

**Application Number:** DM/2023/01679

**Proposal:** Construction of a building to house munitions assembly, extraction of material from borrow pits for construction of surrounding blast mounds

**Address:** B A E Systems, Glascoed Rof, NP15 1XL

**Applicant:** Mr Harris

**Plans:** All Drawings/Plans 2309 X500 P51 - , All Drawings/Plans 2309 X500 P52 - , All Drawings/Plans 2309 STW P53 - , All Drawings/Plans 2309 STW P54 - , All Drawings/Plans FIGURE L1 - , GMEF-ALP-A1-00-DR-A-28-101 P01 - , GMEF-ALP-A1-B1-DR-A-28-100 P01 - , GMEF-ALP-A1-M1-DR-A-28-102 P01 - , GMEF-ALP-A1-RF-DR-A-28-103 - , GMEF-ALP-A1-ZZ-DR-A-28-001 P01 - , GMEF-ALP-A1-ZZ-DR-A-28-003 P01 - , GMEF-ALP-A1-ZZ-DR-A-28-201 P01 - , GMEF-ALP-A1-ZZ-DR-A-28-200 P01 - , GMEF-ALP-A1-ZZ-DR-A-28-300 P01 - , GMEF-ALP-A1-ZZ-DR-A-28-503 P01 - , GMEF-AWP-ZZ-XX-RP-C-0003 - , X10473-F1 - , Contaminated Land Desk Study - , Contaminated Land Risk Assessment - , BAE Glascoed Meltcast Building - Ecological Appraisal - , Landscape and Visual Appraisal by ECL - , Noise Impact Assessment by Professional Consult Limited

**RECOMMENDATION: Approve**

Case Officer: Mr David Wong  
Date Valid: 19.12.2023

**The application is being presented to the Planning Committee for consideration as the threshold of five objections has been met**

**1.0 APPLICATION DETAILS**

1.1 Proposal Description

1.1.1 The site is located in the open countryside within the grounds of BAE Systems Global Combat Systems Munitions Limited in Glascoed (Also known as BAE Systems). The proposed development is the construction of a building for munitions assembly and associated blast mounds. This development supports the long-term provision and protection of employment areas within the region.

1.1.2 The proposed location is vacant land within the site complex. The overall proposed area, including the new building, supporting infrastructure, and earth mounds, spans approximately 2.9 hectares. The highest point of the main structure will be approximately 9.6m above the existing ground level with a footprint of approximately 2000m<sup>2</sup>. Locally sourced materials from the wider BAE Systems site will be used to create the earth mounds.

**2.0 RELEVANT PLANNING HISTORY (if any)**

Reference Number	Description	Decision	Decision Date
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DM/2022/00189	Implementation of a 15m telecommunication tower (excluding antennas) at the centre of the BAE Systems Glascoed site.	Approved	01.03.2022
DM/2022/01713	The proposed development consists of a new Energy Centre consisting of the installation of four dual fuel boilers (natural gas and back up gas oil) located in a purpose-built boiler house building to provide steam for the Munitions Factory Site. The proposed development also includes a separate standalone containerised combined heat and power unit, 5 exhaust stacks of 20m as a rectangular lattice structure and water treatment and other ancillary plant. The associated ancillary equipment includes stand-by diesel banded generator and integral stack and a transformer.	Approved	22.03.2023
DM/2024/00120	Discharge of conditions 4 (Lighting), 5 (Biodiversity Enhancement Scheme), 6 (Landscape), 8 (Schedule of Landscape maintenance) and 10 (Construction Environmental Management Plan) for planning decision DM/2022/01713.	Approved	13.05.2024
DM/2024/00842	EIA Scoping Request - The applicant proposes to develop a new energetics manufacturing facility on vacant land within the eastern part of the existing BAE Glascoed site	Closed	12.09.2024
DM/2024/01034	Non material amendment to planning decision DC/2009/00217 (Revised height, length, width and footprint of consented building).	Approved	09.09.2024
DC/2004/00536	Provision Of Demountable Building For Office Accommodation	Approved	30.09.2004
DC/2015/00149	Installation of 18m high telecoms monopole, 2 no. antennas, 1 no.microwave dish, 3 no equipment cabinets, within a fenced and secured compound, together with associated ancillary development.	Approved	30.03.2015

