



Biffa Waste Services Ltd

Planning Statement

**Proposed Small Scale Energy Recovery
Facility, Clarion Close, Swansea**



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Checked by:	Sarah Butterfield	Signed:	
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EXECUTIVE SUMMARY

WYG have been retained by Biffa Waste Services Ltd to submit a Planning Application for a small-scale energy recovery facility on land at Swansea Depot, Clarion Close, Morriston, Swansea within the administrative boundary of the City and County of Swansea.

Biffa Waste Services Ltd operates an existing waste management and transport depot at Clarion Close, Swansea. The depot is located within the Swansea Enterprise Park circa 5kms to the north-east of Swansea City Centre and comprises site offices, maintenance building, a large unused storage building and on-site parking for the company's fleet of waste collection vehicles. The storage building is not used as part of the depot operations and is therefore currently surplus to requirements. The existing facility employs circa 40 members of staff and supports a fleet of approximately 15 vehicles.

The proposed small-scale energy recovery facility will bring forward waste treatment facilities to deal with 21,000 tonnes of trade waste, currently collected by Biffa Waste Services Ltd from existing commercial customers in the Swansea area, which is currently transported out of the Local Authority area for disposal via landfill. Accordingly, the proposed development represents the management of waste further up the 'Waste Hierarchy' than present and accords with the Welsh Assembly Government's long-term aim, as set out in 'Towards Zero Waste' and TAN 21, of eliminating landfilling as far as possible.

The Site is located within an established industrial area where new waste management facilities, including energy recovery from waste, will be permitted subject to the proposals not resulting in significant adverse effects. The proposed thermal treatment activities will be undertaken within a building and will be the subject of a Part B Environmental Permit granted and regulated by Swansea Council.

The proposals represent an investment of circa £5 million by Biffa Waste Services Ltd in the existing facility at Clarion Close in order to complement the existing services offered at the Site and thus secure/retain these existing jobs in the longer term. The proposed facility will create 15 new full-time employment opportunities and it is estimated that a minimum direct investment of £1 million will be injected into the local economy of Swansea by the proposals.

The proposed development will generate 0.4 megawatts of renewable energy in the form of electricity, which will be exported to the National Grid and low-level heat. The location of the proposed facility in an industrial area means that the opportunity is available in the local area for surplus heat to be utilised by commercial premises on the Swansea Enterprise Park.



No renewable energy or heat supply facility is available on the Enterprise Park or the wider Swansea area. The development of a renewable energy facility at Clarion Close offers the opportunity for existing industrial and commercial uses on the wider Enterprise Park to benefit from the use of surplus heat available from a local source.

Moreover, the presence of an 'on-site' energy and heat supply facility will increase the attractiveness of Enterprise Park for new users with heat requirements, or the redevelopment of existing premises wishing to take advantage of this local supply in order to reduce energy costs and meet wider sustainability objectives. The proposals fully accord with the wider employment objectives and provide opportunities for future regeneration initiatives at the Swansea Enterprise Park.

No existing residual waste management facilities exist in the Swansea Council area and only two large scale facilities exist in the South West Wales Region. The need for new residual waste treatment facilities in Swansea is established.

The proposals have been designed to cater for the treatment of the quantum of waste currently collected by the Biffa Waste Services Ltd from local businesses in the Swansea area. The scale of the proposals is appropriate for the local area and represents an important contribution to Swansea by providing part of a network of facilities for the management of Commercial and Industrial Waste that can meet the needs of the local area. The facility will also contribute to ensuring the City and County area is 'self-sufficient' in terms of resource management.

The proposals have been the subject of a detailed Environmental Impact Assessment which confirms that the energy recovery facility will not result in any significant adverse effect on the Environment.

The proposed development is acceptable in environmental terms and accords with the policies and objectives of the relevant development plan policies, Welsh Assembly Government policies and strategies together with other material considerations.

Overall the proposed development will bring forward a modern waste management facility in an environmentally acceptable manner that accords with the policies and objectives of the relevant development plan and other material considerations. As such, Swansea Council is respectfully requested to approve this application.



1.0 INTRODUCTION

1.1 Application Overview

- 1.1.1 WYG have been retained by Biffa Waste Services Ltd (the 'Applicant' hereafter) to submit a Planning Application (the 'Application' hereafter) for a small-scale energy recovery facility on land at Swansea Depot, Clarion Close, Morriston, Swansea within the administrative boundary of the City and County of Swansea (the Site).
- 1.1.2 The Applicant operates an existing waste management and transport depot at Clarion Close, Swansea. The depot is located within the Clarion Close industrial estate circa 5kms to the north-east of Swansea City Centre and comprises site offices, maintenance building, a large unused storage building and on-site parking for the company's fleet of waste collection vehicles. The storage building is not used as part of the depot operations and is surplus to requirements.
- 1.1.3 The existing depot is Biffa's 'hub' for waste collection services for Swansea and the surrounding area employing circa 40 members of staff and with a fleet of approximately 15 vehicles. The existing operations comprise the collection and transfer of trade waste from existing commercial customers in the Swansea area, this waste is then bulked up at the local Swansea Council depot (Ferryboat close, Swansea Enterprise Park) and transported to Trecatti Landfill at Merthyr Tydfil.
- 1.1.4 The Planning Application seeks the development of a small-scale energy recovery facility, located within the surplus storage building, to complement the existing operations at the depot by treating the collected trade waste, currently transferred to landfill, in a more sustainable and beneficial manner.
- 1.1.5 The proposed development will contribute to retaining the existing work force on the Site and provide enhanced economic and environmental benefits in terms of new direct and indirect employment opportunities, investment in local waste management facilities in Swansea and the provision of 0.4 megawatts of renewable energy.



1.2 Background to the Application

- 1.2.1 The Site comprises 1.3 hectares of previously developed land located on Clarion Close within the built-up area of Swansea. The land was developed for industrial and commercial purposes associated with the Swansea Enterprise Park in the early 1980's. The development works included the infilling of an unknown stream and the diversion, approximately 20m eastwards, of the Nant-y-Fendrod stream. The Site was originally occupied by Pickfords with the Biffa depot operations commencing in 2003.
- 1.2.2 The proposals comprise the development of a small-scale energy recovery facility within the extant surplus storage building located on the depot site. The proposed facility will comprise the recovery of metals from imported waste with the residual material used to produce energy via advanced thermal 'incineration' treatment. The thermal treatment process will produce heat and electricity capable of being exported from the Site. The proposals provide a method of recovering value from the wastes already being collected by Biffa from industrial and commercial premises in the Swansea area, that are currently being disposed to landfill. The facility will result in a 90% diversion rate and a sustainable alternative to fossil fuels/primary resources. The proposed facility will therefore assist climate change mitigation and contribute to meeting national energy targets.
- 1.2.3 The proposed facility will treat up to 21,000 tonnes per annum of commercial and trade waste currently collected by Biffa. The facility will be for the sole use of Biffa and utilise the company's existing fleet of collection vehicles based at the Clarion Close depot. Consequently, the facility will not significantly increase HGV movements associated with the existing depot. Moreover, the facility will reduce the daily HGV movements between the Swansea Council transfer station and Trecatti Landfill at Merthyr Tydfil where the waste is currently exported. The proposals will result in a small number of HGV movements to landfill in respect of the disposal of ash, but this is estimated to be an average of 1-2 HGVs per week.
- 1.2.4 Collected waste brought to the facility, once weighed, will be transferred to the reception area located within the proposed treatment building. The waste will be visually inspected before being shredded and then passed through a magnet and eddy current separator to remove recyclable materials. Recyclable materials will be stored within the building before onward transfer for reuse. The pre-



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sorted residual waste will be dried, to reduce the moisture content and thus increase the energy efficiency, before being transferred to the burner.

1.2.5 The key benefits of the small-scale energy recovery facility include:

- The facility will treat 21,000 tonnes of commercial and industrial waste with 90% being diverted away from landfill sites.
- Energy production of circa 0.4 Megawatts of electricity enough to power to more than 800 homes each year.
- Once operational, the creation of approximately 15 permanent jobs and the retention of the existing 40 personnel on the Site.
- The proposal represents an investment of circa £5 million by Biffa - with £1 million representing a direct benefit to the local economy in Swansea.
- A construction period of approximately 1 year and the involve circa 10 jobs related to construction, mechanical, civil and electrical engineering, instrumentation and administration.

