

Application Number: DM/2018/02082

Proposal: Variation of condition 9 of previous application M/8467- Date of Decision: 11/06/2003 - to allow B1, B2 and B8 uses at the site

Address: Gwent Euro Park, Bareland Street, Magor

Applicant: Mr. Matthew Smith

Plans: Location Plan 4674 A0 0105 - B, Design and Access Statement - , Noise Impact Assessment 8242/FD - ,

RECOMMENDATION: APPROVE

Case Officer: Mr. Philip Thomas
Date Valid: 20.12.2018

This application is presented to Planning Committee due to there being five or more neighbour objections to the proposal

1.0 APPLICATION DETAILS

Site Description

1.1 This proposal is a section 73 application for the variation of condition 9 of planning permission M/8467 that allowed for the development of a site known as Gwent Euro Park for Class B8 (distribution use) together with associated office - B1 use. This application seeks to allow for B2 (general industrial) uses as well as the previously permitted B8 use and to allow primary B1 uses at the site (as well as B1 uses associated with a primary B2 or B8 use).

1.2 Condition 9 of the most recent outline planning permission stated:
"The premises shall be used for distribution centre purposes and for no other purpose (including any other purpose in Class B8 or B1 of the schedule to the Town and Country Planning (Use Classes) Order 1987, without the prior written approval of the Local Planning Authority."

1.3 Despite the site benefiting from an extant planning permission and being marketed over the last 23 years, the site has not come forward for a B8 use. The agent argues that it is clear that the sole use of the site for B8 is too narrow. The analysis provided by M4 Property Consultants that is submitted with this application supports this assertion.
This application seeks to vary the use of the premises to incorporate a B1 and B2 use, as well as a B8 use, which will make the site more attractive to future occupants and ultimately create employment.

1.4 It is therefore proposed to vary the wording of condition 9 to:

"The premises may be used for Class B1 (business), B2 (general industry) and Class B8 (warehousing and distribution uses) but for no other purposes of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order."

1.5 The application site comprises land towards the south west of junction 23a of the M4 (Magor). A significant proportion of the overall site falls within the administrative boundary of Newport City Council, with the smaller, eastern section located within Monmouthshire County Council's area. The site forms part of the Euro Park Industrial Estate and is flanked by the Tesco distribution centre to the south and Wilkinson distribution centre to the west. Beyond this and to the west is the remaining part of the Llanwern Steel Works site. The site in Monmouthshire is made up of around 7ha and is within the much wider Redwick and Llandeenny section of the Gwent Levels Site of Special scientific Interest (SSSI); it is also within an Archaeologically Sensitive Area and a C1 Flood Zone (defended floodplain). The hamlet of Llandeenny lies approximately 250m to the north east for the site.

Background

1.6 Outline planning permission for the MCC part of the overall site was granted in March 1995 under ref: A35349. This consent was subsequently renewed twice to extend the time for the submission of reserved matters by virtue of planning permissions granted in April 2000 under ref: M/4002 and in June 2003 under ref: M/8467. The operational outline planning permission is therefore M/8467. A reserved matters application was subsequently granted planning permission on 19/09/2007 relating to the site for a B8 distribution facility with associated two storey offices (63,000 sq.m. B8 use with 4,300 sq.m. B1 floorspace), single storey gatehouse and vehicle maintenance unit (VMU) (ref: DC/2007/00835). All pre-commencement conditions regarding that site were discharged and a meaningful commencement of that development was accepted by MCC officers in writing in August 2008. Thus, the site benefits from an extant planning permission for a B8 development with associated B1 offices and the outline permission M/8467 has, by implication, been implemented.

1.7 The associated application that mirrors this proposal in the Newport City Council part of the overall site has already been approved (NCC ref: 18/1234 refers).

