

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0065/FULL 04.06.2015	IG Doors Ltd Blaenwern Cwmbran NP44 1TY	Erect an industrial manufacturing and storage facility with associated offices, car parking, service yards and external works Plateau 1 Oakdale Business Park Lon Gellideg Oakdale Business Park Oakdale NP12 4AB

**APPLICATION TYPE:** Full Application

#### SITE AND DEVELOPMENT

Location: The application site is within the Pen Y Fan Industrial Estate on a part that is currently referred to as Plateau One because it is levelled reclaimed land. It has its own dedicated access from Manmoel Road and forms the northeastern sector of the Estate.

Site description: The site is part of a large plateau of reclaimed land. The only current significant built features within the plateau are two large wind turbines. The development site is 12 hectares of land to the south of the turbine closest to Manmoel Road. The application site is relatively flat and featureless save for the track that leads to the wind turbine and some shallow drainage ditches. It is covered with sparse self-seeded scrub.

Development: The erection of a large single B2 factory unit. It will have an almost rectangular footprint with a 'T' shaped attached office on one side. The front elevation (with the office) will face Manmoel Road, where a new vehicular access to the site will be formed. Most of the employee car parking will also be to the front. The larger entrances to the production area are inserted in the north and south elevations. The west elevation has been left simpler with fewer openings. The building is flat roofed. The application is supported by:

1. Design and Access Statement,
2. 2. Travel Plan,
3. 3.Transport Statement,
4. 4. Extended Phase 1 Habitat Survey,
5. 5. Drainage Strategy.

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Dimensions: The factory unit will have an internal floor area of 19,597 square metres. The production area (which is the largest part of the building) is approximately 260 metres long and 60 metres wide. The office section is 45 metres long by 12 metres wide. The height of the production area is 10 metres with the office block slightly lower at 8 metres. The layout includes 269 car parking spaces, and there are also 15 commercial parking spaces to the front.

Materials: The external surfaces of the production area are finished with coloured steel cladding interspersed with vertical glazed sections in aluminium framing. The office section is of similar simple form but with more glazing and aluminium sections in addition to the coloured cladding.

Ancillary development: Landscaped areas to the front. A land drainage system that includes attenuation ditches.

### PLANNING HISTORY

2/10229 - Site investigation to assist in the design of land reclamation proposals - Granted 16.08.91.

2/10364 - Importation and construction of temporary stockpile of cover material - Granted 15.11.91.

2/11573 - Importation and construction of temporary stockpiles of cover material - Granted 27.10.93.

2/11988 - Land reclamation to include bulk earthworks, drainage works, river improvements 2, road diversion, grassing, tree planting and landscaping - Granted 14.09.94.

P/98/0127 - Erect industrial development (B1, B2 & B8 Uses) and associated highway infrastructure - Granted 09.04.98.

P/06/0638 - Use land to fly model aeroplanes - Granted 14.07.06.

07/0846/FULL - Renew planning permission P/06/0638 to use land to fly model aeroplanes - Granted 18.09.07.

09/0573/NCC - Renew Planning Consent 07/0846/FULL to use land to fly model aeroplanes for Red Dragon Model Aeroplane Club - Granted 10.09.09.

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11/0552/FULL - Erect 25 year operation of a wind energy development comprising two wind turbines with a maximum overall height (to vertical blade tip) of 130 metres, crane pads, control building, underground electrical cables, on-site access tracks to Lon Gellideg and Manmoel Road including formation of new vehicular access to Manmoel Road, two attenuation ponds and temporary works including a construction storage compound - Granted 06.10.11.

12/0667/RET - Retain the change of use of the land for flying model aeroplanes - Granted 26.10.12.

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is allocated for employment in the Local Development Plan ref: EM 1.3.

Policies: EM1 (Employment Allocations), CW13 (Use Classes Restrictions Business and Industry), CW2 (Amenity) and CW3 (Design Considerations - Highways).

NATIONAL POLICY Planning Policy Wales and TAN 23 Economic Development are relevant.

### ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? - Yes.

Was an EIA required? – Not applicable.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? - No.

