Application Number:	DM/2018/00731
Proposal:	Full planning application for the development of a workshop (B2), two storey office (B1), valet/car preparation area (Sui Generis), parking areas for car storage (B8) and associated infrastructure works (revised Phase 2 Ecological Survey, Planning Statement and FCA received 27.07.2018 and 02.08.2018; Revised FCA received 05.09.2018)
Address:	Land At Newhouse Farm Industrial Estate, Chepstow, NP16 6UD
Applicant:	Mr Gavin Cleverly
Plans:	Site Plan P002 - , Cross Section P003 - , Site Plan P004 - , Fencing Plan P005 - , Cross Section P006 - , Cross Section P007 - , Floor Plans - Proposed P008 - , Floor Plans - Proposed P009 - , Proposed Roof Plan P010 - , Elevations - Proposed P011 - , Elevations - Proposed P012 - , Floor Plans - Proposed P013 - , Elevations - Proposed P014 - , 3D Views P015 - , 3D Views P016 - , 3D Views P017 - , 3D Views P018 - , 3D Views P019 - , External Works Plan 02 - P2, Site Levels 05 - P2, Other 06 - P2, Other 07 - P2, Drainage 10 - P2, Drainage 11 - P2, External Lighting MMC-HYD-01-XX-DR-E-0650 - P01, Location Plan P001 - A, Tree Survey Tree Survey - ,

RECOMMENDATION: APPROVE

Case Officer: Mrs Helen Hinton
Date Valid: 10.05.2018

1.0 APPLICATION DETAILS

1.1 This application seeks detailed planning permission for the erection of two buildings to accommodate a vehicle repair workshop (use class B2) and offices (use class B1) and a valet/ car preparation area (sui generis) with an associated parking for storage of vehicles (use class B8) and infrastructure works on land within the Newhouse Farm Industrial Estate Chepstow..

1.2 Building 1 would contain the proposed workshop and office accommodation. The building would measure 55.8m wide, 59.4m deep (floor area of 3,314 square metres) with a shallow pitched roof with a maximum height of 12.4m falling to 9.1m at eaves level. Externally the building would be finished with light grey coloured vertically and horizontally laid composite and trapezoidal cladding and light grey coloured composite roof panels. The building would be positioned in the north-eastern part of the site, 41m back from the internal road serving the wider industrial estate. The principal elevation would front and address the highway and entrance to the site and would contain an aluminium framed and glass detailed entrance feature with company logo and decal details. Vehicular access to the building would be to the rear from inside the site only. The other elevations would contain a variety of openings and mechanical intake/ extract ventilation louvres and flues.

1.3 Internally the ground floor would be predominantly laid out as a vehicle workshop/ body repair area with a 341 square metres reception, training and staff facilities area. A 434 square metre office space would be provided at first floor level.

1.4 Building 2 would contain the proposed valet/ car preparation area. The building would measure 25.8m wide, 23.3m deep (floor area of 601.14 square metres) with a shallow pitched roof with a maximum height of 6.9m falling to 5.2m at eaves level. The building would be finished externally with light grey coloured, vertically laid cladding and light grey coloured composite roof panels. The elevation facing the highway would contain a bank of ribbon glazing at an upper level. Vehicular

access to the building would again be to the rear, from inside the site. The building would be positioned in the north-western part of the site, parallel to the main building.

1.5 The proposed site layout plan also indicates the following: the access to the site would be gained via the existing entrance in the northern boundary; the retention of an attenuation/ balancing pond in the north-eastern corner of the site adjacent to the main building; the provision of 27 parking spaces (including 4 disabled access spaces) to the front of the main building for use by staff and visitors; a dedicated staff parking area containing approximately 50 spaces to the south-west of the valet building; a car transporter, loading and unloading area, and an area of approximately 1.6 hectares within the southern part of the site for operational parking/ open storage of vehicles. A new 3m high, v-mesh panel security fence would be provided on three sides of the site between the proposed development and the existing landscape belt and boundary fence. A minimum distance of 4.5m would be provided between the new security fence and the existing external boundary fence of the site.

