of the landfill.

Office and Welfare Facilities

- 3.7.8 No additional office or welfare facilities will be required as part of the continued operation of the

landfill.



4. SUMMARY OF ENVIRONMENTAL CONSIDERATIONS

4.1 INTRODUCTION

- 4.1.1 Chapter 6 of the accompanying Environmental Statement (ES) identifies those environmental topics that were scoped out of being subject to Environmental Impact Assessment (EIA) and the reasons for doing so.
- 4.1.2 ES Chapters 7 to 10 have considered the potential environmental effects of the proposed development relative to the current baseline conditions (including the current consent) which exist at the site and the surrounding area. Where appropriate, mitigation measures over and above those already existing have been proposed, and the residual effects of the development have been assessed.

4.2 SUMMARY OF IMPACTS

- 4.2.1 Table 4.1 below presents a concise summary of the predicted residual environmental effects of the proposed development, based on the findings of the relevant assessments.

Table 4.1: Summary of Predicted Environmental Effects

	Phase	Summary of Predicted Effects
Visual Landscape	Landfilling	Landscape Character – The development is not likely to negatively influence the key characteristics of the landscape (over and above the previously consented scheme) and could accommodate the development with no change in character. Considered a negligible impact. Visual Impact – due to the continuing nature of operations the visual impact on identified receptors is considered at worst to be moderate to minor adverse– not a significant effect.
	Restoration	Landscape Character – the revised restoration profile will reduces the southern extent of tipping and physical mass and form of Tip 890. Impacts are considered to be Minor-Beneficial. Visual Impact – Outside of the site area the proposed restoration plan remains similar to that previously consented, however the reduced physical form and mass of Tip 890 is concluded to have a positive visual effect. Impacts are considered to be Minor-Beneficial.
Ecology & Nature Conservation	Landfilling	Designated Sites – Distance to identified sites and pollution prevention measures to be employed during operational phase. Impact considered Negligible. Habitats – proposal confined to areas currently that have been operational. Loss of two small recently formed waterbodies due to onsite operations and small extents of marshy grassland and bare ground with short ephemeral vegetation considered to be a low magnitude impact. Overall impacts considered Minor Adverse. Species – having habitats of low ecological value and continued working in this area is highly unlikely to cause an increased impact. Overall impacts are considered Minor Adverse.
	Restoration	Designated Sites – Distance to identified sites and pollution prevention measures to be employed during operational phase. Impact considered Negligible. Habitats – In line with the previously consented restoration scheme, new species rich grassland and areas of woodland and scrub will be created as part of the Site restoration. Habitats will be established and managed so that they are maintained in a favourable condition and of value to biodiversity. Over the long term, the effects of habitat changes are assessed as Minor Beneficial. Species – The increased diversity of habitat structure provides increased opportunities for species. Over the long term, the effects on species are assessed as Minor-Beneficial.

Hydrology & Surface Water Management	Landfilling	Surface Water Runoff/Flooding – Implementation of temporary control measures. The potential for impact is considered to be Minor Adverse. Surface Water Quality – Temporary holding lagoons and cut-off trenches during the various stages will capture the surface water runoff across the site and allow silt to settle before discharging into the Upper Clydach River – Impacts considered to be Minor Adverse.
	Restoration	Surface Water Runoff/Flooding – The amended restoration planting scheme will still require the site to be vegetated. A formal surface water drainage strategy will be implemented for the site which will improve the management of and attenuate surface water runoff reducing the potential for flooding, it is considered that the proposed development will have a negligible impact beyond that previously consented. Surface Water Quality – Entire site will be vegetated. A formal surface water drainage strategy will be implemented for the site which will improve the quality of flows from the site, it is considered the proposed development will have a Minor Adverse impact.
Air Quality & Odour	Landfilling	Dust – FCC will take a proactive approach to ensure that the potential for fugitive dust emissions is minimised, and is not a cause of nuisance complaints from identified receptors. Impacts considered negligible. Odour – Continued implementation of odour controls set out in the OMP. Impacts considered negligible. Vehicle emissions – Proposed vehicle movements will be considerably less than previously experienced and permitted. Potential contribution to background emissions levels are considered negligible.
	Restoration	Dust – Limited opportunity for dust creation as site will be restored and landscaped (i.e. no bare ground). Impacts considered negligible. Odour – Landfill gas management system will be retained and maintained as appropriate. Impacts considered negligible. Vehicle emissions – Little or no opportunity for regular vehicle movements one site is restored. Impacts considered negligible.

