

DINAS A SIR ABERTAW

HYSBYSIAD O GYFARFOD

Fe'ch gwahoddir i gyfarfod

PWYLLGOR CYNLLUNIO

Lleoliad: Siambr y Cyngor, Neuadd y Ddinas, Abertawe

Dyddiad: Dydd Mawrth, 3 Mawrth 2015

Amser: 2.30 pm

AGENDA

Rhif y Dudalen

- 1 Ymddiheuriadau am absenoldeb.
- 2 Datgeliadau o fuddiannau personol a rhagfarnol. 1 - 2
- 3 Cais Cynllunio Rhif 2014/1982 - Newid defnydd o Ddosbarth B8 (Storio a Dosbarthu) i Weithred Ailgylchu Gwydr (Dosbarth B2 - Diwydiant Cyffredinol) gyda stordy cysylltiedig (Dosbarth B8) ar dir wrth Heol Roberts, Doc y Brenin, Abertawe 3 - 14



Patrick Arran

Pennaeth Gwasanaethau Cyfreithiol, Democrataidd a Chaffael

24 Chwefror 2015

Cyswllt: Gwasanaethau Democrataidd - 636824

Disclosures of Interest

To receive Disclosures of Interest from Councillors and Officers

Councillors

Councillors Interests are made in accordance with the provisions of the Code of Conduct adopted by the City and County of Swansea. You must disclose orally to the meeting the existence and nature of that interest.

NOTE: You are requested to identify the Agenda Item / Minute No. / Planning Application No. and Subject Matter to which that interest relates and to enter all declared interests on the sheet provided for that purpose at the meeting.

1. If you have a **Personal Interest** as set out in **Paragraph 10** of the Code, you **MAY STAY, SPEAK AND VOTE** unless it is also a Prejudicial Interest.
2. If you have a Personal Interest which is also a **Prejudicial Interest** as set out in **Paragraph 12** of the Code, then subject to point 3 below, you **MUST WITHDRAW** from the meeting (unless you have obtained a dispensation from the Authority's Standards Committee)
3. Where you have a Prejudicial Interest you may attend the meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, **provided** that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise. In such a case, you **must withdraw from the meeting immediately after the period for making representations, answering questions, or giving evidence relating to the business has ended**, and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration (**Paragraph 14** of the Code).
4. Where you have agreement from the Monitoring Officer that the information relating to your Personal Interest is **sensitive information**, as set out in **Paragraph 16** of the Code of Conduct, your obligation to disclose such information is replaced with an obligation to disclose the existence of a personal interest and to confirm that the Monitoring Officer has agreed that the nature of such personal interest is sensitive information.
5. If you are relying on a **grant of a dispensation** by the Standards Committee, you must, before the matter is under consideration:
 - i) Disclose orally both the interest concerned and the existence of the dispensation; and
 - ii) Before or immediately after the close of the meeting give written notification to the Authority containing:

- a) Details of the prejudicial interest;
- b) Details of the business to which the prejudicial interest relates;
- c) Details of, and the date on which, the dispensation was granted; and
- d) Your signature

Officers

Financial Interests

1. If an Officer has a financial interest in any matter which arises for decision at any meeting to which the Officer is reporting or at which the Officer is in attendance involving any member of the Council and /or any third party the Officer shall declare an interest in that matter and take no part in the consideration or determination of the matter and shall withdraw from the meeting while that matter is considered. Any such declaration made in a meeting of a constitutional body shall be recorded in the minutes of that meeting. No Officer shall make a report to a meeting for a decision to be made on any matter in which s/he has a financial interest.
2. A "financial interest" is defined as any interest affecting the financial position of the Officer, either to his/her benefit or to his/her detriment. It also includes an interest on the same basis for any member of the Officers family or a close friend and any company firm or business from which an Officer or a member of his/her family receives any remuneration. There is no financial interest for an Officer where a decision on a report affects all of the Officers of the Council or all of the officers in a Department or Service.