1.3 Public Consultation

1.3.1 As part of the preparation of this application, pre-application discussions have been held with the Planning Case Officer (Simon Hughes). The outcome of the discussions with the Planning Authority has informed the scope and content of the planning application submission. Additional discussions and meetings have also been held with other key stakeholders (Environmental Health Department, Highways Authority and Natural Resources Wales) to inform each of the various technical studies that form part of the Environmental Impact Assessment that accompanies the planning submission.

1.3.2 The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 ("the 2016 Order") sets out the requirements to undertake pre-application consultation in respect of all planning applications for 'major' development. Major development is defined in Article 2 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 and includes, at criterion (c)(ii) "*waste development*".

1.3.3 In line with the above requirement the development proposals will be the subject of a formal public consultation exercise commencing on the 22nd June 2018. Comments received during the formal consultation period will be presented in a Pre-application Consultation Report that will accompany the final planning submission.



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- 1.3.4 The applicant is committed to a continuous programme of public engagement. During the evolution of the proposals, the Applicant held discussions with key stakeholders and copies of the application submission are available for inspection at the Site.

1.4 Environmental Impact Assessment

- 1.4.1 Under the 2017 Regulations all applications for planning permission for energy generation likely to give rise to significant environmental effects are required to be accompanied by an Environmental Statement (ES) presenting the results of an Environmental Impact Assessment (EIA). This ensures that significant environmental issues associated with the proposed development are considered as part of the planning application process and taken into account in any decision taken.
- 1.4.2 WYG submitted a formal request for an EIA Screening Opinion to The City and County of Swansea Council (the Local Planning Authority) 21st February 2018 to confirm whether the proposals constituted 'EIA Development' under the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017.
- 1.4.3 The City and County of Swansea Council issued a formal Screening Opinion on the 14th March 2018 confirming that the proposed small-scale energy recovery facility fell within Part 3(a) (Industrial Installations for the production of electricity) and Part 11a (Installation for the disposal of waste) of Schedule 2 of the 2017 Environmental Impact Assessment Regulations. Under the Regulations, development falling into either of these categories will require an EIA to accompany a planning application if the development is likely to have a 'significant effect on the environment'.
- 1.4.4 The Screening Opinion issued by Swansea Council confirms that "*the development would be likely to have significant effects on the environment by virtue of factors including its nature, its proximity to sensitive receptors and its location within a flood zone*". Based on the above the Council concluded that the proposals represented 'EIA development' and must be accompanied by an Environmental Statement. A copy of Swansea Council's formal Screening Opinion is presented at Appendix A.
- 1.4.5 The Screening Opinion issued by Swansea Council provided sufficient detail as to the key topic areas and effects resulting from the proposed development that a formal Scoping Opinion was not sought by the Applicant. A copy of Swansea Council's formal Screening Opinion is presented at Appendix A.



1.5 Design and Access Statement

- 1.5.1 The Town and Country Planning (Development Management Procedure (Wales) (Amendment) Order 2016 requires that a Design and Access Statement (DAS) is prepared to accompany proposals for all 'Major Development' except those for mining operations; waste developments; relaxation or amendment to conditions (section '73' applications) and applications for a material change in use of land or buildings. The proposed development represents 'Waste Development' and thus a DAS is not required.
- 1.5.2 Notwithstanding, the exceptions in the Town and Country Planning (Development Management Procedure (Wales) (Amendment) Order 2016, Design and Access matters associated with these proposals have been considered in the Landscape and Visual Impact Assessment and Transport Statement that form part of the Environmental Statement prepared to accompany this application.

1.6 Planning Submission

- 1.6.1 Taking into account the need for an EIA and the national criteria for the validation of planning applications, the Planning Application submission comprises the following:
- Completed Planning Application Forms and Certificates;
 - Environmental Statement and Appendices WYG Environment Planning Transport Limited; and
 - Plans and drawings prepared by Biffa Waste Services Ltd.
- 1.6.2 In terms of content, the Report is structured as follows:
- **Section 2** – provides a description of the Site and the surrounding area;
 - **Section 3** – describes the proposed development and operation of the proposed small-scale energy recovery facility;
 - **Section 4** – includes a comprehensive review of the relevant Development Plan policies and other material considerations;
 - **Section 5** – provides an assessment of the relevant planning issues;
 - **Section 6** – sets out a summary of the key planning matters and other material considerations.



2.0 SITE CONTEXT

2.1 Site Description and Wider Context

- 2.1.1 The Application Site ('the Site' hereafter) is shown edged red on the Site Location Plan (Drawing No. 6454-P001) and comprises approximately 1.3 hectares of previously developed land at the Swansea Enterprise Park within the built-up area of Swansea. The Site falls within the administrative boundary of Swansea Council.
- 2.1.2 The Site forms part of an existing waste management and transport depot operated by Biffa Waste Services Ltd situated circa 5kms to the north-east of Swansea City Centre and with direct access to the A48, M4 and A4067. The Site is located at the eastern edge of Swansea Enterprise Park which occupies the flat land in the bottom of the Tawe Valley between central Swansea and the M4 to the north. The Enterprise Park consists of large industrial units which are separated by bands of mature trees, which also line many of the roads in the area.
- 2.1.3 The existing depot comprises site offices, maintenance building, a large unused storage building and on-site parking for the company's fleet of waste collection vehicles. The storage building is not used as part of the depot operations and is surplus to requirements. The extent of the depot is shown outlined in blue on drawing Ref: 6454-P001 Rev P0.
- 2.1.4 The depot is accessed from Clarion Close to the south and bounded to the north and west by existing industrial units. The eastern boundary is defined by the Nant y Fendrod, a tributary of the River Tawe, with further industrial units beyond. Nant y Fendrod forms part of the Fendrod Lake and Nant y Fendrod Site of Interest for Nature Conservation (SINC).
- 2.1.5 The closest residential properties are located 165m to the east of the Site and situated on the western edge of Llansamlet. The residential properties are located on higher ground, topped by St. Samlet's Church, a prominent landmark in the surrounding area. The nearest school is located approximately 420m to the east of the Site. The River Tawe is located approximately 750m to the south-west of the Site.
- 2.1.6 The Site of the proposed energy recovery facility is rectangular in shape, flat and consists of hard standing and a surplus storage building located in the eastern portion of the existing overall Biffa depot. There is existing boundary planting located along the eastern and southern boundaries of the Site with the northern and western boundaries undefined. The existing boundary planting will be retained.



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2.1.7 The Site is located within C1 Flood Zone, i.e. land within the floodplain [$>0.1\%$ annual probability of flooding], on the Natural Resource Wales Development Advice Map but is not the subject of any ecological designations or heritage assets.

2.2 Site Planning History

2.2.1 The Site is located within the Swansea Enterprise Park and falls within wider planning applications, dated from the 1970's and 1980's which are associated with the reclamation and development of industrial and warehousing uses.

2.2.2 There is no recent planning history for the Site and the current operations are considered to represent B1, B2 and B8 uses as per the wider Enterprise Park approvals.

2.2.3 Table 1 below summarises the planning history of the Swansea Enterprise Park.

Table 1: Planning History of the Application Site

Application Reference	Development Description	Decision
78/1464/03	INDUSTRIAL PARK COMPRISING LAND RECLAMATION AND REDEVELOPMENT FOR INDUSTRY, WAREHOUSING, BUILDINGS WITH ASSOCIATED YARDS, ROADS, DRAINAGE, LANDSCAPING, LAKE AND FOR RECREATIONAL PURPOSES	Granted 06/03/1979
79/0629/01	INDUSTRY AND ANCILLARY DISTRIBUTION AND WAREHOUSING (USE CLASS III AND IV AND X)	Granted 09/12/1979
84/5015/05	SECTION 53 APPLICATION-GENERAL + LIGHT INDUSTRIAL PROJECTS WHOLESAL + STORAGE WAREHOUSES + RETAILING PROJECTS OF UP TO 45,000 SQUARE FEET	Granted 28/01/1985



3.0 THE PROPOSED DEVELOPMENT

3.1 Introduction

3.1.1 The application proposes the:

"development of small scale energy recovery facility together with external plant and associated structures on land at Biffa Depot, Clarion Close, Swansea".

3.1.2 The proposed facility will manage 21,000 tonnes per annum of commercial and industrial waste (C&I), currently collected by the Applicant from local businesses in Swansea. The facility will recover metals from the collected waste and utilise the residual material as a fuel to generate electricity and heat. The proposals will complement the existing operations at the depot by managing the collected trade waste, currently transferred to landfill, in a more sustainable and beneficial manner.