- 4.2.2 Table 4.1 provides a summary of the predicted environmental effects resulting from the proposed development. These effects have been identified by the EIA as those remaining following mitigation, i.e., residual impacts. It must be remembered that the baseline assumed as part of the EIA accounts for current operational land-uses in the vicinity of the application site.
- 4.2.3 Of the environmental topic areas considered as part of the EIA, the significance of impacts from the continued operations that are considered to be greater than negligible are limited to:
- Ecology
 - Visual Amenity
 - Surface water runoff/quality
- 4.2.4 The potential impacts on ecology were identified during both the operational and restoration phases. With mitigation measures, minor adverse impacts upon ecological features identified can be reduced to a non-significant level. Once restored and through habitat creation the long-term impacts were considered to be minor-beneficial.
- 4.2.5 Moderate to minor adverse impacts were concluded on visual receptors during the landfill phase, however, during the restoration phase, minor positive impacts were concluded in terms of visual effects as a result of reduced tipping of waste and therefore a reduced physical mass and form.
- 4.2.6 In terms of the potential minor adverse impacts to surface water runoff and quality these would be controlled by embedded mitigation measures and further mitigation measures, such that the residual effects would be no significant residual effect.



5. PLANNING POLICY APPRAISAL

5.1 INTRODUCTION

- 5.1.1 This section sets out the national and local planning policies as well as material considerations which are relevant, both to the application site, and the type of development proposed.
- 5.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.

5.2 WALES WASTE STRATEGY & NATIONAL PLANNING POLICY

Towards Zero Waste 2010

- 5.2.1 Towards Zero Waste is the strategic Waste Strategy document for Wales. The document was published in 2010 and outlines a long-term framework for resource efficiency and waste management until 2050. The aim of the strategy is for Wales to be a high recycling nation by 2025 and a zero-waste nation by 2050.
- 5.2.2 The document sets out aspirations and targets in order to meet the overall objective zero waste by 2050. The key aims are:
- By 2025, a significant reduction in waste of around 27% based on 2007 levels;
 - By 2050 achieving zero waste and 'living within our environmental limits'; and
 - In achieving zero waste by 2050, a need to reduce waste arising by around 1.5% of the 2007 baseline each year across all sectors.
- 5.2.3 In achieving the above, the document states that Towards Zero Waste means:
- "Waste will be reduced significantly;
 - There will be a strong economy in resource management;
 - Residual waste will be minimised;
 - Landfill will be eliminated as far as possible; and
 - Legacy wastes will be tackled".

Planning Policy Wales (Edition 11, February 2021)

- 5.2.4 In February 2021, the Welsh Government (WG) published an update to national planning policy in the form of the 11th edition of Planning Policy Wales (PPW). PPW sets out the land use planning policies of the WG.
- 5.2.5 Section 5.13 relates to Sustainable Waste Management Facilities. Paragraph 5.13.1 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 business...".
- 5.2.6 Paragraph 5.13.4 goes on to state that "The Welsh Government's policy for waste management is contained in Towards Zero Waste and associated sector plans. Planning authorities should, in principle, be supportive of facilities which fit with the aspirations of these documents and in doing so reflect the priority of the waste hierarchy as far as possible".
- 5.2.7 In respect of waste management facilities, paragraph 5.13.10 states that:
- "planning authorities must support the provision and suitable location of a wide ranging and diverse waste infrastructure which includes facilities for the recovery of mixed municipal waste and may include disposal facilities for any residual waste which cannot be dealt with higher up the waste hierarchy"*.
- 5.2.8 The proposal is to revise the restoration profile of Tip 890 at Pwllfawatkin Landfill Site to facilitate safe closure of the tipping operation by 31st October 2023, plus two further years for restoration.