1.6 A minimum distance of 7.5m would be maintained between the eastern boundary of the site and the new security fence to prevent encroachment on the reen that runs along the eastern boundary of the site.

1.7 The proposal would operate between the hours of 06:00 and 19:00 hours.

1.8 The application is presented to Committee as Natural Resources Wales have raised and maintained an objection to the development on the grounds of flood risk.

Site Appraisal

1.9 The site comprises a 3.7 hectare located at the western end of the Newhouse Farm Industrial Estate. Existing industrial units, used for a mixture of manufacturing, warehousing and distribution are provided to the north, east and south of the site. The site was previously used for the open storage of wind turbine components, HGV and car parking in conjunction with the premises to the north of the site. This manufacturer has now left the estate and the site the subject of the current application has been vacant since then. This is the last major plot within the estate to be developed.

1.10 The site is relatively flat with a moderate slope down from approximately 11m AOD on its eastern boundary to 8m AOD along its western boundary. The site benefits from a large (approximately 20m wide) vehicular entrance with the adopted but unclassified internal estate road to the north which in turn adjoins with M48-Chepstow junction to the north-east. The internal estate road runs adjacently to the northern, western and southern boundaries of the site.

1.11 The majority of the site consists of hardstanding with various parts having become vegetated to varying extents. The entire northern half of the site consists of bare concrete. The southernmost part of the site consists of aggregate material. Adjacent to the eastern boundary is a well-managed reen that flows in a southerly direction along with a treeline with sub-mature broadleaved trees, situated further beyond the watercourse. The boundaries are defined by a tall chain link fence, with mature boundary vegetation on the inside on the fence.

1.12 The application site lies entirely within Zone C2 as defined by the Development Advice Maps (DAM) referred to under Technical Advice Note 15: Development and Flood Risk.

1.13 The following documents have been submitted in support of the application:
An initial and revised Flood Consequences Assessment;
Hydrock Technical Summary;
Design and Access Statement;
Pre-application Consultation (PAC) report;
Luminaire Schedule;
Tree survey report;
Preliminary Ecological Appraisal and Phase 2 Ecological Survey;
Site investigation report and appendices;

Drainage strategy;
Planning Statement;

1.14 The application was screened under the Environmental Impact Assessment regulations (EIA), and found not to need a full EIA.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2018/00731	Full planning application for the development of a workshop (B2), two storey office (B1), valet/car preparation area (Sui Generis), parking areas for car storage (B8) and associated infrastructure works (revised Phase 2 Ecological Survey, Planning Statement and FCA received 27.07.2018 and 02.08.2018; Revised FCA received 05.09.2018)	Pending Determination	

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S8 LDP Enterprise and Economy
S9 LDP Employment Sites Provision
S12 LDP Efficient Resource Use and Flood Risk
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design
SAE2 LDP Protected Employment Sites

Development Management Policies

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

4.0 REPRESENTATION

4.1 Consultation Replies

Chepstow Town Council - No objection subject to conditions preventing pollutants from entering the watercourse.

Mathern Community Council - concerns raised with regards to the Pre-Application Consultation process carried out by the developer.

MCC Highways - No objection. The proposed parking provision and entrance alterations are acceptable and the wider highway network is capable of accommodating the traffic generated by the proposal.

Natural Resources Wales- Initial response - Significant concerns are raised with regards to the development.

Natural Resources Wales - Response with regard to revised details - Raise an objection to the application:

"The FCA has been informed by NRW's latest Caldicot and Wentlooge Coastal model and reflects the appropriate climate change allowance with a 75 years lifetime of development.