Value Added

1.8 In the light of the B2 use now potentially proposed, a Noise Assessment was requested by your officers since the initial submission and that assessment has been evaluated by the Council's Environmental Health Officers.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DC/2007/00835	B8 distribution facility with associated 2 storey offices, single storey gatehouse and vehicle maintenance unit (VMU)	Approved	19.09.2007
DC/2007/01083	B8 Distribution facility with associated 2 storey office	Approved	11.01.2008

A35349	Distribution development (joint with Newport Council)	Approved	13-03-95
A39263	Pursuant to Permission A39263 discharge of conditions 3, 8, 9 and 12 relating to landscaping	Approved	16-02-96
M/2065	Construction of 30,040 sq. m food distribution unit	Approved	12-02-98
M/4002	Variation of condition 1 of Planning Permission A35349 to allow time period for submission of reserved matters to be extended	Approved	27-04-00
M8467	Variation of Condition 1 of Planning Permission A35349 to allow additional 5 year time limit for reserved matters submission	Approved	11-06-03

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S8 LDP Enterprise and Economy S9
LDP Employment Sites Provision
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design
SAE1 LDP Identified Industrial and Business Sites

Development Management Policies

E1 LDP Protection of Existing Employment
EP1 LDP Amenity and Environmental Protection
EP2 LDP Protection of Water Sources and the Water Environment
EP3 LDP Lighting
DES1 LDP General Design Considerations
GI1 LDP Green Infrastructure
MV1 LDP Highway Considerations
MV9 LDP The Road Hierarchy
NE1 LDP Nature Conservation and Development
SD3 LDP Flood Risk
SD4 LDP Sustainable Drainage

4.0 NATIONAL PLANNING POLICY

Planning Policy Wales (PPW) Edition 10 The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.

Technical Advice Note (TAN) 11: Noise
TAN 23: Economic Development

5.0 REPRESENTATIONS

5.1 Consultee replies:

Magor with Undy Community Council: APPROVE

However, before any final decisions are made in respect of the reserved matters then Councillors would recommend that the Planning Authority ensure that current regulations and TAN's are met due to time lapse between original approval and any final plans.

MCC Highways: No objection.

MCC Environmental Health: Having reviewed the submitted Noise Impact Assessment Reference 8242/FD dated 17th April 2020 I am satisfied that the B2 use can be implemented without substantial impact on nearby residential properties. I therefore have no objections to the granting of planning permission but I would recommend that any permission be subject to the following conditions, which for consistency mirror NCC permission 18/1234 noise related conditions:

“11. The rating level of the noise emitted from any building used for industrial and manufacturing processes and any fixed plant or equipment (mechanical and electrical) located at the site shall not exceed the existing background level at any premises used for residential purposes when measured and corrected in accordance with BS 4142: 2014.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with Policy GP2 of the NLDP.”

“12. No manufacturing or processing or other uses associated with B2 (General Industrial) shall take place at the site other than inside approved buildings.

Reason: In the interest of neighbouring amenity in accordance with Policy GP5 of the NLDP.”

NRW: no objection.

Dwr Cymru-Welsh Water: no objection.

5.2 Neighbour notification

Twelve objections to the proposal from nine households from Llandeenny and Magor citing the following:

- Affect local ecology (SSSI)
- Increased pollution, including light pollution and run-off
- Loss of privacy
- Noise nuisance; the noise assessment was carried out in the summer months and with no great wind speed. I would like to make the point that we are on the Gwent levels and that the wind speed does increase greatly, especially in the winter months.

The noise impact which will be created, will greatly increase in the autumn and winter months due to the unmaintained hedgerows and the odd tree losing their leaves in these months, and as we are on relatively flat ground. Even with the cover we are still disturbed by the noise from the Tesco distribution warehouse which is approximately 680m away in our direct line of sight. This development will be closer to our home, with two of our bedrooms being in a direct line of sight for this development site.

