

# REPORT TO THE DEVELOPMENT CONTROL COMMITTEE

28 March 2019

## REPORT OF THE GROUP MANAGER PLANNING AND DEVELOPMENT SERVICES BRIDGEND COUNTY BOROUGH COUNCIL LOCAL PLANNING AUTHORITY

### SOUTH WALES WOOD RECYCLING LTD SITE, HEOL LLAN, NEAR HEOL Y CYW

#### 1. Purpose of Report

- 1.1 This report seeks to provide Members with an update on the situation at South Wales Wood Recycling Ltd.



#### 2. Connection to Corporate Improvement Plan/Other Corporate Priorities

- 2.1 The delivery of the County Borough's statutory planning function has links to the Council's corporate priorities in particular number 1 – supporting a successful economy.

#### 3. Background

- 3.1 The wood processing company, South Wales Wood Recycling Ltd, started operating from the former Lock's Yard site on Heol Llan in approximately 2012/2013.
- 3.2 There have been several applications on the site since this time, the most recent consent being P/16/659/RLX, which also includes the former Yeoman's Nursery Site.
- 3.3 During this time there have been several Enforcement investigations in respect of the height of the wood piles, operating hours, vehicular movements and wood being deposited on the highway.

- 3.4 A Breach of Condition Notice was served on South Wales Wood Recycling Ltd on 4 September 2015 in relation to the operating hours of the site – the condition states that the opening hours for the receipt of waste wood shall only occur between 08.00 hours and 18.00 hours Mondays to Saturdays and not at all on Sundays, Bank and Public Holidays. The Company continued to breach the condition and the matter was heard in the Magistrates' Court on 14 March 2016 where local residents were in attendance to give their evidence on the breaches. The Company pleaded guilty to some of the charges whilst other charges were discontinued. As no evidence was required the witnesses were not needed.
- 3.5 The Company pleaded guilty on four counts and received a total fine of £2880, a victim surcharge of £120 and costs of £1200.
- 3.6 Following the determination of a new application to regularise and control the operations on the whole of the site (P/16/659/RLX refers), a Breach of Condition Notice was served on 23 July 2018 in relation to the lorry movements from the premises. The site was monitored by the Enforcement Officer and local residents and no further breaches were noted.
- 3.7 A Breach of Condition Notice was then served on 7 August 2018 in respect of the layout of the former Yeoman's Nursery site. The Notice was to be complied with by 7 October 2018.
- 3.8 At the same time, an Enforcement Notice for a material change of use was served on 7 August 2018 in relation to the wood stored on land to the south west of the site which was in the ownership of South Wales Wood Recycling Ltd but fell outside of the application site. The wood was to be removed by 16 October 2018.

#### **4. Current Situation**

- 4.1 Officers visited the site on 17 October 2018 to ascertain whether the requirements of the Notices were adhered to and as it was apparent that they had not been, a Statement was prepared for consideration of prosecution in the Magistrates' Court. It was also noted that, at this time, a significant number of staff had been made redundant.
- 4.2 Officers visited the site again on 14 November 2018 when it was noted that certain areas of the site had been cordoned off. The Officers were advised that this had been done in order to comply with the Health and Safety Executive's (HSE) requirements.
- 4.3 The prosecutions of South Wales Wood Recycling Ltd for the breach of both Notices were listed for a hearing in the Court on 25 January 2019. Prior to the case being heard the Company went into liquidation. Natural Resources Wales had a trial listed for the same day against South Wales Wood Recycling Ltd. The Company did not attend Court and the Council's case was withdrawn as it was considered that it is not in the public interest to pursue this matter further.
- 4.4 The Lock's Yard part of the overall site is now under the management of the landowner and a meeting has been undertaken in order to assess the current use of the site. Whilst South Wales Wood lorries and equipment may still be within Lock's

Yard, South Wales Wood Recycling Ltd no longer exists as an entity/business and as such, is not operating from the site.

- 4.5 However, another, new company (I Wood Recycling) are storing HGVs on Lock's Yard overnight and are also operating a wood recycling service processing wood which is currently removing the large stockpiles of wood material from the site in order to comply with the Notice. As it appears that the recycling operation will continue in conjunction with South West Wood Products Ltd. (who supply biomass plants) after all the stockpiles of wood material have been removed, the use is likely to require a new planning application to be in place and a meeting will be arranged with the operators to review the use of the site and the extent of the site which could conclude with the LPA seeking a new planning application in order to regularise the operations going forward. The site is still being regularly monitored and Officers are in dialogue with the operators during this initial period to clear the site of historic stockpiles of wood through South West Wood Products Ltd.

## **5. Wellbeing of Future Generations (Wales) Act 2015**

- 5.1 The well-being goals identified in the Act are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

- 5.2 The duty has been considered in the production of this report.

## **6. Recommendation**

- 6.1 That Members note the content of this update report.

**Jonathan Parsons**  
**Group Manager Planning and Development Services**

**Contact Officer**  
**Rhodri Davies**  
**Development and Building Control Manager**  
**Telephone Number: 01656 643152 e-mail: rhodri.davies@bridgend.gov.uk**