DC/2007/01183	Demolition of existing buildings and construction of single storey building with associated external works	Approved	29.11.2007
M06534	Over Cladding Existing Flat Roof With A Single Pitch Hipped Roof Using Profiled Metal And Translucent Sheeting.	Approved	30.01.2002
DC/2010/00418	Extension to existing building 6A5. will consist of two blast proof cells with a corridor to join them on to the existing building	Approved	29.09.2010
39222	Construction Of A New Proof Facility.	Approved	29.01.1996
DC/2010/00341	Construction of access roads, hardstandings and associated services to EMDA facility Glascoed (Amounting to 2400sqm in area)	Approved	28.10.2010
DC/2013/00148	Refurbishment & Transformation of main admin building to new BAE systems Headquarters building. New two storey high glazed entrance foyer extension, demolition of existing single storey flat roofed brick building to rear of admin block to be replaced with new glazed orangery for informal meeting/break out area. Landscaping to front & rear of this building.	Approved	28.08.2013
DC/1998/00205	Provision Of Demountable Building For Office Accommodation And Extension To Dog Kennels.	Approved	28.04.1998
DC/2011/00416	Advert		28.02.2012

DC/2014/00234	Refurbishment and transformation of existing security lodge (Bae Ref 10C5) including associated minor buildings (Bae Ref 10C2, 10C7 & 10C8) to new modernised security lodge and visitor reception centre. Proposals include office accommodation for approx. 14 staff, conference/meeting room for 8 persons, new WC facilities for visitors, new changing, shower & toilet facilities (male & female) for staff, mess room & kitchen facilities, visitor reception and waiting area lounge. This application includes for revision of vehicular approach to security booth for incoming and outgoing vehicular traffic.	Approved	27.06.2014
DC/2011/00535	Refurbishment and conversion of existing central stores building to new wellbeing centre including new medical centre	Approved	26.09.2011
DC/2011/00745	Engineering bulk earthworks to form a landscape mound	Approved	21.12.2011
DC/2011/00539	Replacement bat roost, feeding and hibernacular buildings	Approved	20.10.2011
DC/2009/00217	Single storey building with associated external works and process engineering (revised scheme following approval DC/2007/01183)	Approved	16.04.2009
DC/2015/00478	Discharge of condition no. 2 from planning consent DC/2014/00234.	Approved	14.05.2015
DC/1979/00084	New Oil Tank For Boiler House APP_TYP 01 = Full DEV_TYP 03 = Extension MAP_REF = 335155201055	Approved	14.02.1979
DC/1980/00882	2 Temp. Portable Offices APP_TYP 01 = Full DEV_TYP 03 = Extension MAP_REF = 334431201971	Approved	13.08.1980
DC/1980/00915	Tool Cleaning Room APP_TYP 01 = Full DEV_TYP 03 = Extension MAP_REF = 335381201161	Approved	13.08.1980

DC/2011/00948	Refurbishment and transformation of existing engineering centre and refectory building (BAE ref 10C30) to new engineering centre. New engineering centre to be expanded thus providing for:- 1. Additional number of personnel 2. New conference and meeting rooms 3. New Archive 4. Modernisation of existing toilet facilities catering for wheelchair/disabled.	Approved	10.01.2012
DC/2010/01057	Existing building converted from laboratory to new office facility, incorporating office accommodation for 75 members of staff, 3 conference rooms, refurbished male and female toilets and an open courtyard with seating area; includes new hipped roof.	Approved	08.06.2011
DC/2010/00419	Extension to an existing office and welfare facility to provide the same building use.	Approved	06.10.2010
DC/2005/01304	Construction Of Two Industrial Buildings And Associated External Works	Approved	06.06.2006