### CONSULTATION

Transportation Engineering Manager - No objection subject to conditions to require the completion of the car/cycle parking, the setting out of the entrance/footpath and the submission of a fully completed travel plan. Advice regarding highway works is provided.

Senior Engineer (Land Drainage) - No objection subject to a condition requiring details of land drainage. Drainage advice is provided.

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Head Of Public Protection - No objection subject to conditions to control contamination.

Wales & West Utilities - No objection. Advice is provided.

Natural Resources Wales - No objection subject to biodiversity enhancement (if possible), an oil interceptor condition for the parking area and a method statement if there is any intention to fill underground voids. It is suggested that flora be transferred from a ditch on site and any ponds to new water features. Advice is provided regarding disrupting coal spoil, the storage of treated wood and the movement of waste material off-site.

Senior Engineer (Land Drainage) - No objection subject to the agreement of controlled land drainage discharge to any water course. General land drainage advice is provided.

Countryside And Landscape Services - No objection to the proposed development. Ecological enhancement conditions and conditions to relocate orchids/reptiles are recommended. A condition to agree the landscape maintenance is also recommended. Ecological advice is provided.

Principal Valuer - No comment.

Gwent Wildlife Trust - The Trust have submitted a holding objection subject to the consideration of further information. The aspects of this objection are discussed in the analysis section of this report.

## ADVERTISEMENT

Extent of advertisement: The application has been advertised on site, in the press and 51 neighbouring properties have been consulted.

Response: Six letters have been received.

### Summary of observations:

- The area is "passionately enjoyed by many local dog walkers, horse riders, model aeroplane enthusiasts and nature lovers". It is also now more attractive because of the recent charges for parking at the nearby Pen Y Fan Pond.

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- The development should be sited elsewhere such as the school site at Plateau Three or another unoccupied site.
- It is questioned whether Oakdale needs any more factories.
- There are protected flora and fauna that would be "eradicated" by the development.

### SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?

It is not considered that the proposed development will have a material effect on crime and disorder.

Is this development Community Infrastructure Levy liable? This development is CIL liable. The floor area of the building is 21,430 square meters. The proposed use is within Class B2 of the Town and Country Planning (Use Classes) Order 1987 which is 'general industry', which is not CIL chargeable.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? - No significant impact, and ecological mitigation condition are recommended.

### ANALYSIS

Policies: EM1 (Employment Allocations): The application site is allocated in the approved Local Development Plan for employment use. The proposed use is the manufacture of doors (B2 use) and is therefore in accordance with the employment allocation.

CW13 (Use Classes Restrictions Business and Industry): EM1.3 more specifically identifies the Plateau as a primary site and is suitable amongst other things for B2 uses. The proposed B2 use is therefore in accordance with CW13. Given the employment allocation there is no objection in principle to the proposed employment use.

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CW2 (Amenity) Part A of CW2 requires that uses should not have an unacceptable impact upon the amenity of adjacent properties. The application building is large with a floor area exceeding twenty thousand square metres and an anticipated number of jobs equating to 200 full time workers. One of the distinct characteristics of this manufacturer is that all the storage and processes are carried out within the building. The most distinct characteristic of the Plateau is that apart from the existing wind turbines there are no immediately adjacent neighbours. CW2 goes on to require (Part B) that proposals should not result in over-development. Whilst the application building is large so is the application site therefore it is not considered to be over-development. Part C requires that development should be compatible with surrounding land uses. As mentioned the only other structures on the Plateau are the two wind turbines the closest residential properties are a significant distance from the proposed building.

CW3 (Design Considerations - Highways) This site has been designed for and linked to the highway network for the purpose of employment use. The Transportation Engineering Manager raises no objection subject to conditions.

Comments from Consultees: Transportation Engineering Manager raises no objection subject to conditions to require the completion of the car & cycle parking, the setting out of the entrance & footpath and the submission of a fully completed travel plan. Advice regarding highway works is provided and should be passed on to the applicant.

Senior Engineer (Land Drainage) raises no objection subject to a condition requiring details of land drainage. Drainage advice is provided and should be passed on to the applicant.