The FCA indicates the minimum floor level of the proposed units will be 9.75m AOD. A site specific topographical survey has been undertaken which shows that the site is relatively flat with levels ranging from around 8.04 - 9.70m AOD.
Flood levels for the 0.5% (1 in 200) year plus climate change event are predicted as 10.27m AOD for 2090. With the additional 3 years allowance for climate change for the complete lifetime of the development, this flood level is predicted to rise to 10.7m AOD for 2093.

Based on the proposed finished floor level of 9.75m AOD, the building is predicted to flood to a depth of 950mm in this flood event.

There are no details in relation to the predicted flood depths for the ancillary areas of the proposed development. Given that a large car park is proposed, 630 spaces, we would expect details in relation to the flood risk to this area to be included. Based on the topography provided in the FCA, it is likely this area will experience higher flood depths than the proposed building.
Given the above, the proposals will not be compliant with A1.14 of TAN 15 which states that the development should remain flood free during the 0.5% (1 in 200) year flood event for the lifetime of its development (75 years).

Flood levels for the 0.1% (1 in 1000) year plus climate change event are predicted as 10.65m AOD for 2090. With the additional 3 years allowance for climate change for the complete lifetime of the development, this flood level is predicted to rise to 11.07m AOD for 2093. Based on the proposed finished floor level of 9.75m AOD the building is predicted to flood to a depth of 1.32m in this flood event.

The FCA states that the velocities for the flood waters have not been calculated, however, in the Product 4 data request from NRW, a velocity range of between 1.49 - 3.46m/s is provided for the 2090 flood event. Based upon the above information, the proposed development would have a 'Danger for Most' hazard rating and exceeds the tolerable limits of A1.15.

The FCA states that the floor levels have been raised as much as practically possibly for the intended end use and that to further mitigate the flood risk all sensitive components such as electrical sockets will be set a minimum level of 10.65m AOD where possible.

Occupants would be encouraged to sign up to and use NRW early warning system to allow of evacuation of the area. A flood plan is also recommended in the FCA. First floor refuge is also stated in the FCA as an option during extreme flood events for the occupiers; we would not recognise this as a mitigation measure.

The FCA also highlights that the access road is currently predicted to remain flood free during a current 0.5% event (1 in 200) year flood event. By 2090 depths are predicted to reach a maximum 1.14m at the immediate north of the site but would decrease towards the main estate roundabout where depths are predicted to be less than 300mm. The access road is dry and free from flooding some 60m beyond the roundabout towards the M48 junction, this being a distance of some 160m from the site entrance.

It is for the planning authority (in consultation with other appropriate advisors) to be satisfied on the operational effectiveness of emergency plans and procedures or measures to address structural damage that may result from flooding. We do not normally comment on or approve the adequacy of flood emergency response and procedures accompanying development proposals, as we do

not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

Summary

The proposed building does not comply with A1.14 or A1.15 of TAN 15.
There is no assessment of flood risk to the ancillary areas of the proposals in relation to A1.14 criteria. These areas are part of the development and should be assessed. Without this assessment we are unable to provide advice on the consequences of flooding on these areas. However, based on the topography data in the FCA, these areas are predicted to experience greater degree of flooding than the proposed building.

We would advise that the development is highly unlikely to meet the requirements of TAN 15 and that further amendments to the FCA, such as assessing ancillary areas, will be unable to demonstrate that flood risk can be adequately managed."

Dwr Cymru/ Welsh Water - No objection. However, a 200m public rising sewer, a decommissioned 150mm watermain and 160mm distribution water main cross the site.

Glamorgan Gwent Archaeological Trust - No objection

MCC Biodiversity - Raise no objections. Advice provided and conditions recommended.

MCC Environmental Health - Raise no objections subject to conditions.

SEWBREC Search Results - 14 Category 1 species recorded within the 500 metre buffer including a European Otter, pipistrelle bat and horseshow bat. There are no designated sites within 500 metres of the site.

4.2 Neighbour notification

The application is a major development that has been advertised by direct neighbour notification, the erection of site notices and the publication of a press notice. No objections or representations have been received.