### **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

#### **Strategic Policies**

S8 LDP Enterprise and Economy  
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

#### **Development Management Policies**

DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection  
EP2 LDP Protection of Water Sources and the Water Environment  
EP3 LDP Lighting  
GI1 LDP Green Infrastructure  
LC1 LDP New Built Development in the Open Countryside  
LC5 LDP Protection and Enhancement of Landscape Character  
MV1 LDP Proposed Developments and Highway Considerations  
NE1 LDP Nature Conservation and Development  
SD1 LDP Renewable Energy

## 4.0 NATIONAL PLANNING POLICY

### Future Wales - the national plan 2040

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

### Planning Policy Wales (PPW) Edition 12

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 of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

## 5.0 REPRESENTATIONS

### 5.1 Consultation Replies

**Llanbadoc Community Council** - No response to date.

**UK Health and Safety Agency (UKHSA)** - There is little information on the planning portal and should this be an application that your team considers needs a public health risk assessment in determining the application then we would be grateful if you could provide further information.

**Health and Safety Executive (Chemicals, Explosives, Microbiological Hazards Division)** - Having considered carefully the type and location of the proposed development, we have no comment to make as the proposed development is within the boundary of an HSE licensed explosives facility. As such, the development would be subject to licensing by the Explosives Inspectorate under the Explosives Regulations 2014.

**MCC Landscape and GI** - No objection subject to conditions. The submitted LVA (Landscape Visual Assessment) has appropriately assessed the likely visual impact and impact on landscape character including ZTV (Zones of Theoretical Visibility) calculations, and the likely impact on designated areas of built form and borrow areas disturbance.

**MCC Land Drainage/SAB** - No objection. The site is subject to SAB approval and an application has been submitted. In addition, the submitted FCA is sufficient for the scale of development, therefore we have no objection on flood risk grounds.

**MCC Environmental Health** - Further information and the updated Noise Impact Assessment (NIA) have been provided, I have no objections to the proposed development.

**Natural Resources Wales (NRW)** - We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the recommended conditions to any planning permission granted. In addition, we have reviewed the Appropriate Assessment by the Council; we agree with the Appropriate Assessment and have no further comments.

**MCC Biodiversity and Ecology** - The River Usk SAC and SSSI are located approximately 1 km from the site but are connected to the wider Glascoed site by the adjacent Berthin Brook. There is a pathway to a potential impact during construction phase and this should be assessed via a Habitats Regulation Assessment (HRA).

The Appropriate Assessment has now been agreed by NRW. Therefore, no objection to the proposal subject to conditions.

**Land Quality Advice Service (LQAS)** - No objection. Please ensure that the borrow pits must be restored to the high standard expected of other forms of mineral development.

LREC Search Results - Some ecological records identified in the area.

## 5.2 Neighbour Notification

- Has a comprehensive risk and impact assessment been conducted to evaluate the potential consequences on local infrastructure, the environment, and populations in the event of a catastrophic road traffic accident involving a BAE Systems loaded vehicle?
- Has a comprehensive risk and impact assessment been conducted to evaluate the potential consequences of a terrorist attack on the BAE Systems Glascoed site?
- The proposed development will have an impact on property valuations in the area.
- Has a comprehensive public consultation been conducted to ensure transparency and address any concerns related to these potential impacts?
- Objection to any expansion of an arms producer.
- Object to this application based on ethics and environmental concerns.
- Safety of nearby residents.
- Air quality/pollution.
- Traffic congestion.
- Noise disturbance.
- Environmental impact.
- Aesthetic considerations.

## 5.3 Other Representations

None received.

## 5.4 Local Member Representations

None received.