Head of Public Protection raises no objection subject to conditions to control contamination.

Countryside and Landscape Services raises no objection subject to a condition to agree the landscape maintenance. Ecological enhancement conditions and conditions to relocate orchids/reptiles are recommended. Ecological advice is provided and should be passed on to the applicant.

Principal Valuer raises no objection.

Wales & West Utilities raises no objection. Advice is provided and should be passed on to the applicant.

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Natural Resources Wales raises no objection subject to biodiversity enhancement (if possible); the Council's ecologist has recommended enhancements to be required by condition. An oil interceptor condition for the parking area is recommended and may be required by condition. A method statement is recommended if there is any intention to fill underground voids and may also be required by condition. It is suggested that flora should be transferred from a ditch on site and any ponds to newly created water features. Whilst the survey plans do indicate ditches and an off-site pond, they are only wet for part of the year as has been verified by the Council's ecologist. In addition the proposed ditch system to which it is suggested the plants should be moved are for attenuation purposes only and not intended to hold a permanent body of water. The system will also need to be maintained/cleaned from time to time to ensure it retains its engineered capacity and one section of the system is masonry lined. Translocation is not therefore warranted. Advice is provided regarding disrupting coal spoil, the storage of treated wood and the movement of waste material off-site. This advice should be passed on to the applicant.

Senior Engineer (Land Drainage) raises no objection subject to the agreement of controlled land drainage discharge to any watercourse. General land drainage advice is provided and should be passed on to the applicant.

Gwent Wildlife Trust have requested a holding objection and have detailed a number of matters that are listed and considered below: -

- It is suggested that the Phase 1 Habitat Survey submitted should have been completed during the summer months not in November and is thus valueless. It is also stated that the authors of the survey should taken account of a previous survey relating to the turbines to the north of the application site. In response, the Council's Ecologist agrees that surveys are better carried out in the summer months but site inspection has later revealed the orchids present on site (which were not adequately dealt with in the survey) and mitigation is now recommended.
- It is suggested that the site is in close proximity to Pen Y Fan Pond and Meadows SINC, forming links to ancient semi-natural woodlands, secondary woodland and thus it is "part of a network of wildlife corridors used by bats, birds and invertebrates". The Pond is approximately 500 metres from the northern boundary of the site and the SINC (NH3.49) is approximately 300 metres from the boundary. There is a SINC (NH3.41) to the southwest, this is approximately 400 metres from the boundary of the site and another SINC (NH3.95) lies approximately 150 metres to the southeast. The application site lacks any trees or other such features that would usually be associated with bat corridors, therefore the Council's Ecologist considers the description of the site as a corridor for bats to be unsubstantiated.

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There are existing wildlife corridors but they run around the plateau and therefore there is not a pressing need to establish or protect a less suitable corridor through it. The objection explains that the adjacent SINC (NH4.49) has an "impressive species list" but fails to link those species with the application site, which has completely different habitat. In particular it fails to recognize the completely different environment that would not support species such as aquatic/wetland fauna of the Pond area.

- Concern is raised in "the manner in which this application has been preceded in 2011 by an application for 2 large wind turbines. It would appear that these two developments were fully intended to be together". It is also suggested that the cumulative effect of any future development of the employment plateau should also be taken into account at this stage. This concern firstly seems to imply some link between the two developments, that are years apart and by completely different individuals. Secondly the reason given for this concern is that there may be other development in the future, which is certainly the case because the plateau is allocated for employment, in the Local Development Plan. The concern is extrapolated to suggest that any future development in the "pipeline" should be taken into cumulative account now. However the suggestion that any future as yet unproposed, undetailed, unknown development the character of which has not yet been established, that possibly may or may not take place, at a time not possible to accurately predict, should be taken into account at this stage, is not practicably possible. It also amounts to a review of the of the Local Plan employment designation of the Plateau. There will be future development in the "pipeline" of this allocated Plateau, but it is fundamental planning practice that future development should be judged on its merit at the appropriate point in time.
- The writer has drawn information from some of the conclusions and recommendations of the previous wind turbine habitat survey, which did relate to areas of trees and scrub. The writer has failed to draw a distinction between the previous application area which did include trees and scrub, and the application site which is almost devoid such vegetation. Similar reference is drawn to the use of the turbine area by bats but again does not recognise that the area within the application site does not contain those features that would attract bats. Similar questions are raised regarding badgers and dormice; again the Council's Ecologist points out that the compacted ground with no mature hedgerows or trees (except at the periphery of the site) offers a very poor and unlikely habitat for such species.