3.1.3 A detailed description of each of the proposals including changes to the existing building is provided below and should be read in conjunction with the following plans which form part of this application submission:

Number	Title	Details
6454-P001Rev P0	Site Location Plan	1:2500 @ A3
6454-02 Rev P1	Proposed Site Layout	1:250 @ A1
6454-P004	Existing Plan and Elevations	1:100 @ A1
6454-SK101	Proposed Plan	1:100 @ A1
6454-SK102 Rev P2	Proposed Elevations Sheet 1 of 2	1:100 @ A1
6454-SK103 Rev P2	Proposed Elevations Sheet 2 of 2	1:100 @ A1
6454-SK104 Rev P1	Indicative 3D View Sheet 1 of 2	NTS @ A1
6454-SK105 Rev P1	Indicative 3D View Sheet 2 of 2	NTS @ A1



3.2 Site Layout

3.2.1 The proposed layout of the Site is shown on drawing ref: 6454-02 Rev P1.

Process Building

3.2.2 The proposals comprise the development of a small-scale energy recovery facility within the existing surplus storage building located on the eastern part of the existing depot site. The existing storage building is 38m by 30m and has a footprint of 945 sq.m. The height of the building, to ridge, is circa 10m.

3.2.3 In order to accommodate the proposed waste reception, drying and treatment operations within the process building it will be necessary to extend the building northwards onto an area of existing hardstanding by 6m in order to create an additional floor area of 180 sq.m. The building footprint will therefore be increased from 945 sqm to 1,125 sqm. There will be no increase in the height of the building.

External Equipment

3.2.4 The external plant associated with the operation will be limited to the air filtration system, enclosed storage tanks and an emission stack. All external plant, including the stack, will be located on the southern side of the process building. The emission stack will be 25m high.

3.2.5 A new weighbridge will be installed on the Site for the sole purpose of the proposed energy recovery facility. The weighbridge will be located on the northern side of the process building.

HGV access

3.2.6 Employee and visitor access to the facility will continue to utilise the existing depot entrance point on Clarion Close. Car parking will remain to the northern and southern side of the existing office block located on the wider depot Site. Motorcycle spaces and bicycles parking is also available. Pedestrians will be able to access the process building from the car parking areas via a pathway.

3.2.7 The facility will be for the sole use of Biffa Waste Services Ltd and will utilise the company's existing fleet of collection vehicles which are already based at the Clarion Close depot. Consequently, the facility will not significantly increase HGV movements associated with the existing depot. Moreover, the facility will reduce the daily HGV movements between the Swansea Council Bailing Plant, located approximately 700m to the south west of the Site, and the Trecatti Landfill at Merthyr Tydfil where the waste is currently exported for disposal without treatment.



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3.2.8 The proposals will result in a small number of HGV movements to landfill in respect of the disposal of ash but this is estimated to be an average of 1-2HGVs per week.

3.3 Building Elevations/Landscaping

3.3.1 The process building has been designed to accommodate all the materials recovery and fuel preparation activities together with the power plant, boilers, flue gas treatment and ash storage area.

3.3.2 The design for the proposed extension to the building accords with the existing building design. The extension will be of steel construction in a colour to match the existing building façade. No new door openings will be created by this development but in order to provide sufficient air circulation within the building, four new air inlet vents will be created on the eastern elevation of the existing building.

3.3.3 The proposed building elevations are shown on drawing no: 6454 SK102 Rev P2 and 6454 SK103 Rev P2.

3.3.4 The proposals will retain all the existing landscape planting situated on the southern and eastern boundaries of the Site.

3.4 Construction Phase

3.5.1 The Site comprises previously 'made ground' associated with the development of the Swansea Enterprise Park in the early 1980's. Based on the findings of the preliminary ground investigations report, no further remediation of the Site considered necessary.

3.5.2 The proposed construction phase will involve approximately 10 construction jobs and is expected to last approximately 1 year.

3.6 Operational Phase – Treatment of Waste Materials

3.6.1 The proposed facility will operate on a 24-hour basis, although deliveries to the facility will be limited to the following times:

- Monday to Saturday: 0600 – 1700

No deliveries will be undertaken on Sundays and Bank Holidays except with respect to any emergency collection requirements.



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- 3.6.2 In the first instance, waste will be delivered to the facility having been collected by the Applicant's own fleet of vehicles, as is currently the case, within the Swansea area. Upon arrival at the facility, the delivered material will be weighed and recorded. After passing over the weighbridge the material will be delivered to the process building where it will be put into a waste reception bunker in the north of the building.
- 3.6.3 The imported material will then pass through a shredder to reduce the waste to a uniform size and then stored in a separate bunker as a fuel feedstock awaiting treatment. Undesirable materials not required in the thermal treatment process will also be removed, providing a quality control on the feedstock going to thermal treatment.
- 3.6.4 The fuel feedstock will be loaded into a hopper using a loading shovel where it will travel along a conveyor at which point any small pieces of scrap metal will be removed via magnet. The feedstock will then be loaded into a drying chamber. The drying chamber will operate at approximately 120 degrees Celsius thus reducing the moisture content of the feedstock to 30%. The separated recyclable materials will be stored within the building prior to export for re-use at suitable recycling facilities in the local area.
- 3.6.5 The fuel feedstock will be fed into a 'boiler' within the building where it will be heated to temperatures of between 800 degrees Celsius and 1,050 degrees Celsius up to 1,600 degrees Celsius. The resulting steam will then be fed into a condensing turbo-generator to produce approximately 0.4MW of electricity. The electricity will be exported into the National Grid.
- 3.6.6 The process will produce residues in the form of bottom ash, slag and boiler ash, which can be used as a substitute to low grade aggregates, and air pollution control residue (APCr) which will be collected and removed from the Site for disposal by landfill.
- 3.6.7 The process will use proprietary technology which will be subjected to a Part B Environmental Permit issued by Swansea Council and meet the requirements of the Incineration Directive and Industrial Emissions Directive.
- 3.6.8 The treatment process has been the subject of an initial review in respect of the design requirements of the European Waste Framework Directive to confirm that the proposed facility can be considered as a 'recovery' operation rather than a 'disposal' operation. This initial review confirms that the proposed process can be considered a 'recovery' operation.



3.7 Grid Connection

- 3.7.1 A key benefit of the proposed development is the generation of up to 0.4MW of electricity which will be exported to the National Grid. An agreement has been reached with the statutory undertaker (the Distribution Network Operator) to connect the proposed facility to the existing substation on Clarion Close. The substation is located adjacent to the southern boundary of the Site.
- 3.7.2 The connection lines between the site and the substation will be laid underground and within the highway. The connections will be installed by statutory undertakers under Town and Country Planning (General Permitted Development) (Wales) Order 2015.

3.8 Combined Heat and Power (CHP)

- 3.8.1 The utilisation of heat from the electricity generation process, through combined heat and power (CHP) generation, can increase the overall energy efficiency of the proposed energy recovery facility significantly and represents a major environmental benefit. The proposed development has been designed to deliver a combination of electricity into the National Grid and district heating or power should a viable and deliverable solution be forthcoming.
- 3.8.2 The Applicant is committed to maximising the overall energy efficiency of the proposed energy recovery facility and has designed the facility to maximize efficiency above that found in other energy recovery plants of this size and type in the UK.
- 3.8.3 The Applicant has undertaken an assessment of the potential heat users in close proximity to the Site and identified a number of potential non-residential heat users within 1km of the Site.
- 3.8.4 The Applicant is confident that surplus heat from the proposed development can be exported to local companies and users in the vicinity of the Site and that CHP is a viable option on this Site once the facility is established.
- 3.8.5 In general terms the proposed development adheres to the principles of sustainability in terms of the waste management hierarchy, energy management and emissions control and as such can be considered as sustainable development.



4.0 PLANNING POLICY CONTEXT

4.1 Introduction

- 4.1.1 The planning policy framework for the Application Site includes documents at the national and local levels.
- 4.1.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be determined alongside the *"Development Plan, unless there are material considerations which indicate otherwise"*.
- 4.1.3 The statutory development plan for the Site comprises the City and County of Swansea Unitary Development Plan. Welsh Government statements of planning policy and other strategies and guidance are relevant as material considerations.
- 4.1.4 Full details of the relevant development plan policies are presented at Appendix B. This section provides a summary of the development plan policies and their relation to the Application Site and proposed development.