The specialist environmental health office stated that any fixed plant or equipment located at the site shall not exceed the existing background level, and no manufacturing or processing shall take place at the site other than inside approved buildings. I would like to ask was the movement of heavy plant i.e. forklifts and shunting lorries which will be used for moving products and materials around the site for storage and loading onto HGV taken into account of background noise level, as there is a big difference in heavy plant movements to the existing background levels. These movements will or could be 24/7, this of course will affect our ability to have a good night's sleep

- Already impacted on by noise and flicker of wind turbine and noise from distribution yard areas
- Close to adjoining properties /amenity issues; the area is getting increasingly encroached upon by industrial development with only a smattering of fields separating the hamlet from the industrial units that already exist on either side; would spoil the enjoyment of gardens and the wider countryside
- Visual intrusion; would spoil local walks where wildlife and landscape are appreciated
- Increase in traffic, already impacted on by Brewery traffic
- This was meant to be a distribution park, not anything else
- Site was approved 23 years ago and is no longer suitable as it is a greenfield one in a SSSI and other sites at the former steelworks are more appropriate.
- The possibility of heavier industry being built so close to our homes would be an unwarranted invasion into our privacy and quality of life
- Good water quality in the Gwent Levels' ditch system is essential for the ecological integrity of the 7 SSSIs that cover nearly half of the Levels. Water flows from the inland areas southwards across the width of the Levels to the sea. Because the ditch system is interconnected it is crucial to keep water in the inland areas of the ditch system free from pollution. Any pollution in these upper reaches will be quickly transferred "downstream" into the rest of the SSSI re-en system, with potentially disastrous consequences.

The site in this application is in the upper reaches, in what is known as Back Fen. The Back Fen was always the wettest and therefore the least agriculturally altered land on the Levels. It thus retained a lot of the ecological interest that had been lost in 2000 years of agricultural improvement that had taken place elsewhere on the Levels. Most of the Back Fen had been lost to industrial development by the time the steel works was completed in the 1960s, leaving just a fragment between the steel works and Magor.

It was the fact that the Gwent Europark development lay on one of the last areas of Back Fen and was within the Redwick and Llandevenny SSSI that the strict condition was made that industrial development should not be permitted in view of the pollution risk to the SSSI features.

Warehouse and distribution use was deemed the least bad option for development, the pollution risk from Industrial Development being too high. This risk has not changed and for this reason no change to the original conditions should be countenanced.

- The protection and improvement of people's health and wellbeing is a core component of sustainable development and economic benefits should be given equal consideration with social and environmental issues.

6.0 EVALUATION

6.1 Principle of Development

6.1.1 The site is allocated in the adopted LDP as being suitable for B8 uses (distribution and warehousing) under Policy SAE1 c) – Gwent Euro Park, Magor. The site also benefits from an extant B8 use as planning permission DC/2007/00835 which was commenced and an associated B1 office use was approved as an ancillary element of that permission. What needs to be considered is the implications of extending the range of permissible uses to include an outright B1 (office/ light industry) and B2 (general industrial) use.

6.1.2 The failure to deliver a B8 use for the site has led to an analysis by a marketing company that sets out:

“We understand that the site has been offered to the market several times by the retained property agents of Argos, but no deal has ever been secured to this date. The difficulty with the B8 distribution market is that much of the demand for such space is “contract led”. This effectively means that third party logistics (3PL) operators may be asked by a retailer to undertake distribution for them but often on a 3 or 5 year contract. The contract will often start within 6-9 months of the contract being tendered. The result of this is that firstly these 3PL operators can only consider existing buildings as they do not have time to wait for a building to be constructed. Secondly, they can only commit for a relatively short period (particularly when considering the financing of such a large facility). Those that have been successful in the distribution market in recent years, have had to be brave enough to undertake speculative development. This means building without a particular occupier committed to taking the space, in the hope that once it is constructed, a suitable tenant can be found.

It is simply unrealistic to expect that a commercial developer would purchase the land at Gwent Europark to undertake such speculative development. The associated risk and possibly poor return on investment just don't make it a commercially viable option. Both rental values and sale values are considerably lower in south Wales than many other parts of the UK and demand in the region, has until late largely been focused on Avonmouth, a short distance away.