CITY AND COUNTY OF SWANSEA
DINAS A SIR ABERTAWE

Report of the Head of Economic Regeneration & Planning
to Chair and Members of Planning Committee

DATE: 3RD MARCH 2015

<p>Bay Area Team Leader: Richard Jones - 635735</p>	<p>Area 1 Team Leader: Ian Davies - 635714</p>	<p>Area 2 Team Leader: Chris Healey - 637424</p>
<p>Castle Landore Mayals Oystermouth St Thomas Sketty Uplands West Cross</p>	<p>Bonymaen Clydach Cockett Cwmbwrla Gorseinon Llangyfelach Llansamlet Mawr Morryston Mynyddbach Penderry Penllergaer Penyrheol Pontarddulais Townhill</p>	<p>Bishopston Dunvant Fairwood Gower Gowerton Killay North Killay South Kingsbridge Lower Loughor Newton Penclawdd Pennard Upper Loughor</p>

Members are asked to contact the relevant team leader for the ward in which the application site is located, should they wish to have submitted plans and other images of any of the applications on this agenda displayed at the Committee meeting.



TWO STAGE VOTING

Where Members vote against officer recommendation, a two stage vote will apply. This is to ensure clarity and probity in decision making and to make decisions less vulnerable to legal challenge or awards of costs against the Council.

The first vote is taken on the officer recommendation.

Where the officer recommendation is for “approval” and Members resolve not to accept this recommendation, reasons for refusal should then be formulated and confirmed by means of a second vote.

The application will not be deemed to be refused unless and until reasons for refusal have been recorded and approved by Members. The reason(s) have to be lawful in planning terms. Officers will advise specifically on the lawfulness or otherwise of reasons and also the implications for the Council for possible costs against the Council in the event of an appeal and will recommend deferral in the event that there is a danger that the Council would be acting unreasonably in refusing the application.

Where the officer recommendation is for “refusal” and Members resolve not to accept this recommendation, appropriate conditions should then be debated and confirmed by means of a second vote. For reasons of probity, Member should also confirm reasons for approval which should also be lawful in planning terms. Officers will advise accordingly but will recommend deferral if more time is required to consider what conditions/obligations are required or if he/she considers a site visit should be held. If the application departs from the adopted development plan it (other than a number of policies listed on pages 89 and 90 of the Constitution) will need to be reported to Planning Committee and this report will include any appropriate conditions/obligations.

The application will not be deemed to be approved unless and until suitable conditions have been recorded and confirmed by means of a second vote.

Where Members are unable to reach agreement on reasons for refusal or appropriate conditions as detailed above, Members should resolve to defer the application for further consultation and receipt of appropriate planning and legal advice.

CONTENTS

ITEM	APP. NO.	SITE LOCATION	OFFICER REC.
1	2014/1982	Land at Roberts Road, Kings Dock, Swansea, SA1 1QR	APPROVE