4.2 Local Planning Policy – Statutory Development Plan

City and County of Swansea - Unitary Development Plan (2008)

- 4.2.1 City and County of Swansea - Unitary Development Plan (UDP) was adopted in November 2008 and sets out the vision, objectives and strategy for future development up to 2016. The Application Site is not allocated for alternative use on the Proposals Map that accompanies the UDP.
- 4.2.2 The Site is located within the Swansea Enterprise Park, an established commercial and industrial area that is covered under UDP Policy EC3 of the UDP. Policy EC3 supports improvements and enhancements within such areas.
- 4.2.3 Policy R12 provides general location guidance for new waste development, including *"energy recovery from waste"* coming forward in the UDP area. Policy R12 states that *"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,*



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- (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”.*

4.2.4 Policy R12 goes on to state that “*Proposals should conform to the principles of the waste hierarchy and the proximity principle and demonstrate the Best Practical Environmental Option*”.

4.2.5 The Application Site accords with the general locational guidance for new waste management facilities as it represents an existing industrial Site. Each of the considerations contained in Policy R12 are considered in more detail in Section 5.

4.2.6 In addition to the above policy, the following policies are considered relevant to the proposed development and application site. The policies are presented in full, for ease of reference, at Appendix B:

- **Policy: AS2** (Design and Layout),
- **Policy: AS6** (Parking),
- **Policy: AS10** (Traffic Management and Highway Safety),
- **Policy: EC3** (Established Industrial and Commercial Areas),
- **Policy: EV1** (Design), EV2 (Siting and Location),
- **Policy: EV28** (Sites of Local Importance),
- **Policy: EV33** (Sewage Disposal),
- **Policy: EV35** (Surface Water Runoff),
- **Policy: EV36** (Flooding), and
- **Policy: V40** (Air Noise and Light Pollution)

4.3 National Planning Policy

4.3.1 At the national level, the following national planning policy and strategies are relevant to the planning application:

- Planning Policy for Wales

4.3.2 The relevant parts of the document, in so far as they relate to the Site and the proposed development, are considered in turn below.



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Planning Policy Wales (Edition 9) (2016)

- 4.3.3 Planning Policy Wales (PPW hereafter) sets out the land use planning policies of the Welsh Assembly Government and gives guidance to local authorities in the preparation of development plans and making development control decisions. PPW is supplemented by a range of Technical Advice Notes (TANs hereafter); the ones of relevance to this application are set out below.
- 4.3.4 Chapter 4 of PPW relates to 'Planning for Sustainability' in Wales, and highlights the role of planning in balancing and integrating the principles of:
- Living within environmental limits
 - Ensuring a strong, healthy and just society
 - Achieve a sustainable economy
 - Promoting good governance
 - Using sound science responsibly
- 4.3.5 Section 4.2 of PPW outlines how the planning system is necessary and central to achieving sustainable development in Wales, providing the legislative framework to manage the uses and development of land in the public interest in a way which is consistent with key sustainability principles and key policy objectives.
- 4.3.6 Of particular note, Paragraph 4.2.2 states: *"The planning system provides for a presumption in favour of sustainable development to ensure that social, economic and environmental issues are balanced and integrated, at the same time, by the decision-taker when:*
- *preparing a development plan (see Chapter 2); and*
 - *in taking decisions on individual planning applications (see Chapter 3)."*
- 4.3.7 Section 4.5 of PPW specifies that tackling climate change is a fundamental part of delivering sustainable development. In particular, Paragraph 4.5.7 states: *"Planning to minimise the causes of climate change means taking decisive action to move towards a low carbon economy by proactively reducing the demand for energy, facilitating the delivery of new and more sustainable forms of energy provision at all scales and minimising the emissions of greenhouse gases to the atmosphere".*
- 4.3.8 Chapter 12 of PPW deals with 'Infrastructure and Services', that is with issues of water supply and waste water management, waste management, energy supply from renewable and low carbon sources, and telecommunications.



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- 4.3.9 Section 12.5 of Chapter 12 specifically relates to 'Planning to manage waste'. It states at Paragraph 12.5.1 that: *"The Welsh Government's general policy for waste management is contained in its overarching waste strategy document Towards Zero Waste and associated sector plans⁵. Planning authorities should, in principle, be supportive of facilities which fit with the aspirations of these documents and in doing so reflect the priority order of the waste hierarchy as far as possible"*.
- 4.3.10 Paragraph 12.5.2 outlines that the Welsh Government's general policy towards waste management is based on the principle of the waste hierarchy, namely, reduction, re-use and material recovery (including recycling and composting), energy recovery with effective use of waste heat, and safe disposal. The Paragraph states *"the waste hierarchy provides the key starting point for all types of waste management proposals and consideration of the hierarchy should be set against the wider social, economic and environmental considerations which are relevant in any given case"*.
- 4.3.11 In addition to this, Paragraph 12.5.2 confirms that in Wales there is a currently a *"need for planning authorities to facilitate 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"*.
- 4.3.12 Paragraph 12.5.5 notes that to inform planning decisions it will be important for local planning authorities to *"monitor progress towards the provision of an integrated and adequate network of waste disposal installations and of installations for the recovery of mixed municipal waste and similar wastes from commercial and industrial sectors as well as private households"*.
- 4.3.13 Section 12.7 of Chapter 12 relates to 'Development Management and Waste Planning'. Of particular note is Paragraph 12.7.1, where it states: *"Decisions on waste management proposals should be determined in accordance with the relevant development plan for an area. The extent to which a proposal demonstrates a contribution to the waste management objectives, policy, targets and assessments contained in national waste policy will be a material planning consideration."*
- 4.3.14 Paragraph 12.7.2 goes onto state *"The benefits which can be derived from proposals for waste management facilities as well as the impact of proposals on the amenity of local people and the natural and built environment must be adequately assessed to determine whether a planning application is acceptable, and, if adverse impacts on amenity or the environment cannot be mitigated, planning permission should be refused"*.



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- 4.3.15 In relation to planning conditions attached to planning consents in respect of waste, Paragraph 12.7.4 states: *“Planning authorities, other relevant local authority departments and Natural Resources Wales are expected to work closely together to ensure that conditions attached to planning consents and those attached to Environmental Permits are complementary and do not duplicate one another. However, local planning authorities will need to be satisfied that proposals are capable of effective regulation and Natural Resources Wales should assist in establishing this position. In certain circumstances, where proposals are complex, it will be good practice to encourage the parallel tracking of planning and environmental permitting applications.”*

4.4 Other Material Considerations

Other material considerations – Europe

EC Framework Directive on Waste

- 4.4.1 The EC Framework Directive on Waste came into effect in the UK in July 1999. The Directive highlights the need for the formation of a network of integrated waste facilities to recover materials and energy from waste. This Directive directly formed the catalyst for the production of Waste Strategy 2000 that was revised in 2007 and again in 2013.

EC Landfill Directive

- 4.4.2 The EC Landfill Directive (Council Directive 99/31/EC) of the 26th April 1999 came into effect in the UK in June 2002. The objective of the Directive is to prevent or reduce as far as possible negative effects on the environment from the land filling of waste by introducing stringent technical requirements for waste and landfills via a system of operating permits for landfill sites.
- 4.4.3 The Directive is intended to prevent or reduce the adverse effects of the landfill of waste on the environment, in particular on surface water, groundwater, soil, air and human health.

Other material considerations – Wales

Towards Zero Waste (2010)

- 4.4.4 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.



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4.4.5 Towards Zero Waste sets out a number of aspirations and target in order to meet the overall objective of 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'.
- In achieving zero waste by 2050, a need to reduce waste arisings by around 1.5% of the 2007 baseline each year across all sectors.

4.4.6 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"*
- *"Legacy wastes will be tackled"*

4.4.7 In aiming to phase out residual waste and achieve 'zero waste' the document outlines that this is to be achieved through ensuring that all waste is reused or recycled, and resource obtained from residual waste.

Technical Advice Note 5: Nature Conservation and Planning (2009)

4.4.8 Technical Policy Note 5 (TAN 5) provides advice about how the land use planning system should contribute to protecting and enhancing the biodiversity and geological conservation. The guidance note highlights how local planning authorities, developers and key stakeholders in conservation can work together to deliver more sustainable developments that does not result in losses to the natural heritage but instead takes every opportunity to enhance it.