As agents we actually have introduced the site to several developers trying to get them to buy the land for distribution use. All of them rejected the site for the above reasons. The broader industrial market (including B1 and B2 uses) has slightly different characteristics. Many of the production and manufacturing businesses in the region take a more long term view of their property. A significant proportion would prefer to own their units rather than let, but are stuck renting due to lack of opportunities to purchase. Those that are renting and wish to continue to rent, will often commit for a longer period, particularly where they use machinery that is very costly to relocate. They will also often plan further in advance than logistics occupiers due to the logistics of moving and minimising downtime.

There is a real shortage of good quality B1 and B2 industrial space across South Wales. Industrial development has been extremely limited within the last 10-15 years across the region and as such, those looking to expand or relocate within South Wales face a very difficult task to

find suitable premises. In many cases this is preventing their business from expanding.

We already have numerous interested parties in the site from a B1 and B2 perspective, but not for B8 use. It is not impossible that a B8 operator may be identified going forward for part of the site. However, the site has had consent for B8 for 23 years, has been marketed numerous times and is well known as being available for such use across the property sector. Despite this it has not been developed in that period.”

6.1.3 While the site was originally identified as a distribution hub near the strategic road network, the site has failed to bring forward development of this nature and a review of this limitation is therefore valid.

6.1.4 PPW10 and TAN23 stress the need for sustainable development and the need for the planning system to encourage employment growth. It is acknowledged that there is a need for good quality manufacturing units in the SE Wales area. This site could be suitable for that sector which would lead to skilled jobs being made available to the local job market. However, given its proximity to the hamlet of Llandeenny account needs to be taken of the potentially harmful effects of a B2 use and whether this could be mitigated to ensure the amenity of the residents is safeguarded.

6.1.5 This is considered under the headings below, with the chief potential concerns being noise and odours emanating from a B2 use. A B1 use at the site would be acceptable in terms of impact on local amenity being a use compatible to being in or close to residential areas, although its impact in relation to traffic generation would need to be considered.

6.2 Noise

6.2.1 PPW10 identifies that air, noise and light pollution can have negative effects on people, biodiversity and the resilience of ecosystems and should be reduced as far as possible.

6.2.2 The application has been subject to a noise assessment by acoustic consultants which was then analysed by the Council's EHOs (as well as Newport City Council's equivalent officers).

6.2.3 A site noise survey was undertaken between 13th-16th February 2020 to determine the existing noise climate across the site and area. Further analysis using a worst case scenario of likely noise from a B2 use was then assessed. The consultant's conclusions were that with these noise limits being met the impact will be low at the sensitive receivers around the site (i.e. the nearest dwellings in Llandeenny).

6.2.4 The Council's Environmental Health Officer has not objected to the request to extend the use to B2 use but has requested two planning conditions to ensure that:

1. The rating level of the noise emitted from any building used for industrial and manufacturing processes and any fixed plant or equipment (mechanical and electrical) located at the site shall not exceed the existing background level at any premises used for residential purposes when measured and corrected in accordance with BS 4142: 2014.
2. No manufacturing or processing or other uses associated with B2 (General Industrial) use shall take place at the site other than inside approved buildings.

6.2.5 These would coincide with the conditions already applied by Newport City Council to the larger part of the site.

6.2.6 Subject to these safeguards, your officers are satisfied that noise associated with the development can be managed to an acceptable degree so that it does not harm local amenity. In this regard, the proposal is considered to comply with LDP Policy EP1.

6.3 Odours / air pollution

6.3.1 Any odours and emissions from an industrial process would ultimately be regulated by NRW and the Council's Environmental Health Team (the latter in the case of there being a statutory nuisance issue). These aspects would be addressed by the regulator when the building is commissioned and specific industrial process have been identified. There is a distance of 250m to Llandeenny and to the north-east which is a reasonable distance in the context of this site and other B2 uses close to the hamlet, including the Magor Brewery.

6.3.2 NRW has no objection to the principle of this proposal. There is no need for the proposal to adversely affect residential amenity if the processes are properly regulated. The principle of this proposal is considered compliant with Policy EP1 of the LDP.