Please note all representations can be read in full on the Council's website:

<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

## **6.0 EVALUATION**

### **6.1 Principle of Development**

6.1.1 The Monmouthshire Local Development Plan (LDP) has a key role in supporting the Council's vision for an enterprising and ambitious Monmouthshire that engages with and delivers growth in 'economies of the future'. LDP Policy S8 supports the development of existing and emerging key economic sectors and seeks to enable the diversification of the County's business base, especially with regard to the high order economies of the future. No change of use of land is involved with this application. The proposed munitions assembly building and associated works are integral to the well-established business operating at BAE Systems. Therefore, there is no objection in principle subject to detailed material considerations.

### **6.2 Visual Impact/Landscape**

6.2.1 The proposal is a functional building. The site is not within a Conservation Area nor is within the curtilage of a Listed Building. An LVA has been provided that has assessed likely visual impact and impact on landscape character including ZTV calculations and likely impact on designated areas of built form and borrow area disturbance. The proposed development includes main structures, earth bunding, borrow pits to provide earth and landscaping to reinstate borrow pits and grass over proposed bunding.

6.2.2 The Council's Landscape and GI Officer has reviewed the proposal and determined that it is acceptable from a landscape and green infrastructure perspective. The submitted Landscape and Visual Assessment is proportionate and appropriate, having considered the potential visual impacts and likely changes to landscape character at key receptor locations and within the wider landscape.

6.2.3 The site is well-screened by topography and mature woodland. The proposed development would be visible within the context of existing complex structures and infrastructure, with backdrops of woodland and rising land.

6.2.4 The proposal includes plans for new native plantation and wildlife ponds. While these elements are generally acceptable, additional details regarding plant species, quantities, sizes, planting times, pond construction, outfall, wildflower mix, establishment, and aftercare prescriptions would be required. This information can be provided as a condition of approval.

### **6.3 Biodiversity**

6.3.1 A suite of ecological assessments was submitted for consideration. The River Usk SAC and SSSI are located approximately 1km from the site but are connected to the wider Glascoed site via the adjacent Berthin Brook.

6.3.2 A Habitats Regulation Assessment (HRA) was conducted to evaluate potential impacts during the construction phase. NRW was consulted and agreed with the Appropriate Assessment that the proposal is not likely to have a significant effect on the River Usk SAC and SSSI. As a result, they have no further comments.

6.3.3 Planning Policy Wales (PPW) 12 mandates that planning authorities strive to maintain and enhance biodiversity. This means that developments should not result in a significant loss of habitats or species populations, both locally and nationally, and must provide a net benefit for biodiversity. This policy, along with subsequent policies in Chapter 6 of PPW 12, aligns with the Section 6 Duty of the Environment (Wales) Act 2016.

5.3.4 To address this requirement, it is proposed to detail the provision of mitigation and enhancement measures for the site within a Habitat Management Plan. Given the demonstrated opportunities to achieve a net benefit for biodiversity on the site, this approach is considered acceptable.

6.3.5 The plan should outline management prescriptions for the wider site, including the area surrounding the proposed munitions building and borrow pits. This should encompass habitat creation, planting, and aftercare measures. Ground-nesting birds, such as skylarks, should be the primary focus of the plan, while also considering other wildlife, including invertebrates and herpetofauna. A condition is recommended below to address this matter.

### **6.4 Impact on Amenity - Air and Noise**

6.4.1 The assembly process involves the melting and cooling of materials. There are no chemical or combustion processes that could lead to air pollution.

6.4.2 A noise impact assessment was submitted for consideration. The assessment demonstrated that the rated level of noise generated by the site does not exceed the noise criteria specified in the relevant British Standards (BS4142:2014+2019) for daytime periods. Furthermore, for nighttime periods, the calculated internal noise levels fall below the nighttime noise criteria limit for



bedrooms at the worst-affected receptor. As a result, there is no need to consider noise mitigation measures.