ITEM 1

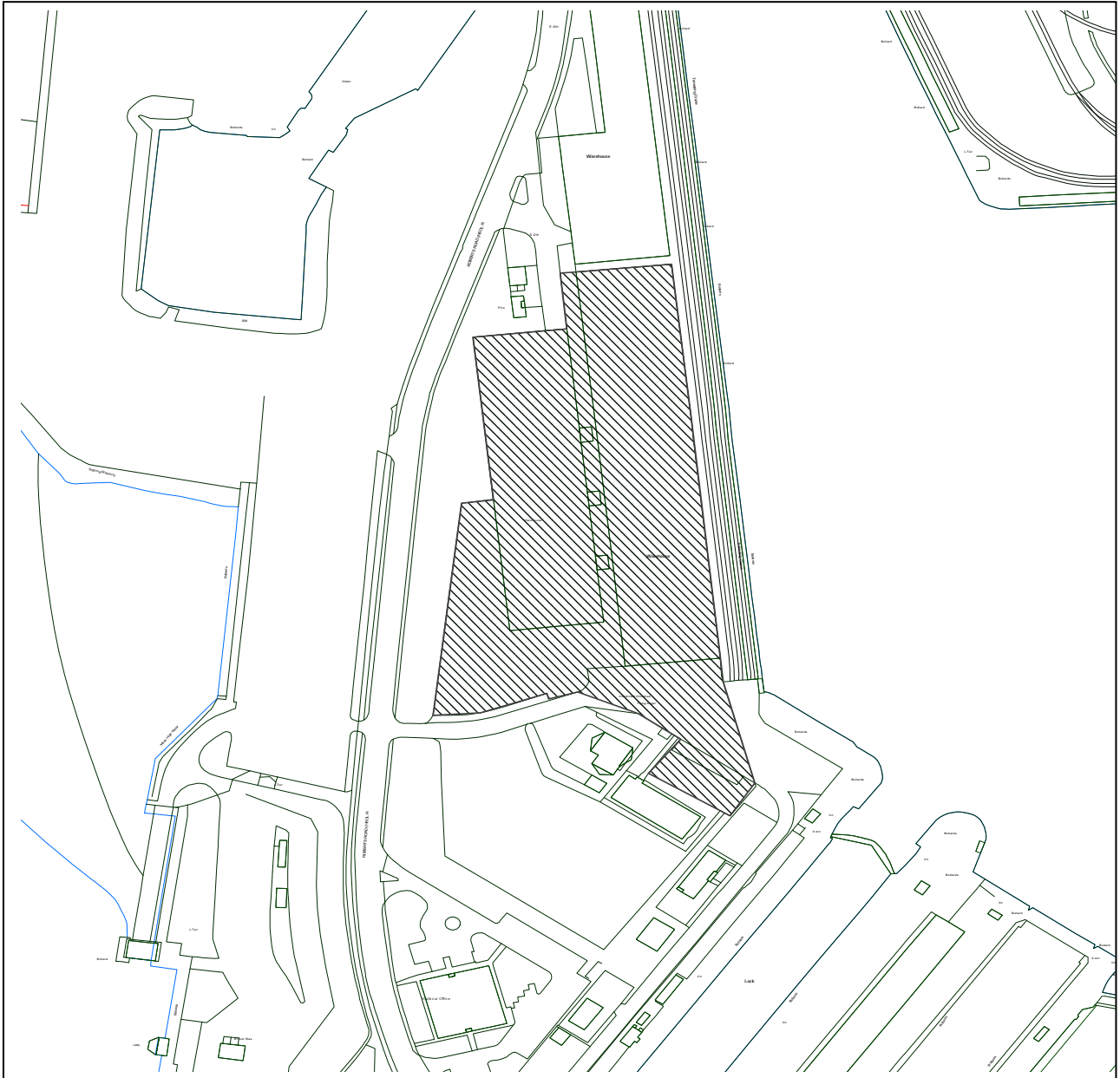
APPLICATION NO. 2014/1982

WARD: St Thomas
Area 1

Location: Land at Roberts Road, Kings Dock, Swansea SA1 1QR

Proposal: Change of use from Class B8 (Storage and Distribution) to a Glass Recycling Operation (Class B2 - General Industrial) with associated storage (Class B8).