5.0 EVALUATION

5.1 Principle of Development

5.1.1 The application site comprises a previously developed parcel of land set in the western part of the Newhouse Farm Industrial Estate, Chepstow. The proposals map of the Monmouthshire County Council Local Development Plan (LDP) identifies that the site is located within the settlement development boundary and forms part of the Newhouse Farm Protected Employment site (Policy SAE2, specific site reference SAE2k). Policy E1 relating to the protection of existing employment land provides support for the scheme as the proposal seeks to provide a mix of B1, B2 and B8 uses.

5.1.2 On the basis of the above the principle of development is considered acceptable, subject to the proposal satisfying a number of material considerations. The key considerations with regard to the application have been determined as flooding; impact on the character and appearance of the area; highway safety; ecology and biodiversity; land contamination; archaeology and economic development implications.

5.2 Flooding

5.2.1 The application site lies entirely within Zone C2 as defined by the Development Advice Maps (DAM) referred to under Technical Advice Note 15: Development and Flood Risk. The site falls within the 0.5% (1 in 200 year) and 0.1% (1 in 1000 year) annual probability tidal flood outlines of the River Wye which is a designated main river feeding into the Severn Estuary. The works and

use proposed are defined as less vulnerable development. It is therefore the responsibility of the Local Planning Authority to assess and determine whether the development at this location is justified.

5.2.2 The finished floor level of both proposed buildings would be set at 9.750m AOD.

5.2.3 Following consultation with regards to an initial and revised Flood Consequences Assessment (FCA) and technical summary statement from Hydrock Engineering, NRW have raised an objection to the application. They comment that the proposals would not remain flood free during the 0.5% (1 in 200) year flood event for the lifetime of its development (75 years) contrary to A1.14 of TAN 15 and that the depth of flooding experienced would exceed the tolerable limits as set out at A1.15 resulting in a hazard rating of 'Danger for Most'.

5.2.4 In response the following comments have been provided by the applicant's agent:

"Whilst it is accepted that the climate change scenarios assessed would overtop the existing defences, the design life of the proposed building is unlikely to exceed 45/50 years, as a result the impacts of climate change and predicted flood levels/depths within the site would therefore decrease.

It is noted that The Reid Lifting site (which is 3 units to the east of the proposed site) was granted planning approval in 2015/2016 with similar concerns raised by NRW (application DC/2014/00084 refers). A reduced design life of 50 years was agreed in this instance, which resulted in a decrease in predicted flood levels at the site making the consequences acceptable.

Whilst flood levels were predicted to overtop the existing defences and lead to flooding within the site the proposed finished floor level of the Reid Lifting building was set at 9.50m AOD so as to provide a freeboard above such an event with further flood resilient and resistant approaches adopted up to the 1 in 1,000 year event. This approach was approved and the building is now built and operational. The approach proposed for this application mimics that for the approved Reid Lifting site, but in recognition of NRW concerns, the floor levels have been increased to 9.75m AOD, the maximum practicable owing to existing fixed site constraints.

Raising the building further than 9.75m would not be achievable for a number of reasons. The main issue would relate to the viability of the whole scheme, if the ground floor was raised further than proposed (9.75m) then the viability of the scheme would not be feasible. Increasing the finished level further would have an impact on the adjacent attenuation pond and well-established tree landscaping belt (and root protection zones) which is bound on the other side by the reen maintenance zone, which, too, must be maintained. Any further increase in levels would lead to either unacceptable gradients or the need for retention structures affecting these features and impacting on the required access for maintenance.

Raising the building above the proposed 9.75m AOD would also be impractical given the consequent impact on future operation of the buildings. There is a need to provide flat, level access to the buildings from their aprons, which fixes the gradient on the internal access roads from their link to the existing public access road, the level of which, too, is fixed. With building FFLs in excess of 9.75mAOD, the gradient required becomes unacceptable for site operations. Notwithstanding the above, from a sustainability perspective, raising the site from 9.75m AOD to 10.27m AOD (accepting the latter as not practical due to existing site constraints) would require in excess of 4000m3 of additional imported fill material (this figure excludes the road, service yard and ground floor slab make ups which would also be required). This equates to an additional 1600 lorry movements into, and out of, the estate during the construction period.