6.4 Lighting

6.4.1 Given the proximity of the site to Llandevenny and the sensitivity of the site as a SSSI with attendant wildlife interest including the presence of internationally protected species there is a need to control lighting at the site to avoid light spillage to surrounding areas.

6.4.2 This would have been material to the use of the site for B8 development and was conditioned under earlier outline and reserved matters permissions which have been implemented. This can be managed in a similar manner under this proposal and a condition is recommended accordingly.

6.5 Archaeology/historic landscape interests

6.5.1 The previous outline permission for the site required the implementation of a programme of archaeological investigation. GGAT confirmed that they had no objection to the reserved matters application DC/2007/00835 subject to the satisfactory completion and submission of the archaeological work which was ongoing. The test pitting carried out by GGAT in the early part of 2007 identified a series of archaeologically significant features including a potential medieval road surface, an area of peat extraction and a stabilised land surface, possibly dating to the Roman period. The next stage, namely, a field evaluation based on a layout of evaluation trenching was carried out in July 2007 and identified a series of archaeologically significant features including a road surface of Roman or medieval age. The results of the field trenching will inform the excavation work to be carried out at Stage 3, with the archaeological resource being further protected by a watching brief while groundworks are carried out by the developer. A condition is proposed to cover the need for any further investigative works. The controls in place mean that the development need not harm archaeological interests, in line with the requirements of WO Circular 60/96.

6.5.2 The impact of the proposed development on the Historic Landscape of the Gwent Levels was appraised under previous outline and reserved matters permissions. Gwent Europark was specifically excluded from the Register of Historic Landscapes because of the allocation of the area for development. The proposed development would have some impact on the historic landscape of the adjoining area but that impact would be limited and would not be unacceptable, the application site lying to the north of the distributor road and a Tesco depot and in broad terms being bounded on its northern side by the railway and motorway.

6.6 Traffic/ Highway Safety

6.6.1 The allocation of Gwent Europark in successive development plans was made in the context of a range of considerations including the suitability of road access. The site is served by a wide distributor road which links directly into the main highway network just west of Magor at J23A of the M4 motorway. The Council's Highway Officers have no objection to the proposed development on highway grounds.

6.6.2 In relation to parking requirements, the site approved under reserved matters accommodated 521 car spaces and covered cycle/motorcycle spaces and 241 lorry bays with extensive areas for HGV manoeuvring. This is technically an under-provision in relation to the Monmouthshire Parking Guidelines given a building of this scale for a B8 use as well as a B1 and B2 use. However, in the light of the policy thrust of PPW10 and the need to promote sustainable forms of transport and active travel, it is considered that this scale of parking is sufficient. To ensure more sustainable modes of transport are employed to serve the building, it is proposed to apply a Travel Plan condition that should reduce the reliance on the private car and promote cycling, use of public transport and car sharing for travel to and from work. This would meet the terms of Policy MV1 of the LDP.

6.7 Ecology

6.7.1 The site forms part of a SSSI which has been notified for its range of aquatic plants and invertebrates associated with the reens and ditches of the drainage system; in summary, the

special interests of the SSSI are dependent on the water quality, water quantity, the existence of the drainage system and its continued management. Any development which has an adverse impact on any of these factors will have an adverse impact on the wildlife for which the area was notified. Previous permissions for this site were approved in the context of the SSSI status of the site. The conditions that have been recommended will safeguard the designation and ensure the integrity of the reed system and the ecology it supports.

There are also specific ecological monitoring conditions relating to the reserved matters approval DC/2007/00835 that will need to be addressed.

Subject to these measures, the proposal will accord with LDP policies S13, GI1 and NE1.

6.8 Drainage / Flooding

6.8.1 The site can be drained by mains sewer and there is no objection from Dwr Cymru – Welsh Water. A drainage condition is proposed to ensure full details are submitted to the Council and approved before works commence on site. Previously, the drainage proposals for the site were designed in consultation with the then CCW and the Independent Drainage Body to ensure that the quality and quantity of water at and around the site is safeguarded since any derogation would adversely impact on nature conservation interests (the SSSI). A surface water drainage condition will also be imposed to ensure the acceptability of these arrangements.