Applicant: Glass Tech Recycling Ltd



NOT TO SCALE

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BACKGROUND INFORMATIONa. Relevant Planning Policies**Swansea Unitary Development Plan**

- EV40 Development proposals will not be permitted that would cause or result in significant harm to health, local amenity, natural heritage, the historic environment or landscape character because of significant levels of air, noise or light pollution.
- EC1 Employment land allocated at SA1 (Strategic Mixed Use Site) to meet the growth needs of the local economy
- AS12 Development proposals that enhance the viability of the port, extend the use of the ferry terminal facilities and increase employment and business opportunities will be permitted provided that such proposals are compatible with adjacent development areas, communities, environment schemes, and safeguard the potential can route corridor.
- R12 Proposals for the development of waste management facilities

b. Relevant Planning History

- 2002/1866 Construction of two storey office block (Class B1) and provision of 28 space car park
Planning Permission April, 2003
- 2005/2077 Single storey office building with associated car parking and landscaping
Planning Permission March, 2006
- 2014/1978 Installation of low profile solar PV system onto the existing roof
Currently being considered

c. Response to Consultations

The application was advertised on site and in the local press. No response.

Natural Resources Wales – offer no objection to the proposal but make the following comments.

Flood Risk

The site is located within zone C2 as defined by the development advice maps referred to under TAN15. Development and Flood Risk (July 2014). Our Flood Map information, which is updated on a quarterly basis, indicates the site to be at risk of flooding in the 1% flood event.

We note that the proposal is for a change of use from storage distribution to glass recycling centre, which will remain classed as less vulnerable development according to TAN15.

Given that this is an existing building and there is no change in vulnerability, we do not consider a FCA is required in this instance. However, the developer should be made aware of the potential flood risks, and be advised to install flood-proofing measures as part of the development. We also advise that a flood management plan for the site is submitted to, and approved by your Authority to ensure that should a flood event occur the can be safely evacuated.

Surface Water Drainage

Should there be any opportunity to implement Sustainable Urban Drainage (SUDS), at the site, then we recommend that it should be taken.

The use of SUDS is advocated by current planning guidance PPW and TAN 15 (July 2004). Paragraph 8.2 of TAN15 states that 'Suds can perform an important role in managing run-off from a site and should be implemented wherever they will be effective on all new development proposals irrespective of the zone in which they are located'.

SUDS are an approach to managing surface water run-off which seek to mimic natural drainage systems, retaining on or near the site as opposed to piping water off-site as quickly as possible.

Swansea Bay Port Health Authority

At a meeting of the Swansea Bay Port Health Authority on Friday 30th January, members resolved to object to the above application on the grounds that the proposed use at 'A' Shed & 'A' Shed extension would have a detrimental impact upon the environment.

Should the City & County be mindful, however, to allow the change of use, Members of this Authority further resolved that the following conditions are attached to the consent:

1. To minimise noise emission.
 - Suitable alterations to the buildings are made to include sound proofing of the structure.
 - There shall be no handling of products outside the building, other than the loading vessels.
 - That delivery vehicles discharge or load products within the building and that the doors are closed before any discharge or loading operation is undertaken.
 - That export products are loaded into vessels by means of covered conveyor.

2. To prevent emission to air, and dock waters
- That any product residue outside the premises following reception of materials, or from loading the finished product to vessels for export, or to vehicles for domestic distribution, is immediately cleared.
 - There shall be no handling of shredded uPVC, or waste paper outside the building.
 - That vehicles used for transporting shredded UPVC product or waste paper are enclosed or suitably covered before exiting the building.
 - That suitable facilities are installed to receive excess waste wash water used in the process to include recovery of solid material.
 - Installation of store facilities for waste paper material arising from the container glass prior to its disposal or recycling.
 - Protection of the shed walls from damage by vehicles or stored products.
 - Prevention of waste water arising from the washing processes entering the dock.

Head of Housing and Public Protection

Following a site visit to the existing Glass Recycling operation at Glass Tech Recycling, Skewen and visits to the proposed site at Land at Roberts Road, Kings Dock, Swansea, SA1 1QR I would like to add the following condition to the planning application: -

- To agree a suitable internal layout within the two buildings to accommodate noise attenuation with details of exits, bays and associated plant and machinery.

Highway Observations – This proposal is for the change of use of a former timber supply merchant to a recycling centre. The site is located at Kings Dock and is accessed from Roberts Road.