Whilst the proposals do propose offices on the ground floor, additional offices are provided at first floor levels. This provides an area of safe refuge in the event that flooding should occur without warning. The scheme also proposes to adopt a flood resilient and resistant approach on the workshop ground floor to limit the impact of any internal flooding should it occur. Given the intended use of the ground floor for offices, car washing, and valeting this is a requirement for the building regardless of potential flood risk. The design has been based on the ground floor being

'wet proof' with all sensitive equipment suitably raised (recommended as being a minimum of 10.65m AOD to be above the NRW's provided flood level). This would help minimise the impact and lost operation times in the event of the flood defences being overtopped and flood waters entering the site.

External to the site, it is recognised that the existing industrial estate access roads are lower lying and would remain as being at risk from flooding which has the potential to restrict access and egress during flooding. NRW have provided predictions of flood depths and hazards along this route which confirm that during the design event predicted depths could be up to 2m deep with a hazard rating of 'Danger to Most'. Given that these are existing operational roads serving existing developments, there is no option for any mitigation works (such as road level raising etc).

In recognition of the potential hazard level along this section of access, it is recommended that a flood evacuation and management plan be produced for the site. In the event that flood depths exceed that which is considered 'safe' along the existing access roads, safe refuge is available within the office space on the first floor."

5.2.5 Following consultation Dwr Cymru-Welsh Water has provided the following information:

"The development site is crossed by a 200mm public rising sewer main; a 150mm decommissioned watermain and a 160mm distribution watermain, all of which are strategic assets with their own projection zone"

5.2.6 Whilst no operational development, including the erection of buildings or lowering of ground levels is allowed within the safety zone of the apparatus, there is the potential for Dwr Cymru to agree a slight increase in levels across their apparatus subject to appropriate design. The location and position of the apparatus does place a further constraint upon raising the levels of the site.

5.2.7 Section 6 of TAN15 outlines justification tests that highly vulnerable development must satisfy in order to be considered acceptable. The modelling values provided for the climate change scenarios are for 75 and 100 years into the future. These are 'standard' design life values adopted by NRW and Welsh Government with consideration of a design life of 75 years for all less vulnerable development and a 100 year design life for residential developments.

5.2.8 Whilst the design life standards for less vulnerable development are acknowledged, flood risk must be considered in relation to the anticipated duration and vulnerability of the each development. In this instance, being mindful of the steel portal frame construction of the buildings in conjunction with their intended use, it is considered unlikely that their lifespan would exceed 55-60 years. This in turn would reduce potential exposure to and experience of such flood events.

5.2.9 The proposed development (which is defined as less vulnerable) would contribute to key employment objectives within the Local Development Plan (LDP) to support the growth of resilient communities. Furthermore, the site is considered to be previously developed land, having previously been used for the open storage of wind turbine components, HGV and car parking in conjunction with the premises to the north of the site.

5.2.10 On balance, given the potential reduced lifespan of the building relative to the design life standards , the less vulnerable classification of the development; the measures that the developer is required and willing to provide to limit and mitigate the impact of flooding; and the implications raising the site could have on the ecology, biodiversity; appearance of the area and underlying apparatus,, it is considered that siting the development as proposed in this location would be acceptable. It would be in accordance with the justification tests that are outlined in section 6 of TAN15. The application is therefore considered compliant with the requirements of policies S12 and SD3 of the Monmouthshire County Council Local Development Plan.

5.3 Character and Appearance

5.3.1 The site is located at the western end of a well-established industrial estate to the south of Chepstow and the M48. Whilst the application proposes a sizeable development, it is considered

that the buildings and use proposed would be of a size and scale commensurate with the wider industrial estate. The buildings proposed are considered to be of a design and external finish appropriate and in keeping to their setting and context.