4.4.9 Section 2 of TAN 5 concerns itself with the key principles of positive planning for nature conservation. Paragraph 2.1, in particular, states: *"The town and country planning system in Wales should...plan to accommodate and reduce the effects of climate change by encouraging development that will reduce damaging emissions and energy consumption and that help habitats and species respond to climate change"*.



Technical Advice Note 11: Noise (1997)

4.4.10 Technical Advice Note 11 (TAN 11) provides advice on how the planning system can be used to minimise the adverse impact of noise without placing unreasonable restrictions on development or adding undue costs and administrative burdens of business. In particular, the TAN 11 places an emphasis on noise generating development, and states at Paragraph 8: *"Local planning authorities must ensure that noise generating development does not cause an unacceptable degree of disturbance. They should also bear in mind that if subsequent intensification or change of use results in greater intrusion, consideration should be given to the use of appropriate conditions"*.

Technical Advice Note 12: Design (2009)

4.4.11 PPW outlines the Assembly Government's land use planning policy in respect of 'Promoting sustainability through good design'; this includes the role of local planning authorities in promoting and delivering good design. As stated in Paragraph 1.6, the purpose of TAN 12 *"is to equip all those involved in the design of development with advice on:*

- *"how 'Promoting sustainability through good design' may be facilitated through the planning system; and*
- *the preparation and validation of mandatory design and access statements"*.

4.4.12 As noted in Paragraph 1.7, TAN 12 does not provide extensive text on good design. Other TANs and guidance cover design issues relevant to specific topics or types of development.

4.4.13 Paragraph 2.2 further expands on the Government's stance with regards to design: *"The Welsh Assembly Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales"*.

4.4.14 With regards to the design of development, Paragraph 2.6 states: *"Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities"*.

Technical Advice Note 15: Development and Flood Risk (2004)

4.4.15 TAN 15 considers flood risk from both river and coastal flooding and additional run-off from development. The TAN makes clear that the Planning Authority must be satisfied that a proposal is justified and that the consequences of flooding are acceptable. Where the risks of, and consequences of, flooding cannot be managed to an acceptable level, then development in these areas shall be avoided.



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- 4.4.16 The TAN contains a series of advice maps that identify three flood advice zones where there are different planning actions. Development should be directed towards flood zones A and B, where the risk of flooding is low. The Natural Resource Wales Flood Advice Maps indicate that the Site is 'Flood Zone C1'.
- 4.4.17 In Flood Zone C, where there is a risk of an extreme flood event, flooding issues should be considered as an integral part of decision making. Development in Flood Zone C is required to satisfy a justification test, including an assessment of consequences.
- 4.4.18 Paragraph 6.2 of the TAN confirms that development will only be justified in Flood Zone C if it can be demonstrated that:
- Its location in Zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or
 - Its location in Zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region; and
 - It concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 2.1); and
 - The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable.
- 4.4.19 Provided the justification test set out above is met, then development Flood Zone C is allowed to proceed on the basis that development will flood and will need to be planned accordingly. Whether a development should proceed or not will depend upon whether the consequences of flooding can be managed down to a level which is acceptable for the nature / type of development being proposed. Only less vulnerable development should be considered in areas of the floodplain without significant flood defence infrastructure, and waste disposal sites are regarded as 'highly vulnerable' development.

Technical Advice Note 21: Waste (2014)

- 4.4.20 Technical Advice Note 21 (TAN 21) provides advice regarding how the land use planning system should contribute to sustainable waste management and resource. The document identifies waste as a vitally important issue in a society striving for sustainability. The guidance notes states at Paragraph 1.5: *"Waste is an increasingly important issue in society and there are economic and social imperatives, as well as environmental ones for us all to use non-renewable resources more wisely through resource efficiency measures and the increased use of alternatives. In order to secure our*



resources and extend their use within the economy we need to prevent waste from arising and where this is not possible we need to be

- (i) capturing waste in ways that enable us to reclaim materials to be used again and*
- (ii) harnessing waste as a resource in its own right”.*

4.4.21 Moreover, at Paragraph 2.1, it states: *“There are clear environmental, economic and social benefits associated with managing waste as a resource and optimising efficiency of use of waste material. The expanding waste management sector can offer job and training opportunities and safeguard existing jobs as a result of cost savings associated with increased resource efficiency. The creation of new infrastructure and jobs can support and regenerate local communities through skills enhancement and increased local expenditure”.*

4.4.22 Based on the waste hierarchy as a general guide, TAN 21 sets out detailed support for facilities associated with the recovery of waste. Paragraph 2.7.4 states *“the recovery of energy from mixed municipal waste in high efficiency facilities is considered by Welsh Government to be a vital component of the waste management system in Wales. Such facilities are currently considered to represent the most sustainable outcome for mixed municipal waste”.* The footnote that accompanies this paragraph confirms that the term *“mixed municipal waste includes those mixed wastes collected by third parties from commercial and industrial sectors as well as from private households”.*

4.4.23 Paragraph 2.7.4 goes on to state *“co-locating these facilities with heat users is preferential in order to allow utilisation of waste heat from the combustion process. When preparing proposals, developers should give consideration to the location of these facilities and the potential for future user demand...”*

4.4.24 Specific guidance on Energy from Waste facilities is provided at Paragraph 4.31. Paragraph 4.31 states *“Technologies such as energy recovering waste incinerators can offer a suitable technique for maximising the social, environmental and economic benefits from the management of residual wastes (that waste remaining after reuse, preparation for reuse and recycling actions has been undertaken). Local planning authorities should be mindful of the need to divert waste away from landfill and the opportunities offered by energy from waste facilities to harness resources in the form of energy for heat and/or power from residual municipal waste”.*

4.4.25 Paragraph 3.26 sets out the general locational criteria for new waste management facilities. The paragraph states that new sites *“might be located, if appropriate, within or adjacent to”:*

- industrial areas, especially those containing heavy or specialised industrial uses;....*



- *existing or redundant sites or buildings - which could be used, or adapted, to house materials recycling facilities, or composting operations;*
- *sites previously or currently occupied by other types of waste management facilities;*
- *sites where the nature of existing and proposed neighbouring land uses facilitates the location of waste management infrastructure and there are opportunities for co-locating waste management/resource recovery/reprocessing/re-manufacturing facilities to form environmental technology clusters;"*

4.4.26 Annex C of TAN 21 provides a set of planning considerations in respect of waste management facilities, covering the specific issues of transport and access, dust and other emissions, birds and vermin, odours, noise, litter, protection of surface and groundwater, land instability, visual impact, nature and archaeological conservation, hours of operation, duration of operations and location of waste management facilities. The considerations stated in Annex C have been taken into account during this application submission.

Other material considerations – Supplementary Planning Guidance

Swansea Enterprise Park Planning Policies (Adopted 1994)

4.4.27 The Council's supplementary planning guidance document 'Swansea Enterprise Park Planning Policies', although significantly out of date, provides a guidance on the types of uses that may be acceptable within specific 'zones'. In this respect the Site is located within zone D where office, storage, industrial and car showrooms may be appropriate. Other areas of the Enterprise Park, defined as zone C, are specifically identified for 'general industry and non-conforming uses', this includes waste disposal transfer processes and the open storage or the processing of scrap metal.



5.0 PLANNING ASSESSMENT

5.1 Introduction

5.1.1 This section comprises an assessment of the proposal against the Development Plan Policies and other material considerations considered in Section 4 of this Statement. The key planning matters that have been assessed are as follows and this also considers the findings of the Environmental Impact Assessment and other supporting information:

- Need for Development
- Principle of Development and locational considerations
- Economic Benefits
- Water and Flooding
- Ground Conditions
- Design and Visual Impacts
- Air Quality and Odour
- Transport and accessibility
- Ecology
- Noise
- Other Material Considerations

5.1.2 The proposed facility will manage 21,000 tonnes per annum of commercial and industrial waste (C&I), currently collected by the Applicant. The facility will recover metals from the collected waste and utilise the residual material as a fuel to generate electricity and heat. The proposals will complement the existing operations at the depot by treating the trade waste that is collected from local businesses and currently transferred to landfill, in a more sustainable and beneficial manner. The above planning issues have been considered in so far as they relate to the proposed development.