- 5.2.9 Environmental assessments carried out to support this application (Chapters 7 – 10 of the ES) indicate that the location of the facility will not lead to significantly adverse impacts to the surrounding environs. The site is already in use for disposal operations.
- 5.2.10 Paragraph 6.4.4 of PPW states that “all reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems...”
- 5.2.11 The proposal is confined to areas that are already operational and comprise bare ground or ground that is starting to develop a sparse occurrence of ephemeral vegetation. Chapter 8 of the ES provides the ecological assessment which concludes that the current habitats within the application site are considered to be no more than local value and are unlikely to support a high diversity of species. The proposed site restoration follows on from what was previously approved and includes the creation of species rich grassland, with areas of woodland, hedgerow and scrub planting. The objective of the site restoration is to create high quality and diverse habitats, replacing habitats lost during the operational period, providing permanent habitat for species. The restoration of the site will improve all four ecosystem attributes, enhancing biodiversity (allowing for greater adaptability, recovery and resistance to change) and overall ecosystem resilience as part of the wider landscape.
- 5.2.12 Paragraph 6.7.14 of PPW11 states that “proposed development should be designed, wherever possible, to prevent adverse effects to amenity, health and the environment but as a minimum to limit or constrain any effects that do occur”.
- 5.2.13 Pollution control is concerned with preventing pollution through the use of measures to prohibit or limit the release of substances to the environment from different sources to the lowest practicable level. The proposed development will be subject to separate pollution controls through the Environmental Permitting process, as administered by the statutory pollution control regulator for Wales, NRW.
- 5.2.14 The air quality assessment presented in Chapter 10 of the accompanying ES concludes that the results of qualitative odour risk assessment indicate that there is likely to be negligible to slight risk of odour effects from the proposal. Continued implementation of the odour controls set out in the OMP, and ongoing review and amendment of the OMP should ensure that odour emissions do not have a significant effect on local receptors. Technical Advice Note 21 Waste
- 5.2.15 Technical Advice Note (TAN) 21 provides advice on how the land use planning system should contribute towards sustainable waste management and resource efficiency, reflecting the new waste management drivers at a European Union and Waste level. Both Planning Policy Wales and TAN 21 set out a framework for facilitating the delivery of sustainable waste management infrastructure through the planning process.
- 5.2.16 National policy advises that planning authorities should be supportive of facilities which reflect the priority of the waste hierarchy as far as possible. The continued operations at Pwllfawatkin Landfill Site would only accept residual non-hazardous waste (non-recyclable material) to which landfill represents a preferable management option.
- 5.2.17 Potential environmental and amenity concerns are considered in the ES. The assessments demonstrate that modern, well-run and regulated facilities pose little risk to human health or the environment. In addition, the site would be the subject of a separate Environmental Permit to operate which would have to be issued by the Environment Agency before the site could operate.
- 5.2.18 Once fully restored, the site will provide enhanced local biodiversity and landscaping sympathetic to the local landscape character.

5.3 LOCAL PLANNING POLICY

- 5.3.1 Given the primacy of the development plan in the decision-making process, it is imperative that

the Planning Statement identifies and summarises the planning policies that are of relevance in determining the planning application.

- 5.3.2 The proposed development site falls within the administrative boundary of Neath Port Talbot County Borough Council.
- 5.3.3 The adopted Development Plan comprises
 - Neath Port Talbot County Borough Council Local Development Plan (January 2016).
- 5.3.4 The Neath Port Talbot County Borough Council Local Development Plan was adopted in January 2016 and provides the basis for decisions on land use planning in the County Borough up to 2036.
- 5.3.5 Table 5.1 below appraises the proposed development against the relevant policies of the Local Development Plan.