5.3.2 Concerns were initially raised in relation to the scale of the proposed open storage/ parking area in the southern part of the site. It should be noted that the whole site was previously used for such purposes and there would be screening that would be provided by the position and size of the existing and proposed buildings, existing landscaping and boundary treatments. The site is approximately 700m away from the M48 and any public vantage points. Thus, being mindful of context, it is considered that the development would not be so visually incongruous to warrant refusal of the application.

5.3.3 The application is considered compliant with the requirements of policies S17 and DES1 of the LDP.

5.4 Highway Safety

5.4.1 The proposed site layout plan indicates that access to the development would be gained via the existing entrance in the northern boundary of the site, which connects with the internal industrial estate road. The industrial road varies in width and has a minimum carriageway width of 8.6m in the vicinity of the site and maximum width of 12.8m on the south-bound approach to the proposed development site. Footways are provided along the northern and southern side of the carriageway (approximately 1.75m wide). The road is lit and is subject to a 30mph speed limit in the vicinity of the proposed development.

5.4.2 As part of the development approximately 77 dedicated parking spaces would be provided for staff and visitors to the site with parking and storage for up to 655 vehicles being provided in the southern part of the site. All of the vehicles to be stored on site would pass through the car preparation facilities and as a result would be transported to and from the site on designated transporter vehicles.

5.4.3 The following information has been submitted in support of the application:

"Based on the operational performance of the applicant's other premises, it is estimated that the majority of staff (approximately 45) will arrive between 08:00-09:00 with the remainder arriving prior to this, between the hours of 06:30-08:00. In terms of departures, it is envisaged that the majority of staff (approximately 45) will depart between the hours of 17:00-18:00, with the remainder leaving between the hours of 18:00-19:30. Visitors to the site would arrive between the hours of 09:00- 17:00

It is estimated that the development will generate an average of 10 transporter lorries per day (Monday - Saturday). Whilst the exact timings of transporter deliveries are unknown, it is envisaged that deliveries would be staggered throughout operational hours."

5.4.4 Following consultation, the Council's Highways Section has confirmed that the highway network leading to the site is capable of accommodating the traffic generated by the development and that the specific site access and level of parking proposed is sufficient and acceptable. The application is therefore considered compliant with policies S16 and MV1 of the Monmouthshire County Council Local Development Plan.

5.5 Ecology and Biodiversity

5.5.1 Phase 1 and phase 2 Ecological surveys of the site have been submitted in support of the application. Following consultation, the Council's ecologist has provided the following response:

"A Habitats Regulations Assessment has been undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 as the site sits less than 1km from the Severn Estuary European Marine Site and is hydrologically linked via drains and ditches. The site is also within 1.5km from the River Wye SAC and sits within the zone of influence for otter.

Pathways to effect included the potential for impacts of toxic contamination and changes in water chemistry on Severn Estuary SAC (and Ramsar) habitats plus the potential for disturbance, habitat fragmentation and entrapment of otter as an interest feature of the River Wye SAC.

It is considered that there will not be a Significant Effect on the Severn Estuary due to the distance of the scheme from the European Marine site. The scheme already proposes to use measures to control trade effluent, runoff and intercept hydrocarbons. These are not mitigation measures in relation to the protected site and so can be considered in the Test of Likely Significant Effect stage.

Uncertainty exists in relation to otter and risks posed during the construction phase. Therefore, a full appropriate assessment was carried out. This concludes that subject to the development and implementation of a Construction Environmental Management Plan, there will not be an adverse effect on the integrity of the River Wye SAC."

5.5.2 Following consideration of the Habitats Regulations Assessment, NRW are satisfied with the considerations and raise no objection to the assessment noting that the Phase 2 survey by Ecological Services Ltd dated 27/07/2018 did not evidence any use of the site by European Protected Species.