The applicant has submitted a transport statement in support of the application which compares the traffic movements that would have been generated by the existing use, against that which is predicted to be generated with the use applied for. The results of the assessment indicate that traffic movements are expected to be up to 99 movements per day which is 70% less than those previously associated with the site under its authorised use. On that basis therefore, it is unlikely that any traffic volume issues would arise. It is noted also, that there is intention to transport some waste by sea, which necessitates the location of the premises in the docks area.

The site itself is large enough and has been in use for industrial purposes, therefore is capable of accommodating the lorry movements associated with the proposed use. Adequate parking is being provided with sufficient room internally to increase provision should demand require.

Conclusions

The assessment of the traffic movements associated with the recycling use applied for, indicate that traffic movements are likely to be considerably lower than those associated with the previous use and will not have any detrimental effect on local highway conditions. Adequate parking and operational space is available within the site and on balance therefore I recommend that no highway objections are raised

APPRAISAL:

The proposal is for the change of use of the former Plywood Timber Yard, King's Dock, from a Class B8 (Storage and Distribution) to a Glass Recycling Operation (Class B2 - General Industrial) with associated storage (Class B8). The facility will be occupied by Glass Tech Recycling Ltd. who currently operates a similar facility in Llandarcy.

The site consists of two warehouse buildings with a combined floorspace of 11,465 sq m and a smaller detached office building (395 sq m). It is proposed that the larger of the two buildings which has a floorspace of 6,650 sqm will be used to process uPVC and the storage of the finished stock whilst the smaller of the two buildings with a floorspace of 4,869 sqm will be used to process container glass and plate glass.

Glass Tech has applied for an Environmental Permit to enable the site to process up to 350,000 tonnes of material per annum, although the facility is likely to process far less material than this. It is indicated that the processes within the site would ultimately operate 24 hours a day 7 days a week (although this will largely depend on the quantities of recyclable materials becoming available). Vehicular access will be obtained from ABP's existing operational port access from Baldwin's Crescent, via Roberts Road.

It is indicated that Glass Tech are the Welsh glass recycling company and currently employ 13 people at their site in Llandarcy. The operation involves the recycling of flat glass (e.g. windows) and container glass, (e.g. bottles & jars).

Flat Glass

Glass Tech deposit skips on site at window manufacturers and double glazing companies. The window manufacturers deposit the off cuts of glass into the skips and the double glazing companies deposit the windows they have replaced into the skips. When the skips are full, they are collected, and the glass is then emptied on site, cleaned, screened, crushed and graded. The recycled glass is then delivered via powder tanker to Glass Tech's customer in Cwmbrian and used as a raw material in loft insulation. It is indicated that there is no waste from this process as all surplus glass is exported to Portugal.

The separated uPVC would be fed into a granulator and bagged and stored prior to collection by extrusion companies.

Container Glass

Container glass is collected in bulk from Local Authorities, screened, crushed and graded into a sand replacement aggregate used in the construction industry for cable laying, back fill, pipe bedding, paths, patios and driveways.

It is indicated that Glass Tech need to relocate from their current site in Llandarcy because it is an open air site, has no commercial electricity supply, and have operational hour restrictions due to residential neighbours and it is likely that the site will need to be reclaimed by the landlord because the Coed Darcy development will extend sometime in the future. The relocation to this proposed site will allow the operation to take place within an enclosed site with a commercial electricity capacity, and it is intended to purchase a new processing line for the container glass production, manufacturing a high quality, high value product suitable for the re-melt industry. This new product will be sold within the UK and exported to Europe via ship, hence the need for a quay side site.

The larger warehouse building nearest the quay side will be used for storing finished stock ready for shipping and processing uPVC. The smaller building will be used for processing the both kinds of glass. It is indicated that processing lines will be electrically powered which will help to minimise noise, whilst all material, raw stock and finished stock will be tipped and stored inside the buildings. The main traffic movements will be in the normal working day as the majority of their suppliers do not operate outside of normal business hours. There will be no tipping or storage of materials externally, the only items to be stored outside will be spare skips together with the parking of lorries.