6.4.3 The Council's Environmental Health Department has reviewed the submitted information and found it acceptable, raising no objections to the proposal.

## **6.5 Transport**

6.5.1 While the proposed development is expected to result in some additional vehicle movements during the construction period and operation, the highway serving the site is considered capable of accommodating this increased traffic. The site offers ample space for car parking, turning, and material storage. Therefore, the proposed development is not anticipated to have a detrimental impact on the safety or capacity of the immediate highway network.

6.5.2 A standard Construction Traffic Management Plan condition will be imposed to manage traffic during the construction phase. Proposed routing plans will be implemented to ensure that neighbouring properties and the town of Usk are not adversely affected by these movements.

6.5.3 Subject to this planning condition, the proposal is in accordance with Policy MV1 of the LDP.

## **6.6 Flooding**

6.6.1 NRW has reviewed the submitted information and raised no objections to the proposal. To mitigate potential flood risks, particularly on the west side of the site which has not benefited from land raising, the consultant's letter submitted in support of the proposal suggests the following mitigation measures:

- Subscribing to NRW's flood alerts
- Preparing and regularly reviewing a flood warning evacuation plan
- Displaying flood warning notices in communal areas of the building
- Providing emergency refuge above the flood level
- Ensuring emergency access to higher ground, where possible
- Incorporating flood resilience measures into the building design, such as using concrete floors and walls with steel columns.

6.6.2 It is considered that these suggested mitigations are considered beneficial for BAE Systems. Therefore, relevant informative text can be included on the decision notice.

## **6.7 Contaminated Land**

6.7.1 Given the site's history of potentially contaminative land use, NRW has requested that relevant conditions be secured through any planning permission granted to prevent unacceptable risks from contamination.

## **6.8 Surface Water Drainage**

6.8.1 MCC Land Drainage/SAB offered no objection to the proposal. They advised that the site is subject to SAB approval and that an application has been submitted. Furthermore, they determined that the submitted Flood Consequences Assessment (FCA) is sufficient for the scale of development and raised no objections on flood risk grounds.

## **6.9 Foul Drainage**

6.9.1 The application site falls within the catchment of the River Usk SAC. Planning authorities must consider the potential impact of proposed developments on water quality within SAC river catchments due to phosphorus.

6.9.2 An Appropriate Assessment was conducted and has been agreed upon by NRW. As a result, they have no objections to the proposal, subject to certain conditions.

## **6.10 Response to the Representations of Third Parties and/or Community/Town Council**

6.10.1 Five households objected to this application. The following objections have been raised, along with corresponding responses:

6.10.2 Has a comprehensive risk and impact assessment been conducted to evaluate the potential consequences on local infrastructure, the environment, and populations in the event of a catastrophic road traffic accident involving a BAE Systems loaded vehicle?

Response - BAE Systems operates an Integrated Management System (IMS) that is certified to international standards. The Health and Safety Executive (HSE) department is responsible for implementing the IMS. The HSE (Chemicals, Explosives, Microbiological Hazards Division) has confirmed that the proposed development falls within the boundaries of an HSE-licensed explosives facility. As a result, the development would be subject to licensing by the Explosives Inspectorate under the Explosives Regulations 2014. The question of whether a risk assessment was conducted outside of the BAE Systems complex is not a material consideration for planning purposes.

6.10.3 Has a comprehensive risk and impact assessment been conducted to evaluate the potential consequences of a terrorist attack on the BAE Systems Glascoed site?

Response - While not a material planning consideration, it is the applicant's responsibility to ensure that a risk assessment is conducted in consultation with relevant stakeholders.

6.10.4 The proposed development will have an impact on property valuations in the area.

Response - This is not a material consideration for planning purposes.

6.10.5 Has a comprehensive public consultation been conducted to ensure transparency and address any concerns related to these potential impacts?