5.2 Need for Development

- 5.2.1 The proposed Energy Recovery Facility will bring forward waste treatment facilities to deal with 21,000 tonnes of C&I waste, generated in Swansea, that is currently transported out of the Local Authority area for disposal via landfill. Accordingly, the proposed development represents the management of waste further up the 'Waste Hierarchy' than present and accords with the Welsh Assembly Government's long-term aim, as set out in 'Towards Zero Waste' and TAN 21 of eliminating landfilling as far as possible. Although the contribution made by these proposals is small it is considered to represent a valuable contribution to Swansea by providing part of a network of facilities for the management of commercial and Industrial Waste that can meet the needs of the local area and ensuring the City and County area is 'self-sufficient' in terms of resource management.
- 5.2.2 Swansea falls within the South West Wales Region. The latest South West Region Waste Planning Monitoring Report (2016) confirms at Figure 24 that only two facilities for the treatment of residual waste (municipal or C&I) are operational in the South West Region. These comprise a waste incinerator with energy recovery in Neath Port Talbot and an MBT plant at Lampeter, Ceredigion. No existing residual waste management facilities exist in the Swansea Council area.
- 5.2.3 South West Region Waste Planning Monitoring Report states at Paragraph 4.3.1, in respect of the need for future residual waste treatment facilities in SW Wales, that "*the WG consider that the Energy from Waste (EfW) with combined heat and power (CHP) technology has the greatest potential to make a positive impact on climate change than other residual waste treatment technologies. EfW with CHP can help tackle climate change by reducing greenhouse gas emissions and generating renewable energy*".
- 5.2.4 The Report concludes at Paragraph 8.2.7 that "*Given the quantities of residual waste produced in SW Wales, and the extent to which it is currently landfilled, it is clear that there is currently insufficient capacity in "other recovery" facilities if the 2025 goal of as close to zero landfill as possible is to be achieved*". The need for new residual waste management facilities in Swansea is, therefore. Acknowledged.
- 5.2.5 The proposals have been designed to cater for the treatment of the quantum of waste currently collected by the Applicant from local businesses in the Swansea area. The scale of the proposals is therefore appropriate for the local area and will reduce the distance that the waste is currently transported for disposal.
- 5.2.6 The proposals will also generate renewable electricity and heat that can be utilised in the local area.



5.2.7 In light of the above, it is considered that the proposed facility is in full compliance with Policy R12 and in bringing the facility forward it will make an important contribution in delivering the waste management needs of Swansea and the Welsh Assembly Government's long-term aim, as set out in 'Towards Zero Waste', Planning Policy Wales and TAN 21 (Waste), of achieving zero waste growth and "self-sufficiency" by 2026.

5.3 Principle of Development and Locational Considerations

5.3.1 The Site is located within an established industrial area where new waste management facilities, including energy recovery facilities, will be permitted subject to the proposals not resulting in significant adverse effects. The proposed thermal treatment activities will be undertaken within an existing building that will be extended slightly to meet the design requirements of the technology.

5.3.2 The proposed development is the subject of a detailed Environmental Impact Assessment which confirms that the energy recovery facility will not result in any significant adverse effect on the Environment. Accordingly, the use of the land for the proposed small-scale energy recovery facility is in accordance with the locational criteria for new waste management facilities set out TAN 21 and Policy R12 of the Swansea UDP.

5.3.3 The proposals are considered to meet the aims of Planning Policy Wales, in terms of bringing forward development for the generation of renewable energy and new waste management facilities located further up the waste hierarchy, and the definition of previously development land.

5.4 Economic and Social Benefits

5.4.1 The proposed development offers a number of economic and wider social benefits.

5.4.2 The proposed facility will operate 24/7 and generate 15 new full-time employment opportunities based on a 12hr (4 on - 4 off) shift pattern. In addition, the development will support a number of in-direct jobs and services from suppliers and companies in the local area. A letter of support for the proposals from a local construction/engineering company is presented at Appendix C.

5.4.3 The proposed development will complement the existing services offered by the Applicant at the Site and thus secure/retain these existing jobs in the longer term. The existing depot currently employs circa 40 full time employees, including haulage, maintenance, management and administration roles. The proposal represents an investment of circa £5 million by the Applicant in the existing facility at Clarion Close. It is estimated that a minimum direct investment of £1 million will be injected into the local economy of Swansea by the proposals.



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- 5.4.4 In addition to the sustainable management of waste in line with the Waste Hierarchy, the proposed development will also generate 0.4 megawatts of renewable energy in the form of electricity, which will be exported to the National Grid and low-level heat.
- 5.4.5 The location of the proposed facility in an industrial area means that opportunities are available in the local area for surplus heat to be utilised by commercial premises. The Applicant has undertaken an initial assessment of adjoining industrial users' companies regarding the use of surplus heat in the local area. However, given the level of investment required to install suitable infrastructure between the Site and the heat user, no formal discussions have been undertaken but this will be progressed as part of the formal pre-application consultation process.
- 5.4.6 In terms of contributing to the key employment objectives of the local authority, as set out above the proposals are located within an established industrial area where new waste management facilities are supported. Policy EC3 of the Swansea UDP encourages new infrastructure works where they improve and enhance existing employment areas. No renewable energy or heat supply facility is available on the Enterprise Park or the wider Swansea area. The development of a renewable energy facility at Clarion Close offers the opportunity for existing industrial and commercial uses on the wider Enterprise Park to benefit from the use of surplus heat available from a local source.
- 5.4.7 In addition, the presence of an 'on-site' energy and heat supply facility will increase the attractiveness of Enterprise Park for new users with heat requirements, or the redevelopment of existing premises wishing to take advantage of this local supply to reduce energy costs and meet wider sustainability objectives. The proposals fully accord with the employment objectives and the opportunities for regeneration initiatives.
- 5.4.8 The proposals comprise significant investment by the Applicant in the existing Site at Clarion Close and offer important employment retention and creation opportunities in the local area. The proposals therefore accord with Policy EC3 of the Swansea UDP and are considered to accord with the employment objectives of the local authority at the Swansea Enterprise Park.
- 5.4.9 The generation of renewable energy and the use of surplus heat resulting from the proposed development represent important economic and social benefits by reducing the use of fossil fuels in energy generation. Based on the above the proposed development is considered to offer significant economic and social benefits that should be given significant weight in the determination of this application.



5.5 Water and Flood Risk

- 5.5.1 An assessment of the impacts of the proposed facility on the local water environment at the Site has been undertaken by WYG. The assessment is detailed in Chapter 10 of the ES and should be read in conjunction with the Flood Consequences Assessment presented as Appendix 10.1 of the same document.
- 5.5.2 According to the Development Advice Map provided by Natural Resources Wales, the site is entirely located within Flood Zone C1, associated with the Flood-plain for the River Tawe; where the risk of flooding from a major river is greater than 1 in 1000 years (0.1% AEP) in any one year. However, the area between the River Tawe and the Site is developed by industrial units and served by significant infrastructure including flood defences.
- 5.5.3 As the application site is located within Flood Zone C1 and the development is classified as "Highly Vulnerable" in accordance with TAN15, the justification test and acceptability of flooding consequences test must be passed. The justification test is set out at Paragraph 6.2 of TAN 15 and requires development to proceed only where it forms part of a local authority regeneration initiative or is "*necessary to contribute to key employment objectives supported by the local authority, and other key partners to sustain an existing settlement or region*" and accords with the aims of Planning Policy Wales and meet the definition of previously developed land.
- 5.5.4 The Flood Consequences Assessment provides details of the baseline conditions and an assessment of effects including potential and predicted impacts based on conditions without any mitigation measures in place throughout both the construction and operational phases of the proposed development. The assessment then presents appropriate mitigation, compensation and enhancement measures and the residual impacts through both phases of development.
- 5.5.5 The Assessment concludes that as the proposed area of new built development is small, circa 180 sq.m., and it is not intended that the building will be flood resistant, the building will be allowed to flood in the event of a 1 in 1000-year extreme flood event. As no alterations to external ground levels are proposed within the Site there will be no significant loss of flood plain as a result of the proposed development. Accordingly, the development will not increase flood risk to the surrounding area as a result of displaced flood water.



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- 5.5.6 Based on the above, the Flood Consequences Assessment recommends:
- The flood evacuation protocol and procedures set out within the development proposal are solidified into a business flood management plan and disseminated to all employees working on site.
 - All future occupiers will be required to sign up to the EA Flood Warning System.
- 5.5.7 The Applicant is happy to accept a planning condition requiring the above recommendation to be implemented before the development comes into use. Based on the above it is considered that the consequences of flooding are acceptable.
- 5.5.8 Based on the above the proposals are consistent with the guidance contained within Paragraph 6.2 of TAN 15 for bringing forward new development in Flood Zone C1 and Policies ENV 33, ENV 35 and ENV 36 of the Swansea UDP.