5.5.3 Phase 2 surveys submitted in support of the application consider the site to include Open Mosaic habitat which is priority habitat. Previous survey identified semi-improved grassland at the periphery of the site. Management recommendations for the site post-construction have been included in the Phase 2 survey report. These principles will need to be developed into a landscape plan and maintenance schedule.

5.5.4 Consideration has also been given to the following Protected and Priority Species:

Amphibians and in particular great crested newts: The Phase 2 surveys have concluded that the waterbodies are unlikely to be used by great crested newt.

Reptiles: A reptile survey was undertaken during summer 2018 (which was an extremely constrained survey season). No reptiles were found. The findings are likely to be a fair representation of the status of the site.

Invertebrates: Reference has been made to the reen corridor and its value to invertebrates and the potential to compensate for the loss of wildflowers in the landscaping scheme for the site.

5.5.5 On the basis of the above, subject to the imposition of conditions, the application is considered compliant with the requirements of policies S13, GI1, NE1, EP1 and EP2 of the LDP.

5.6 Land Contamination

5.6.1 A geo-environmental and geotechnical site investigation report prepared by Earth Science Partnership, has been submitted in support of the application. The Desk Study identified the potential for infilled ditches/reens and historic ponds adjacent to the western boundary. It has recommended that should these features be identified during construction works, any weaker, variable materials should be excavated and replaced with appropriately compacted engineering fill.

5.6.2 In terms of contamination, the report concludes that whilst no obvious sources of contamination or ground gas were encountered, if any potentially contaminative or gassing sources are identified during development, works should cease and the advice of an appropriately qualified specialist sought. A condition with regards to this could be imposed on any grant of consent.

5.6.3 Following consultation, the Council's Environmental Health Team have noted that limited intrusive investigatory works were undertaken as part of the Site Investigation. However, based on the findings and the nature of the end use, no objection are raised to the positive determination of

the application subject to a condition requiring all works to be carried out in accordance with the submitted site investigation report and for works to cease should previously unidentified contamination be found. In light of the above, the application is considered compliant with the requirements of LDP Policy EP1.

5.7 Archaeology

5.7.1 The site is located in an Area of Special Archaeological Sensitivity. Following consultation Glamorgan Gwent Archaeological Trust has provided the following information:

"The development area is located in the Gwent Levels Registered Historic Landscape of Outstanding Importance, within character area HLCA014: Mathern, characterised as a small parcel of coastal alluvium, likely to have been reclaimed in the 14th Century but not referred to until the 16th Century. Extensive archaeological evaluation and excavation works have been undertaken in this area and this has shown prehistoric, Roman and Medieval features and finds. These have been recorded as a result, to professional standards.

Therefore, it is our opinion that there will not be a requirement for archaeological mitigation works, as it is unlikely that significant archaeological remains would be encountered during the proposed work and we raise no objection to the application."

5.7.2 In light of the consultation response received, the application is considered compliant with the requirements of Chapter 6 of Planning Policy Wales and Technical Advice Note (TAN) 24: The Historic Environment.

5.8 Economic Development Implications

5.8.1 The planning statement and application form note approximately 70 full time equivalent jobs will be created. Whilst it is not known how many of these are being relocated from elsewhere, the creation of jobs is nonetheless welcomed and helps to deliver the Council's vision for sustainable economic growth in accordance with the requirements of LDP Policy S8.

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

5.9.1 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.

5.10 Conclusion

5.10.1 Whilst the 'standard' design life values adopted by NRW and Welsh Government for less vulnerable development in flood zones are acknowledged, in this instance it is considered that the construction materials and use of the development proposed would reduce the buildings likely lifespan and therefore reduce its exposure and risk to flooding. It is considered that siting the proposal in this location would be acceptable and in accordance with the justification tests outlined in section 6 of TAN15 on the grounds that the proposal is defined as being less vulnerable development on previously developed land that would contribute to key employment objectives within the Local Development Plan (LDP) to support the growth of resilient communities.