Response - The applicant conducted a pre-application community consultation prior to formally submitting the planning application. Given the nature and sensitivity of the proposal, it received significant publicity, both locally and nationally, including coverage in local newspapers. The planning application was publicly advertised to invite interested parties to inspect the documents at County Hall. Due to the five objections received (Scheme of Delegation for Planning Applications), the application is being presented to Planning Committee for determination. This process allows for a transparent consideration of the proposal.

6.10.6 Objection to any expansion of an arms producer based on ethics concerns.

Response - This is not a material consideration for planning purposes. It is not part of the planning process to limit the operation of private businesses. There is no change of use of land involved. This proposal involves the development of a new ancillary building within an existing site. The proposed building and associated works are integral to the operation of an existing business, in this instance, the BAE Systems.

6.10.7 Object to this application based on environmental concerns.

Response - This proposal involves the development of a new ancillary building within an existing site. A suite of environmental assessments have been submitted for consideration. There is no objection from the relevant consultees.

6.10.8 Safety of nearby residents.

Response - Please refer to Section 6 of this report.

6.10.9 Air quality/pollution.

Response - Please refer to Section 6 of this report.

6.10.10 Traffic congestion.

Response - Please refer to Section 6 of this report.

6.10.11 Noise disturbance.

Response - Please refer to Section 6 of this report.

6.10.11 Environmental impact.

Response - Please refer to Section 6 of this report.

6.10.12 Aesthetic considerations.

Response - Please refer to Section 6 of this report.

### **6.13 Well-Being of Future Generations (Wales) Act 2015**

6.13.1 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.

### **6.14 Conclusion**

6.14.1 The proposal meets national and local planning policy subject to relevant conditions set out below.

### **7.0 RECOMMENDATION: APPROVE subject to 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 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.

3 Prior to the occupation of development full and comprehensive details of soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:  
- Soft landscape details for landscaping to include planting plans, specifications including species, size, density, number and location, cultivation and other operations associated with planting and seeding establishment, inclusive of SUDS green engineering.  
REASON: In the interests of visual and landscape amenity; in accordance with Policies DES1 & LC1/5 of the Local Development Plan.

4 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. Planting of Trees shall be in accordance with BS8545:2014 Trees: from nursery to independence in the landscape. 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.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and ensure the provision afforded by appropriate Landscape Design and Green Infrastructure LC5, DES1, S13, and G11 and NE1.

5 A schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority prior to works commencing and shall include details of the arrangements for its implementation inclusive of roles and responsibilities. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.  
REASON: To ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features.

6 No development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:

o all previous uses

o potential contaminants associated with those uses

o a conceptual model of the site indicating sources, pathways and receptors

o potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

REASON: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

7 Prior to the occupation or operation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

REASON: To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8 Prior to the occupation or operation of the development, a long-term monitoring plan for land contamination shall be submitted to and approved in writing by the Local Planning Authority. The long-term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken
- Timescales for the long-term monitoring and curtailment mechanisms e.g., a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required (for x years)
- Timescales for submission of monitoring reports to the LPA e.g., annually
- Details of any necessary contingency and remedial actions and timescales for actions
- Details confirming that the contingency and remedial actions have been carried out

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

REASON: A land contamination long term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on the water environment.

9 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 a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

REASON: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.

10 No development shall commence until details of foundation design methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The foundation designs shall be implemented in accordance with the approved details.

REASON: Foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.

11 No development, including site clearance and ground excavation, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should demonstrate how relevant Guidelines for Pollution Prevent and best practice will be implemented including details of mitigation to ensure no contaminated surface water enters the Berthin Brook during the movement of soil and the construction of the development (including bunds). The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

REASON: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment, including the River Usk Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) during construction.

12 Prior to its installation, full details of external lighting shall be submitted to and agreed in writing by the Local Planning Authority. The Lighting Plan should include:

- Details of any existing external lighting on and immediately surrounding the site
- Details of the siting and type of external lighting to be used on site during construction and operation
- Drawings setting out light spillage and showing lux levels in 2 and 3D that demonstrates no additional light spill onto the known bat roosts in close proximity to the proposal and wooded corridor to the north of the site.