6.8.2 The site lies within a flood risk zone category C1 where new development such as this may be permitted subject to an acceptable flood consequences assessment. In 2007 the FCA by Veryards Opus for the applicant showed that the site and its access were at risk of flooding during an extreme tide coincident with breach of the sea defences. Following a breach, the analysis predicted that the depth of flooding on the access road would be less than 1m in the first ten hours – a degree of risk which NRW considered to be acceptable subject to the implementation of suitable evacuation procedures. The current proposal would not introduce vulnerable development into the C1 zone and is in accordance with TAN15 which addresses the subject of development on flood plains, and would also comply with LDP policies S12 and SD3.

6.9 Well-Being of Future Generations (Wales) Act 2015

The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.10 Conclusion

6.9.1 This is a longstanding allocation for an industrial (B8) use which has been marketed for many years but has not led to any firm interest in its development for warehousing/ distribution. Extending its use to B1, B2 and B8 uses can be acceptably managed to avoid harm to environmental interests, including those of the residents of Llandevenny, the integrity of the SSSI and the local wildlife.

6.9.2 The proposal may be more likely to deliver skilled jobs to the local economy than a more limited B8 allocation/ permission.

6.9.3 It should be noted that a previous s.106 agreement has been discharged in relation to sewerage and highways' requirements and the ecological issues are covered by the conditions set out below.

7.0 RECOMMENDATION: APPROVE

CONDITIONS:

1 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") for any revised submission shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

REASON: The application is in outline only.

2 Any application for approval of revised reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

REASON: In order to comply with Section 92 of the Town and Country Planning Act 1990.

3 The development shall begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: In order to comply with Section 92 of the Town and Country Planning Act 1990.

4 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

5 No development shall take place until full details of foul and surface water drainage have been submitted to and agreed by the Local Planning Authority. The development shall be carried out fully in accordance with the approved drainage details before the development is brought into use.

REASON: : To ensure the site has adequate drainage and in the interest of protecting the quality and quantity of water in reens and ditches to safeguard nature conservation interests in accordance with Policies S13, GI1 and NE1 of the LDP.

6 The development shall not commence until comprehensive baseline surveys have been carried out (at locations and times to be agreed in writing by the Local Planning Authority) of (a) Flora and Fauna and (b) of Water Quality (covering a full range of determinants including: nutrients, heavy metals, pH, basic salts, ammonia, BOD oil and greases and total organic carbon), and the results of each of the surveys have been submitted to and approved by the Local Planning Authority as baselines for the purposes of monitoring the environmental impacts of the development.

REASON: To ensure that there is baseline data available for the purposes of monitoring the impacts of the development upon site area of the Redwick and Llandeenny SSSI in accordance with Policy NE1 of the LDP.

7 The development shall not commence until such time as details of a programme of environmental monitoring of the potential impacts of the development upon both the site area and the Redwick and Llandeenny SSSI generally, have been submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include details of the method and means of monitoring and shall include a timetable of the monitoring activities to be carried out to counteract any adverse impacts of the development upon the interests of the Redwick and Llandeenny SSSI. The monitoring scheme shall commence as soon as the development is begun and shall continue throughout the carrying out of the development and for such further period following the completion of the development as may be referred to in the approved details. The scheme shall be carried out as approved.

REASON: : To ensure that the environmental impacts of the development are closely monitored during its construction and operational phases, in the interests of protecting the Redwick and Llandeenny SSSI in accordance with Policy NE1 of the LDP.

8 Prior to the occupation of any building, details of a programme of maintenance and environmental management of that phase of the development and all watercourses (reens, drainage ditches and other surface water storage/regulation features, including amenity, balancing and settlement ponds and storage lagoons, remaining or newly created as a result of the development) and vegetation, have been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a schedule of works and detailed timetable for the carrying out of the works and the scheme shall be carried out as approved. The details of the programme of environmental monitoring shall include detailed provisions of the carrying out of measures for effective maintenance.