Table 5.1: Policy Appraisal – Neath Port Talbot Local Development Plan

Policy	Commentary
<u>Policy SP1: Climate Change</u> <i>“...In relation to the consequences of climate change:</i> <i>1. Likely increased flood risk will be taken into account and addressed by ensuring that there is greater resilience by avoiding development on land that is at risk from flooding...</i> <i>2. The fragmentation of habitats will be minimised and opportunities made for habitat and species change and migration where possible”.</i>	The proposal seeks only very minor amendments to the previously approved scheme of surface water management and as such will not increase surface water runoff from the proposal site. Surface waters on site will continue to be managed through a series of swales and attenuation lagoons. The proposed site restoration follows on from what was previously approved and includes the creation of species rich grassland, with areas of woodland, hedgerow and scrub planting. The objective of the site restoration is to create high quality and diverse habitats, replacing habitats lost during the operational period, providing permanent habitat for species. Through habitat creation the residual effects in the long term are concluded to be minor beneficial in relation to habitats and species they support. It is therefore considered that the proposal is in accordance with the objective of this policy.
<u>Policy SP14: The Countryside and the Undeveloped Coast</u> <i>“The countryside and undeveloped coast, including landscapes, seascapes and agricultural land, will be protected and where feasible enhanced through the following measures:</i> <i>1. The protection of the open countryside through the control of inappropriate development outside settlement limits...”</i>	The application site is a designated waste management site. The proposed scheme of restoration planting and after-use has been designed to reflect the approved scheme but take account of the revised contours. The Landscape and Visual Assessment in Chapter 7 of the accompanying Environmental Statement concludes that the amended restoration proposals, as a result of reduced tipping of waste, will overall reduce the scale of

	landscape effect experienced from the final scheme. It is considered that the amended restoration will result in a slight improvement, reducing the engineered volume of the landfill on Tip 890 within the wider landholding and when viewed from the local landscape. It is therefore considered that the proposal is in accordance with the objective of this policy.
<u>Policy SP15: Biodiversity and Geodiversity</u> <i>"Important habitats, species and sites of geological interest will be protected, conserved, enhanced and managed..."</i>	Chapter 8 of the accompanying Environmental Statement comprises the ecological assessment for the proposal. The proposal is confined to areas that are already operational and comprise bare ground or ground that is starting to develop a sparse occurrence of ephemeral vegetation. The assessment concludes that the current habitats within the application site are considered to be no more than local value and are unlikely to support a high diversity of species. It is acknowledged that established habitat around the site boundaries will likely provide movement corridors within the local landscape; however, connectivity within the application site itself is limited. The proposed site restoration follows on from what was previously approved and includes the creation of species rich grassland, with areas of woodland, hedgerow and scrub planting. The objective of the site restoration is to create high quality and diverse habitats, replacing habitats lost during the operational period, providing permanent habitat for species. Through habitat creation, residual effects in the long term are concluded to be minor beneficial in relation to habitats and species they support. It is therefore considered that the proposal is in accordance with the objective of this policy.
<u>Policy EN6: Important Biodiversity and Geodiversity Sites</u> <i>"Development proposals that would affect Regionally Important Geodiversity Sites (RIGS), Local Nature Reserves (LNRs), Site of Interest for Nature Conservation (SINCs), sites meeting SINC criteria or sites supporting Local Biodiversity Action Plan (LBAP) or S42</i>	Chapter 8 of the accompanying Environmental Statement comprises the ecological assessment for the proposal. The assessment concludes that all statutory designated sites are sufficiently distant therefore effects assessed to be negligible and not significant. In addition, no direct or indirect impacts are anticipated on non-statutory designated