The intention is to operate for 24 hours, 7 days per week, although the business plan is based on operating 5 days per week, 8 hours per day, and it is hoped that under full production, an additional 30 people will be employed. It is stated that Glass Tech will be the only company within the UK and Europe with the ability to clean the glass to such a high quality.

The main issues for consideration relate to the proposed environmental impact of the proposed development having regard to noise and pollution and the related transportation impacts. There are considered to be no additional issues arising from the provisions of the Human Rights Act

In terms of compliance with Development Plan policy, being located within the operational Port of Swansea, the proposal falls to be considered against the requirements of UDP Policy AS12 which states that development proposals that enhance the viability of the port, extend the use of the ferry terminal facilities and increase employment and business opportunities will be permitted provided that such proposals are compatible with adjacent development areas, communities, environmental enhancement schemes and safeguard the potential canal route corridor.

This policy is cross referenced to Policy EC1 which allocates land at locations, which include the dock area, to meet the growth needs of the local economy. The amplification to this policy states that the operational port provides opportunity for B1, B2 and B8 uses. The proposed development would fall within Class B2 / B8. It is not considered that the proposal taken as a whole would amount to a port related industry and as such would not specifically enhance the viability of the port, although it is proposed to export some of the recycled glass by ship. Therefore, the proposal would be considered to accord with the aspirations of UDP Policy AS12 in land use terms.

UDP Policy R12 is also relevant to the determination of this application. It states that proposals for the development of waste management facilities involving the transfer, treatment, re-use, recycling, in-vessel composting, energy recovery from waste or open composting in farm locations will be assessed against regional and local requirements. Proposals will be permitted within areas designated for B2 industrial use or having the benefit of lawful B2 use provided that there are no significant adverse effects in relation to:

- (i) Scale and location,
- (ii) Public safety,
- (iii) Amenity,
- (iv) Transportation,
- (v) Visual impact,
- (vi) Natural heritage and the historic environment, including water quantity and quality and air pollution,

- (vii) The type, quality and source of waste, and
- (viii) Relationship to adjoining land uses.

Firstly, with regards to scale and location, as detailed above, the site falls within the operational Port of Swansea on a wharf fronting onto the water body of the Kings Dock. The existing warehouse buildings on the site provide a total of 11,465 sqm of floorspace. The scale of the development is compatible to that of the surrounding port related activities and is also therefore appropriately located and is not considered that the proposal raises any unacceptable concerns relating to public safety.

The proposed operations would take place entirely within the existing buildings (except the external parking of vehicles) and therefore in visual impact terms, would raise minimal concerns. An appropriately worded condition is recommended to prohibit the external storage of waste or recycled materials.

In terms of amenity, the development is approximately 270m from the existing residential development on King's Road within the SA1 Swansea Waterfront development and approximately 150 metres at the nearest point to the SA1 development, which is currently designated for housing in the approved Masterplan. As indicated, the proposed operations are proposed to take place within the existing buildings and therefore would not impact on the outlook for the occupiers of those properties, albeit within the context/backdrop of an existing operational port.

The recycling of glass is an inherently noisy operation and there is potential for noise to have an unacceptable impact on the amenities of the surrounding area. However, all tipping, processing and storage of glass will take place within the existing buildings. It is noted that Swansea Bay Port Health Authority have objected to the proposal on the grounds of having a detrimental impact upon the environment but this is caveated with potential conditions to a permission to minimise noise and air emissions. The Head of Housing and Public Protection has visited the existing operation in Llandarcy and the proposed site at Kings Dock and has raised no objections subject to a planning condition being imposed to agree a suitable internal layout within the two buildings to accommodate noise attenuation with details of exits, bays and associated plant and machinery. This could take the form of a detailed site operational plan to control the internal layout plan and the siting of all plant and machinery in order to minimise noise generation, and the control of external entrances during tipping operations of waste materials. Accordingly, it is considered that the proposal would not conflict with UDP Policy EV40 (levels of air, noise or light pollution) or UDP Policy R12(vi).