REASON: In the interests of protecting the Redwick and Llandeenny SSSI in accordance with Policy NE1 of the LDP.

9 Before the development is commenced, written approval of the Local Planning Authority is required in respect of a scheme of landscaping and tree planting for the site (indicating the number, species, heights on planting and positions of all trees and shrubs). The approved scheme shall include measures for the protection of the existing vegetation along the northern boundary of the site and shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the completion of that development. Thereafter, the trees and shrubs shall be maintained for a period of 5 years from the date of planting in accordance with an agreed management schedule. Any trees or shrubs which die or are damaged shall be replaced and maintained until satisfactorily established. For the purposes of this condition, a full planting season shall mean the period from October to April.

REASON: To safeguard the rights of control of the Local Planning Authority in these respects and to ensure that the site is landscaped in a satisfactory manner in the interests of visual amenity in accordance with Policy GI1 of the LDP.

10 No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the application and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

REASON: to ensure the development acceptably considers the archaeological resource in accordance with WO Circular 60/96.

11 As part of the submission of the reserved matters, a scheme of external lighting shall be submitted to and agreed by the local planning authority. The development shall be carried out in strict accordance with the scheme, as approved, prior to the building and external areas being brought into use.

REASON: in the interests of residential amenity and to protect the Redwick and Llandeenny SSSI in accordance with policies EP1 and NE1 of the LDP.

12 The premises shall be used for Use Class B1, B2 or B8 and for no other purposes of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order.

REASON: To limit the terms of the permission as per the application details and to accord with employment policies in the adopted LDP.

13 No development shall take place within 7 metres of any ditch or ree (existing, diverted or newly created as a result of the development) and a Buffer Zone of that distance shall be preserved between land drainage ditches, reens and any other water body, newly created for the development and any other physical development. The Buffer Zone shall, at all times, be kept free of any spoil, stored materials, plant, machinery and any other structures. There shall be no trafficking of vehicles or plant within the Buffer Zone.

REASON: To ensure that access can be retained for maintenance purposes and reduce the risk of pollution of the drainage network, in the interests of efficient land drainage, flood prevention and protection of the Redwick and Llandeenny SSSI in accordance with Policy NE1 of the LDP.

14 The rating level of the noise emitted from any building used for industrial and manufacturing processes and any fixed plant or equipment (mechanical and electrical) located at the site shall not exceed the existing background level at any premises used for residential purposes when measured and corrected in accordance with BS 4142: 2014.

REASON: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with Policy EP1 of the LDP.

15 No manufacturing or processing or other uses associated with any B2 (General Industrial) use shall take place at the site other than inside approved buildings.

REASON: In the interest of neighbouring amenity in accordance with Policy EP1 of the LDP.

16. Before the building is occupied, a Travel Plan shall be submitted to and approved by the Local Planning Authority to promote alternative modes of transport to the site other than individual use of the private car. The recommendations of the Travel Plan shall be implemented once the use commences and monitoring reports at the end of years 3 and 5 following the occupation of the building shall be submitted to the Local Planning Authority to demonstrate compliance with the recommendations.

Reason: to support the use of sustainable forms of transport and to reduce congestion and pollution, as promoted by Planning Policy Wales 10.

INFORMATIVES

1 The development should be carried out fully in accordance with the proposals shown in the application and in the plans and particulars accompanying such application as varied and amended by this permission.

2. This decision notice is issued in respect of Planning Permission only and does not convey any approval which may be required under any other legislation or provisions, such as, but not limited to, Highways and Building Regulations.

3. Where there are conditions which require details to be approved prior to the commencement of development, failure to submit these details prior to commencement of development may result in the permission being invalidated.

4. The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.

5. This planning permission must be read in conjunction with the decision notice for the reserved matters permission DC/2007/00835 which features planning conditions that need to be addressed.