5.10.2 As outlined in the report, it is also considered that the proposal would not have a detrimental impact on the character and appearance of the area; highway safety; ecology and biodiversity; land contamination; archaeology and could contribute to economic development. The application is considered compliant with the relevant policies of the Council’s adopted Local Development Plan as specified above and is recommended for approval subject to the conditions.

6.0 RECOMMENDATION: APPROVE

Conditions:

1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

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

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

3 Notwithstanding the details of the approved plans, all parking areas and access shall be provided prior the first beneficial use of the site.

REASON: In the interests of the highway safety and free flow of traffic in the area in accordance with policies S16 and MV1 of the Monmouthshire County Council Local Development Plan.

4 If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON: There may be unidentified areas of contamination at the site that could pose a risk to controlled water is there are not remediated in accordance with policy EP1 of the Monmouthshire County Council Local Development Plan.

5 Prior to the beneficial occupation of the buildings, a flood evacuation and management plan shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of health and safety of all employees at the site, in accordance with policy S12 and SD3 of the Monmouthshire County Council Local Development Plan.

6 No development shall take place (including ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall build upon the principles set out in the submitted Phase 2 Surveys by Ecological Services Ltd dated 27/07/2018 and take the points raised by NRW in their consultation responses dated 14th June 2018. The CEMP shall include the following as a minimum:
a) Risk assessment of potentially damaging construction activities.
b) Identification of "protection zones".
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
d) The location and timing of sensitive works to avoid harm to biodiversity features.
e) The times during construction when specialist ecologists need to be present on site to oversee works.
f) Responsible persons and lines of communication.
g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
h) Use of protective fences, exclusion barriers and warning signs.
The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of protecting the environmental, ecological and biodiversity value of the area, in accordance with policies S13, GI1, NE1, EP1 and EP2 of the Monmouthshire County Council Local Development Plan.

7 No development shall take place until full details of soft landscape works have been submitted to and approved in writing by the local planning authority. Details shall include: planting plans, specifications including cultivation and other operations associated with plant, grass & wildflower establishment, schedules of plants, noting species, sizes, numbers and densities.

REASON: To ensure the provision afforded by appropriate landscape design and Green Infrastructure in accordance with LDP policies, LC5, DES1, S13, GI1, NE1, EP1 and SD4. (Legislative background - Well Being of Future Generations Act 2015, Planning (Wales) Act 2015 Environment (Wales) Act 2016)

8 All soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs in accordance with LDP policies, LC5, DES1, S13, GI1, NE1, EP1 and SD4.

9 A schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority and shall include details of the arrangements for its implementation. The principles of the maintenance shall be based on proposals in Section 7, Phase 2 Survey, Land at Newhouse Industrial Estate. Chepstow prepared by Ecological Services Ltd dated 27/07/2018.

REASON: To ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features in accordance with the approved designs in accordance with LDP policies, LC5, DES1, S13, GI1, NE1, EP1 and SD4.

INFORMATIVES

1 Please note that otters are protected under The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). This protection includes otters and places used for resting up, breeding, etc. whether an otter is present at the time or not. If otters are disturbed during the course of works, all works must cease and Natural Resources Wales contacted immediately.

2 The Drainage Strategy by Mon Motors Group dated 16 March 2018, indicates foul and trade effluent disposal is based on disposing of foul water via a new private pumping chamber connecting to mains sewer. This is Natural Resources Wales (NRW) preferred option. If at any point the intended means of foul water disposal is amended or altered further consultation needs to be undertaken with NRW.

With regard to pollution prevention, it should be noted that:
o any cleaning and valeting areas will require sealed drainage as contaminated run off from the valeting areas will render any oil interceptors ineffective.
o with regard to the clean surface water plan, at the point where the ponds discharge to the water course a shut off valve should be installed to limit the impact should an onsite pollution incident occur.

o all cleaning agents, emulsifiers and detergents should be stored in suitable secure bunded areas or containment facilities away from surface water drains.