5.6 Ground Conditions

- 5.6.1 An assessment of the impacts of the proposed development on the local geology, stability issues, soil resources and potential sources of contamination were undertaken for the application site by WYG and were detailed at Chapter 9 of the Environmental Statement.
- 5.6.2 Based upon the development proposals (i.e. no ground-breaking works) and the assumed ground conditions at the Site it is concluded that there is no valid pathway between source (potential contaminated ground) and any sensitive receptor. Therefore, the expected potential severity effect is anticipated to be negligible. If ground breaking works are required to facilitate the development, this assessment will need to be readdressed.
- 5.6.3 Following the implementation of the recommended mitigation measures the residual effect of the Proposed Development with respect to all receptors through both the construction and operational phases of development is assessed to be Negligible as either ground contamination sources or transport pathways to receptors will not be present.
- 5.6.4 Based on the above, the proposed development will be brought forward on previously developed land and thus is consistent with guidance contained in the Planning Policy Wales and accords with Policy ENV 2 (Siting and Location) of the Swansea Unitary Development Plan.



5.7 Design and Visual Impact

- 5.7.1 A Townscape and Visual Impact Assessment has been prepared by WYG and is presented at Chapter 11 of the accompanying Environmental Statement. The assessment describes the existing townscape and visual sensitivities within and surrounding the site, and the magnitude of the proposed development on baseline conditions.
- 5.7.2 The assessment considers the potential effects during the construction and operational phases from the proposed changes to the approved scheme in relation to surrounding sensitive receptors, including existing local residential receptors, the setting of Listed Buildings and Schedule Ancient Monuments. The Assessment concludes that there are no significant or major adverse impacts identified for any stage of the development proposals. The only moderate adverse impact identified is on the setting of the site boundary vegetation during the construction period. Following the completion of construction this impact would reduce to negligible as the proposed development would be interpreted in a similar manner to its existing use.
- 5.7.3 The only long term adverse impacts identified are minor and are on the setting of the nearby listed building of St. Samlet's Church and Llansamlet Conservation Area. The proposed stack will add an additional vertical element to the setting of these features, although it would be interpreted as part of similar elements nearby in the enterprise park.
- 5.7.4 The only other adverse impact identified is small on the setting of the nearest residential properties during the construction phase. This is due to the possibility of the stack construction being a perceptible element within their setting. In the long term the impact would reduce to negligible as if the stack is a perceptible element to the setting of the properties it would be interpreted as part of the industrial context of its existing surroundings.
- 5.7.5 Overall the assessment concludes that the development proposals are in keeping with the context of the site and its surrounding within the Swansea Enterprise Park. The extension to the building and the addition of the stack would not create any significant landscape or visual impacts and they would be interpreted, both in their setting and in views, as part of the industrial context of their existing environment.
- 5.7.6 Based on the above, the proposes have sought to minimise the visual impact of the scheme to an acceptable level in line with guidance contained in the Planning Policy Wales and accords with Policy ENV 1 (Design) and Policy ENV 2 (Siting and Location) of the Swansea Unitary Development Plan.



5.8 Air Quality and Odour

- 5.8.1 An Air Quality Assessment has been undertaken by WYG Environment Planning Transport Limited and is presented at Chapter 8 of the ES. The assessment defined the baseline air quality conditions and the potential impacts during the construction and operational phases of the amended proposals and considers appropriate mitigation measures.
- 5.8.2 A number of potential air quality impacts associated with the construction phase of the proposed development were identified. The assessment predicts that a temporary elevation in dust level will occur around the site, particularly when activities are undertaken during dry and/or windy meteorological conditions. However, compliance with suitable dust control measures set out in a Construction Management Plan will control the potential impacts to local receptors to an acceptable level.
- 5.8.3 The Air Quality Assessment concludes that provided that good practice measures are implemented, potential air quality impacts during the construction phase of the development are considered to be negligible at receptors of medium sensitivity.
- 5.8.4 A number of potential air quality impacts associated with the operational phase of the proposed development, as proposed to be varied, were identified. Potential air quality impacts from process emissions associated with the thermal treatments of non-hazardous waste were quantitatively assessed using detailed dispersion modeling. These will be controlled through operation of the installation in accordance with the conditions of an Part B Environmental Permit, issued and regulated by the Swansea Council.
- 5.8.5 Potentially odorous emissions from the proposals were assessed. Due to the nature of the site and process emissions the potential for odour impacts was not considered to be significant. However, operation of the development in accordance with a Part B Environmental Permit should further limit potential impacts at sensitive receptor locations. Active air management has been included in the waste reception and pre-treatment areas and air will be treated by de-odourising equipment prior to being released to atmosphere through two outlet stacks positioned on the southern elevation of the building.
- 5.8.6 In respect of transportation, the proposed development will not significantly amend the extant HGV movements associated with the existing depot facility and therefore the effects associated with the numbers of vehicle trips generated during the operational phase remain unchanged.



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- 5.8.7 In summary, due to the nature of the proposals, and provided that the previously approved good practice measures are implemented, potential air quality impacts during the operational phase of the development are predicted to be low over all the sensitive locations in the vicinity of the site.
- 5.8.8 The proposed development accords with Policy ENV40 (Air Noise and Light Pollution) of the Swansea Unitary Development Plan.

5.9 Transport and Accessibility

- 5.9.1 A Transport Statement assessing the impact of the proposed development from a traffic and transportation perspective has been undertaken by WYG. The Transport Statement is presented at Appendix 3.1 of the Environmental Statement.
- 5.9.2 The Site is situated within an existing industrial area within the Swansea Enterprise Park. The facility will be for the sole use of Biffa and utilise the company's existing fleet of collection vehicles based at the Clarion Close depot. The operation of the proposed energy recovery facility will align to that of current operations i.e. Monday to Saturday and between 06:00 and 17:00. Consequently, the proposed facility will not increase commercial vehicle movements associated with the existing depot, and the only net increase will result from the transport of a non-hazardous by-product (ash) from the incinerator. This net increase is estimated to be a maximum of two HGV movements per week.
- 5.9.3 Moreover, the proposed energy recovery facility will reduce the daily HGV movements (and consequently contribute towards CO2 savings) between the Council's transfer station (Ferryboat Close) and the Trecatti Landfill at Merthyr Tydfil where the waste is currently exported.
- 5.9.4 The proposed development will be operated by an additional 14 employees, and who will work over pre-defined shift patterns. Car parking for the additional staff has been confirmed by information provided by the client on the availability of residual spaces (equaling 10) within the existing provision of 46 spaces.
- 5.9.5 The Transport Statement concludes that the proposed development will result in a negligible impact from a highways and transport perspective and that it accords with guidance contained in Policies AS6 (Parking) and AS10 (Traffic and Highway Safety) in the Swansea UDP.



5.10 Ecology

- 5.10.1 An ecological survey and assessment of the Application Site was undertaken in May 2018 by WYG. The Ecology Assessment is contained in Chapter 6 of the Environmental Statement.
- 5.10.2 The survey concludes that no habitats or species of local or national interest were present on the Site. Existing vegetation will not be impacted along the southern and eastern boundaries of the Site, and this will therefore continue to provide screening during both the construction and operational phase of the development.
- 5.10.3 The proposed energy recovery facility will be constructed in accordance with industry standard techniques and mandatory minimum standards and assumes suitably experienced contractors will be appointed to design, construct and commission the development. A construction environmental management plan (CEMP) will be produced for the construction phase detailing all construction standards and techniques. In addition, no additional lighting above current levels is proposed with no night time construction.
- 5.10.4 The eastern boundary of the Site is defined by the Nant y Fendrod, a tributary of the River Tawe. Nant y Fendrod forms part of the Fendrod Lake and Nant y Fendrod site of interest for nature conservation (SINC). Water quality in the vicinity of the Site will be maintained as part of the proposed development as the development has been designed as a 'closed water system'. The current site surface water is connected to the local sewer network in Clarion Close and the proposed development will also utilise the same connection.
- 5.10.5 No evidence of breeding birds was recorded on the site during the baseline surveys. However, the existing building onsite offers potential features for nest building. If the building extension is to be completed during the bird breeding season (considered to be March to August inclusive) a pre-construction breeding bird check will be completed to ensure no nests have become established in the intervening period which could be affected by the proposed works. This will form part of the CEMP requirements for the scheme.
- 5.10.6 Based on the above, the proposed development will not result in an adverse impact on protected habitats and species and thus is in accordance with the advice in TAN 9 and Policy ENV 28 of the Swansea UDP.