<i>habitats or species will only be permitted where:</i> <i>1. They conserve and where possible enhance the natural heritage importance of the site; or</i> <i>2. The development could not reasonably be located elsewhere, and the benefits of the development outweigh the natural heritage importance of the site”.</i>	sites due to separation distance. Embedded mitigation including pollution prevention and runoff control and dust/noise control measures will further reduce potential for impacts. Therefore, effects on non-statutory designated sites assessed to be negligible and not significant. It is therefore considered that the proposal is in accordance with the objective of this policy.
<u>Policy EN7: Important Natural Features</u> <i>“Development proposals that would adversely affect ecologically or visually important natural features such as trees, woodlands, hedgerows / field boundaries, watercourses or ponds will only be permitted where:</i> <i>1. Full account has been taken of the relevant features in the design of the development, with measures put in place to ensure that they are retained and protected wherever possible; or</i> <i>2. The biodiversity value and role of the relevant features has been taken into account and where removal is unavoidable, mitigation measures are agreed”.</i>	The proposal is confined to areas that are already operational and comprise bare ground or ground that is starting to develop a sparse occurrence of ephemeral vegetation. The assessment concludes that the current habitats within the application site are no more than local value and are unlikely to support a high diversity of species. It is acknowledged that established habitat around the site boundaries will likely provide movement corridors within the local landscape; however, connectivity within the application site itself is limited. The assessment concludes that the loss of two small recently formed waterbodies and small extents of marshy grassland as a consequence of consented operations is considered to be a low magnitude impact. It should be noted here that these areas would always have been lost through the need to complete final restoration of the site to ensure long-term stability. New species rich grassland and areas of woodland and scrub will be created as part of the proposed site restoration. In addition, habitats will be established and managed so that they are maintained in a favourable condition and of value to biodiversity providing a minor beneficial impact. It is therefore considered that the proposal is in accordance with the objective of this policy.
<u>Policy SP16: Environmental Protection</u> <i>“Air, water and ground quality and the environment generally will be protected and where feasible improved through the following measures:</i> <i>1. Ensuring that proposals have no significant adverse effect on water, ground or air quality and do not significantly increase pollution levels;</i>	The proposal is to revise the restoration profile of Tip 890 at Pwllfawatkin Landfill Site to facilitate closure of the tipping operation in a safe and environmentally responsible manner. This includes reducing the overall void at the site, revised restoration contours and the continuation of works until 31st October 2023, plus a further two years for restoration.

2. <i>Giving preference to the development of brownfield sites over greenfield sites where appropriate and deliverable;</i> 3. <i>Ensuring that developments do not increase the number of people exposed to significant levels of pollution”.</i>	Given that the proposed amendments to the previously approved scheme are relatively small scale, the potential for environmental impact is limited. Chapters 6 to 10 of the accompanying Environmental Statement and the associated appendices demonstrate that no material adverse effects will be experienced by identified receptors beyond that already experienced. The air quality assessment presented in Chapter 10 of the accompanying ES concludes that the results of qualitative odour risk assessment indicate that there is likely to be negligible to slight risk of odour effects from the proposal. Continued implementation of the odour controls set out in the OMP, and ongoing review and amendment of the OMP should ensure that odour emissions do not have a significant effect on local receptors. The proposal is therefore considered to be in accordance with this policy.
<u>Policy EN8: Pollution and Land Stability</u> <i>“Proposals which would be likely to have an unacceptable adverse effect on health, biodiversity and / or local amenity or would expose people to unacceptable risk due to the following will not be permitted:</i> <i>Air pollution;</i> <i>Noise pollution;</i> <i>Light pollution;</i> <i>Contamination;</i> <i>Land instability;</i> <i>Water (including groundwater) pollution.</i> <i>Proposals which would create new problems or exacerbate existing problems detailed above will not be acceptable unless mitigation measures are included to reduce the risk of harm to public health, biodiversity and / or local amenity to an acceptable level”.</i>	The proposal is to revise the restoration profile of Tip 890 at Pwllfawatkin Landfill Site to facilitate closure of the tipping operation in a safe and environmentally responsible manner. This includes reducing the overall void at the site, revised restoration contours and the continuation of works until 31st October 2023, plus a further two years for restoration. Given that the proposed amendments to the previously approved scheme are relatively small scale, the potential for environmental impact is limited. Chapters 6 to 10 of the accompanying Environmental Statement and the associated appendices demonstrate that no material adverse effects will be experienced by identified receptors beyond that already experienced. The air quality assessment presented in Chapter 10 of the accompanying ES concludes that the results of qualitative odour risk assessment indicate that there is likely to be negligible to slight risk of odour effects from the proposal. Continued implementation of the odour controls set out in the OMP, and ongoing review and amendment of the OMP should ensure that odour emissions do