The lighting shall be installed and retained as approved during construction and operation.

REASON: A Lighting Plan should be submitted to ensure lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of bats.

13 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

Risk assessment of potentially damaging construction activities.

Demonstration of how relevant Guidelines for Pollution Prevention and best practice will be implemented including details of mitigation to ensure no contaminated surface water enters the Berthin Brook during the movement of soil and the construction of the development (including bunds).

Identification of "biodiversity protection zones".

Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on protected species (ground nesting birds, badger, hedgehog, herpetofauna) and protected sites (River Usk SAC & SSSI)

The location and timing of sensitive works to avoid harm to biodiversity features.

The times during construction when specialist ecologists need to be present on site to oversee works.

Responsible persons and lines of communication.

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: Safeguarding of protected and priority species during construction works LDP policy NE1 and the Section 7 of the Environment Act (Wales) 2016.

14 No development shall take place (including demolition, ground works, vegetation clearance) until a Habitat Management Plan (HMP) is submitted detailing an appropriate level of ground nesting bird mitigation and demonstrates an overall net benefit for biodiversity in line with the requirements of PPW12. The HMP should detail:

Aims and objectives

Prescriptions for management actions

Plans identifying location and extent of proposed management prescriptions

Annual work schedule capable of being rolled forward

Details of the body or organization responsible for implementation of the plan.

The Plan shall provide for the future management and an implementation timetable. The HMP shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved plans and shall be retained as such thereafter.

REASON: Reason: To provide biodiversity net benefit and ensure compliance with PPW 12, the Environment (Wales) Act 2016 and LDP policy NE1.

15 Prior to any works commencing on site a Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the local planning authority, which shall include traffic management measures, proposed routing plan, hours of working, measures to control dust, noise and related nuisances, and measures to protect adjoining users from construction works. The development shall be carried out in accordance with the approved CTMP.

REASON: In the interests of highway safety and to ensure compliance with LDP Policy MV1.

## **INFORMATIVES**

1 As of 7th January 2019, all construction work in Wales with drainage implications, of 100m<sup>2</sup> or more, is now required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water (whether they require planning permission or not). These SuDS must be designed and constructed in accordance with the Welsh Government Standards for Sustainable Drainage.

The SuDS Approving Body (SAB) is a service delivered by the Local Authority to ensure that drainage proposals for all new developments of at least 2 properties OR over 100m<sup>2</sup> of construction area are fit for purpose, designed and built in accordance with the National Standards for Sustainable Drainage published by Welsh Ministers.

If you are in any doubt as to whether you require SAB approval, please contact:

[SAB@monmouthshire.gov.uk](mailto:SAB@monmouthshire.gov.uk)

For advice regarding the application process and general enquiries - 01495 768306

For technical advice regarding your SuDS design and meeting the National Standards - 01633 644730

## 2 MCC Landscape and GI:

NESTING BIRDS - Please note that all birds are protected by the Wildlife and Countryside Act 1981 (as amended).

The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most bird species is between March and September.

BS 5837:2012 Trees in relation to design, demolition and construction to provide further guidance on tree protection

Policy NE1 - Nature Conservation and Development seeks to ensure the protection and enhancement of wildlife and landscape resources by appropriate building design, site layouts, landscaping techniques and choice of plant species.

Planning Policy Wales - Net Benefit for Biodiversity

Planning Policy Wales (PPW) 12 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity". This policy and subsequent policies in Chapter 6 of PPW 12 respond to the Section 6 Duty of the Environment (Wales) Act 2016.

## 3 NRW Informative:

Please refer to the letter from NRW (CAS-256661-B1C4) dated 11 June 2024 for more detailed informative, such as Flood Risk, Surface Water Drainage, Protected Species and Foul Drainage.