5.11 Noise

- 5.11.1 A Noise Survey of the Application Site undertaken by WSP in respect of the proposed development. The Noise Assessment is presented at Appendix 7.1 of the ES.
- 5.11.2 The baseline survey established the existing background noise levels in the vicinity of nearby noise sensitive premises. The background noise levels measured enable appropriate limits to be set regarding noise emission from proposed building services and plant both during the construction and operational phases.
- 5.11.3 The construction phase comprises the provision of an extension to the building and installation of a waste transfer and small-scale energy recovery facility and thus it is unlikely to cause a significant effect in terms of noise. It should also be noted that due to the existing use of the site (i.e. a waste management and transport depot, located within an industrial estate), it is unlikely to change the existing ambient noise environment.
- 5.11.4 As part of the design mitigation for the proposed energy recovery facility, it is proposed to install fast-closing doors in all areas of the site, and as such the assessment presented below have been undertaken with all doors closed.
- 5.11.5 The Noise Assessment concludes that, in accordance with BS4142:2014 criteria, the predicted worst-case rating noise levels from 24-hour operation of the proposed facility will not exceed background noise levels during daytime and night-time periods and are within the Lowest Observed Adverse Effect Level. A change in noise level assessment has also been undertaken, including noise from HGV movements, parking and the proposed facility. The results show that, the change in noise will be negligible and unlikely to be perceptible at nearby existing sensitive receptors, thus the operation of the proposed facility is expected to have a low impact.
- 5.11.6 The proposed development accords with Policy ENV2 (Siting and Design) and Policy ENV 40 (Air, Noise and Light Pollution) of the Swansea Unitary Development Plan.

5.12 Heritage

- 5.12.1 An assessment of the heritage assets on and in the vicinity of the Application Site has been undertaken by WYG in respect of the proposed facility. The assessment is contained in Chapter 3 of the ES.



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- 5.12.2 The assessment identified no features of national or local heritage importance on the site but two sites and structures of archeological and historic importance within 1.5km of the site. The assessment also identified the proximity of Listed Buildings located within 1km of the Site, comprising of one Grade II Listed Building.
- 5.12.3 The Site is located approximately 1.4km to the west of the nearest scheduled ancient monuments (Scott's Pit Engine House & Traces of Ancillary Building and Townshend's Great Leat & Waggonway). However, given the distance between the Site and Heritage Asset it is not considered the proposed development would result in any material impacts upon this Heritage Asset.
- 5.12.4 The site is also located some 290m from the Grade II listed St Samlet Church which lies at higher land to the east of the application site.
- 5.12.5 Section 66(1) of Planning (Listed Buildings and Conservation Areas) Act 1990 confirms that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority "*shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*"
- 5.12.6 However, given the distance between the Site and Listed Building, it is not considered the proposed development would have a detrimental impact on the setting of this listed building and the Statutory Duty is not engaged in accordance with Section 66(1).
- 5.12.7 Based on the above, the proposed development accords with Section 66(1) of Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy ENV2 of the Swansea Unitary Development Plan.

5.13 Conclusions

- 5.13.1 Based on the above review of the relevant development plan policies and other material considerations, including the national and local waste strategies, the proposed development represents an acceptable and viable solution for managing 21,000 tpa of commercial and industrial waste arising within Swansea and generating renewable energy. The principle of the proposed facility on the Site is accepted where the development will not result in an adverse environmental effect.
- 5.13.2 The Environmental Statement concludes that the proposals will not result in an adverse effect on the environment, in particular, the amenity of neighboring uses, the visual context of the Site or the landscape character of the local area.



- 5.13.3 The proposals will ensure that significant economic and social benefits to Swansea via inward investment, job creation/retention and the provision of surplus heat for use in commercial premises in the vicinity of the Site.
- 5.13.4 Overall the proposed development is acceptable in environmental terms and accord with the policies and objectives of the relevant development plan policies, Welsh Assembly Government policies and strategies together with other material considerations.



6.0 CONCLUSIONS

- 6.1 This Planning Statement is submitted in support of a Planning Application for a small-scale energy recovery facility on land at Swansea Depot, Clarion Close, Morriston, Swansea within the administrative boundary of the City and County of Swansea.
- 6.2 The existing depot is located within the Swansea Enterprise Park circa 5kms to the north-east of Swansea City Centre and comprises site offices, maintenance building, a large unused storage building and on-site parking for the company's fleet of waste collection vehicles. The storage building is not used as part of the depot operations and is currently surplus to requirements. The existing facility employs circa 40 members of staff and supports a fleet of approximately 15 vehicles.
- 6.3 The proposed small-scale energy recovery facility will bring forward waste treatment facilities to deal with 21,000 tonnes of trade waste, currently collected by Biffa Waste Services Ltd from existing commercial customers in the Swansea area, which is currently transported out of the Local Authority area for disposal via landfill. Accordingly, the proposed development represents the management of waste further up the 'Waste Hierarchy' than present and accords with the Welsh Assembly Government's long-term aim, as set out in 'Towards Zero Waste' and TAN 21, of eliminating landfilling as far as possible.
- 6.4 The Site is located within an established industrial area where new waste management facilities, including energy recovery from waste, will be permitted subject to the proposals not resulting in significant adverse effects. The proposed thermal treatment activities will be undertaken within a building and will be the subject of a Part B Environmental Permit granted and regulated by Swansea Council.
- 6.5 The proposals represent an investment of circa £5 million by Biffa Waste Services Ltd in the existing facility at Clarion Close in order to complement the existing services offered at the Site and thus secure/retain these existing jobs in the longer term. It is estimated that a minimum direct investment of £1 million will be injected into the local economy of Swansea by the proposals.
- 6.6 The proposed development will generate 0.4 megawatts of renewable energy in the form of electricity, which will be exported to the National Grid and low-level heat. The location of the proposed facility in an industrial area means that the opportunity is available in the local area for surplus heat to be utilised by commercial premises on the Swansea Enterprise Park.



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- 6.7 No renewable energy or heat supply facility is available on the Enterprise Park or the wider Swansea area. The development of a renewable energy facility at Clarion Close offers the opportunity for existing industrial and commercial uses on the wider Enterprise Park to benefit from the use of surplus heat available from a local source.
- 6.8 Moreover, the presence of an 'on-site' energy and heat supply facility will increase the attractiveness of Enterprise Park for new users with heat requirements, or the redevelopment of existing premises wishing to take advantage of this local supply in order to reduce energy costs and meet wider sustainability objectives. The proposals, therefore, fully accord with the employment objectives and provide opportunities for future regeneration initiatives.
- 6.9 Based on the above the proposed development is considered to offer significant economic and social benefits that should be given significant weight in the final determination of this application.
- 6.10 No existing residual waste management facilities exist in the Swansea Council area and only two large scale facilities exist in the South West Wales Region. The need for new residual waste treatment facilities in Swansea is established.
- 6.11 The proposals have been designed to cater for the treatment of the quantum of waste currently collected by the Biffa Waste Services Ltd from local businesses in the Swansea area. The scale of the proposals is therefore appropriate for the local area and represents an important contribution to Swansea by providing part of a network of facilities for the management of Commercial and Industrial Waste that can meet the needs of the local area. The facility will also contribute to ensuring the City and County area is 'self-sufficient' in terms of resource management.
- 6.12 The proposals have been the subject of a detailed Environmental Impact Assessment which confirms that the energy recovery facility will not result in any significant adverse effect on the Environment.
- 6.13 The proposed development is acceptable in environmental terms and accords with the policies and objectives of the relevant development plan policies, Welsh Assembly Government policies and strategies together with other material considerations.
- 6.14 Overall the proposed development will bring forward a modern waste management facility in an environmentally acceptable manner that accords with the policies and objectives of the relevant development plan and other material considerations. As such, Swansea Council is respectfully requested to approve this application.



Appendices



Appendix A – Screening Opinion



Appendix B – Planning Policy



Appendix C – Letter of Support