	not have a significant effect on local receptors. The proposal is therefore considered to be in accordance with this policy.
<u>Policy SP19: Waste Management</u> <i>“Provision will be made for the delivery of an integrated network of waste management facilities through the following measures: ...</i> <i>3. Continuation of the disposal or residual non-hazardous waste and inert waste at Pwllfawatkin landfill site...”</i>	The Pwllfawatkin Landfill is allocated as a waste management site. The proposal is to revise the restoration profile of Tip 890 at Pwllfawatkin Landfill Site which includes the continuation of operations until 31st October 2023, plus two further years for restoration. It is therefore considered that the proposal is in accordance with the objective of this policy.
<u>Policy TR2: Design and Access of New Development</u> <i>“Development proposals will only be permitted where all of the following criteria, where relevant, are satisfied:</i> <i>1. The development does not compromise the safe, effective and efficient use of the highway network and does not have an adverse impact on highway safety or create unacceptable levels of traffic generation;</i> <i>2. Appropriate levels of parking and cycling facilities are provided and the access arrangements for the site allow for the safe manoeuvring of any service vehicles associated with the planned use...”</i>	Condition 20 of the previous consent (P/2002/1016) allowed for up to 125 visits (250 vehicle movements) Monday to Friday and a maximum of 60 visits on Saturday (120 vehicle movements). However, based on gate receipts the average number of visits to the landfill over the last couple of years is circa 28 daily visits or 56 HV movements. To bring the site to an earlier close, FCC is seeking to reduce the amount of landfill void at Pwllfawatkin and revise the restoration profile of Tip 890. FCC anticipate that approximately 7,000 to 8,000 tonnes per month will be imported to site which would result in circa. 20 daily deliveries by HGVs, or 40 vehicle movements. In addition, as part of the restoration there will be a requirement to import engineering material for the cap and restoration materials. As required, these materials will derive from Tip 871 as per previously approved operations. Therefore, it is considered that the proposal will result in a significant reduction in vehicle numbers compared to that previously approved. This volume of traffic is already visiting the site delivering waste and engineering materials. The existing access will continue to be used by vehicles delivering waste to site. The potential effect on traffic generation as currently experienced will be negligible.

	It is therefore considered that the proposal is in accordance with the objective of this policy.
<u>Policy SP21: Built Environment and Historic Heritage</u> <i>“The built environment and historic heritage will, where appropriate, be conserved and enhanced...”.</i>	The proposal is to revise the restoration profile of the operational Tip 890 at Pwllfawatkin Landfill Site with the overall void of the site being reduced to facilitate early safe closure of the tipping operation. It is considered that the impacts on heritage beyond that previously assessed will be negligible. Thus, it is considered that the proposal is considered to be in accordance with this policy.

5.4 MATERIAL CONSIDERATIONS

Supplementary Planning Guidance - Pollution

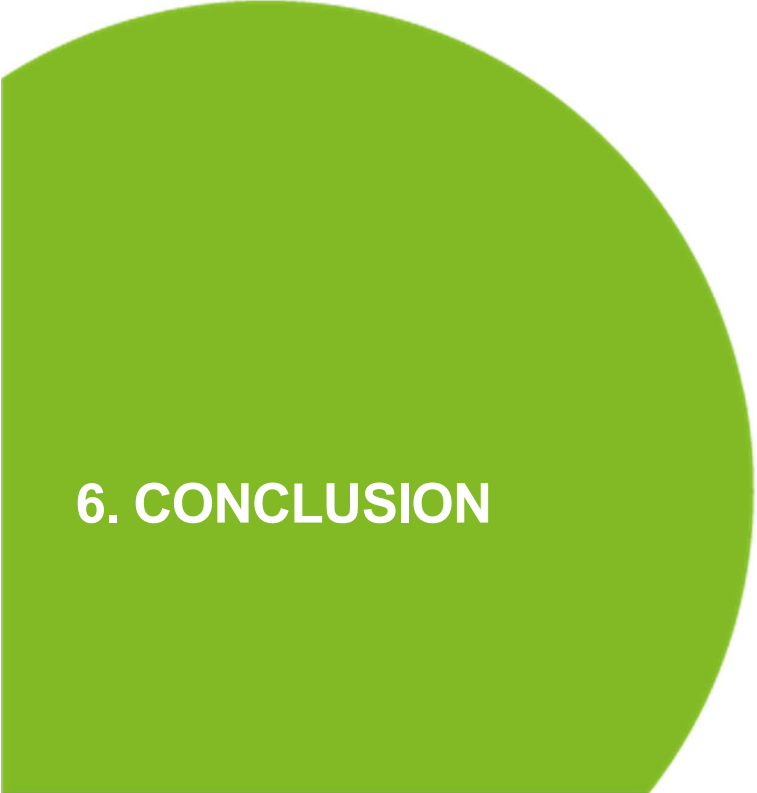
- 5.4.1 This Supplementary Planning Guidance (SPG) gives information about pollution issues in Neath Port Talbot and sets out the relevant matters that will need to be taken into consideration when developments are being planned in the County Borough.
- 5.4.2 This document supplements and explains the policies in the Local Development Plan (LDP). The LDP was adopted by the Council on 27th January 2016 and forms the basis for decisions on land use planning in the County Borough up to 2026. This Supplementary Planning Guidance (SPG) has been prepared following a public consultation exercise that was undertaken in the Summer of 2016 and the guidance was adopted by the Council's Economic and community Regeneration Cabinet Board on 28th October 2016.
- 5.4.3 While only policies in the LDP have special status in the determination of planning applications, the SPG will be taken into account as a material consideration in the decision-making process.