With regards to the final criteria of Policy R12, as discussed above, the relationship with adjoining dockland uses is considered acceptable.

In conclusion, on the above basis it is not considered that the proposal would conflict with part of the requirements of aforementioned Policy AS12 which seeks to ensure that development proposals are compatible with adjacent development areas, communities and environmental enhancement schemes, and in overall terms, the proposal accords with both the principles and criteria of UDP Policy R12. Additionally, the Port Tawe and Swansea Docks Supplementary Planning Guidance envisages the ongoing commercial dock activity to continue for the Kings and Queens Dock. It is not considered therefore that the proposal would conflict with adopted Supplementary Planning Guidance for this area.

Transportation

As indicated above, vehicular access will be obtained from ABP's existing operational port access from Baldwin's Crescent, via Roberts Road. The applicant has submitted a transport statement (TS) in support of the application which compares the traffic movements that would have been generated by the existing lawful Class B8 use, against the predicted traffic generation from the proposed use. The results of the TS indicate that traffic movements are expected to be up to 99 movements per day which is 70% less than those previously associated with the site under its authorised use. The assessment of the traffic movements associated with the recycling use applied for, therefore indicate that traffic movements are likely to be considerably lower than those associated with the previous use and the Head of Transportation and Highways considers that the proposal will not have any detrimental effect on local highway conditions.

The site will operate with a fleet of 7 vehicles including 5 HGV'S and 2 LGV's, and in addition to these vehicles, it is proposed to provide 24 car parking spaces, although there is additional space available within the curtilage of the site. The site is therefore large enough to accommodate the proposed industrial use, and is capable of accommodating the lorry movements. Adequate parking is being provided with sufficient room internally to increase provision should demand require. The Head of Transportation and Highways accordingly raises no highway objections.

Conclusion

In conclusion, having regard to all material considerations, including the Human Rights Act, the proposal represents a satisfactory form of development which would not prejudice the long term aspirations of relevant UDP Policies AS12 and EC1 and the adopted SPG. Approval is therefore recommended.

RECOMMENDATION:**APPROVE, subject to the following conditions:**

- 1 The development hereby permitted shall begin not later than five years from the date of this decision.
Reason: To comply with the provisions 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: [Site Location Plan, Access Statement, Site Operating Plan, Supporting Information, Transport Statement].

Reason: To define the extent of the permission granted.

3 Prior to the commencement of the use, a detailed site operation plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- i) An internal layout plan indicating the siting of all plant and machinery;
- ii) Control of external entrances to ensure that they are closed during tipping operations of waste materials and closed for as long as practically possible during any other significant noise generating activity ; and
- iii) Noise attenuation measures, including precise timescales for their implementation.

The development shall operate in accordance with the approved operational plan.
Reason: To ensure that the development hereby approved does not result in unacceptable levels of noise transmission to neighbouring premises and / or the surrounding area.

4 No recyclable materials, waste, refuse or any other item shall be tipped, stacked or stored outside any building on the site.

Reason: In the interests of visual amenity.

5 The premises shall be used for the purposes of Class B8 (storage or distribution) and glass and associated uPVC recycling and for no other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.

Reason: The development hereby approved is such that the Council wish to retain control over any future development being permitted in order to ensure that a satisfactory form of development is achieved at all times.

6 The development shall operate in accordance with a flood management plan to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the consequences of flooding can be acceptably managed.

INFORMATIVES

1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: (UDP Policies EV40, EC1, AS12 & R12)

PLANS

Site location plan, site operation plan received 22nd December 2014.