Replacement Local Development Plan

- 5.4.4 Neath Port Talbot County Borough Council are in the early stages of preparing a Replacement Local Development Plan. The Draft Delivery Agreement for the Replacement Plan was published for consultation between August and September 2021. The final Delivery Agreement is expected to be submitted to the Welsh Government for approval in December 2021.

5.5 CONCLUSION

- 5.5.1 The proposed development is in accordance with the Local Development Plan, National Planning Policies and material considerations. The proposal seeks to revise the restoration profile of Tip 890 to facilitate safe early closure of the tipping operation.



6. CONCLUSION

6.1 INTRODUCTION

- 6.1.1 This Planning Statement describes a proposal by FCC to revise the restoration profile of Tip 890 to facilitate safe early closure of the tipping operation.

6.2 SUMMARY

- 6.2.1 The planning consent that allowed the restoration of Tip 890 expired on 30th September 2018. An application to vary conditions (reference P2018/0512) to allow an extension of time and revised restoration profile to Tip 890, that reduced the remaining site void from that consented, was submitted to Neath Port Talbot County Borough Council in 2018 but was refused at planning committee, against officer recommendation for approval, in December 2020 on alleged odour nuisance grounds.
- 6.2.2 A separate planning application (reference P2018/0511) was submitted in 2018 to vary the conditions of planning permission P2014/0693 to extend the period to complete restoration of Tip 871 and amend the restoration profile. To date, the Welsh Government have issued a decision on a call-in request in which it is not considered that the application should be called in for determination by the Welsh Ministers and this application was still awaiting a decision by the local planning authority.
- 6.2.3 As the consent that covered Tip 890 has expired, FCC are seeking to submit a new planning application to allow a revised restoration profile in order to safely close the landfill operation. In comparison to the previously consented scheme, this will result in:
- Revised restoration contours (covering a reduced area than previously consented) to complete the restoration of Tip 890 by constructing a sidewall extension to the operational cell 4 and not developing the previously consented cell 5;
 - Localised re-profiling of cells 3 and 4;
 - A reduction in void space from that previously consented;
 - An amended scheme of surface water management to account for the revised restoration profile;
 - Amended phasing scheme; and
 - Amended scheme of landscaping.

6.3 ENVIRONMENTAL EFFECTS

- 6.3.1 Chapter 4 of this Planning Statement provides a summary of the conclusions from the Environmental Statement in terms of the potential environmental effects of the proposed development upon the application site and immediate environment and identified receptors.
- 6.3.2 The proposals comprise minor revisions to the previously consented restoration scheme for the site. This planning application has identified that the revisions to the restoration profile of Tip 890 will not lead to significant adverse impacts either locally or upon the wider area. Furthermore, the environmental statement demonstrates that the proposed works can be carried out within acceptable environmental limits.

6.4 PLANNING POLICY

- 6.4.1 The proposal seeks to revise the restoration profile of Tip 890 to facilitate closure of the tipping operation in a safe and environmentally responsible manner. The proposal has considered in the context of national and local policies and is considered to be in accordance.