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- It is suggested that the development of this site will have adverse impact upon "the public enjoyment of the nearby Pen Y Fan Country Park". This concern does not explain how there will be discernable impact upon the enjoyment of visitors to the Country Park. There is also mention of "cumulative impact" from the turbines and the proposed building but again this is not quantified and it is to be noted that they are distinctly different developments.
- It is suggested that "efforts are made to significantly expand the area of land in appropriate wildlife conservation management in the local area and around the SINC to ensure that a net benefit for biodiversity is achieved". This requirement to "significantly" expand biodiversity in the "local area and around the SINC" is unreasonable in that those areas of land are outside the application site and the applicant's control. It is not based on any identified areas into which the SINC's can expand or are suited to such expansion. It is also unreasonable in that it does not link an impact of measurable significance with the recommended "significant" expansion. Establishing the "necessity" of any requirement is a fundamental principle of the planning system and this has not been justified. The Council's Ecologist has recommended enhancements within the application site and these are considered to be reasonable, within the control of the applicant and proportionate.
- At the time of finalizing this report another objection has been received from the Trust, this time suggesting that the site should be listed as either a Site of Interest for Nature Conservation (SINC) or a Local Wildlife Site (LWS). It is recommended that "significant areas of nature conservation interest are fully protected" and the Trust may assist in their wildlife management "if appropriate agreements and funding managements are put in place". It is also recommended that the "areas of the site left undeveloped be protected in perpetuity with appropriate management" as a resource for wildlife as well as a valuable resource for exercise/enjoyment/education for the local community. In response it is to be explained that SINC's and LWS's are non-statutory designations. Further that the land is identified for employment. It is brownfield land and failure to realize its potential due to "significant" areas set aside for nature conservation would put pressure on greenfield sites. In addition the current applicant has indicated that the undeveloped parts of the application site are to be used for future expansion. The suggestion that "significant" areas of the employment site should now be set aside for nature conservation would very likely mean that the current applicant and any future employment uses would be very unlikely to be attracted to this Adopted Development Plan allocation; not only due to the fact that the loss of employment area but also that the future employment users would have to permanently fund the management of "significant" areas that would be of little to no use to them.

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Designating areas of the employment plateau as a "resource for exercise/enjoyment/education for the local community" (leisure use) would also be contrary to the Local Development Plan.

- Another late objection from the Trust suggests that the fact that the site will have a land drainage system will "inevitably drain" adjacent "marshy grassland" areas. This perceived "inevitability" is not detailed, but this is not necessarily considered to be an issue for previously explained reasons, i.e. the adjacent land on the west is again part of the employment plateau and again its intended purpose is employment. (The land to the east is lightly wooded strip bordering Manmoel Road with an existing drainage ditch already running through it)

The concerns above are not considered to warrant a holding objection and sufficient information has now been assessed to enable the proper consideration of this application in accordance with the recommendations of the Council's Ecologist.

Comments from public:

- The area is "passionately enjoyed by many local dog walkers, horse riders, model aeroplane enthusiasts and nature lovers". It is also now more attractive because of the recent charges for parking at the near by Pen Y Fan Pond. - This observation is correct. The site has become popular for recreational purposes and there is currently free car parking on the entrance road. However the Plateau is not allocated for leisure use and to retain it as such would be contrary to the Development Plan. The issue of free parking is outside this planning application consideration.
- The development should be sited elsewhere such as the school site at Plateau Three or another unoccupied site. - Any proposal on a site allocated in the Development Plan for the proposed use should be considered upon its merit. It is not the purpose of the planning system to direct appropriate development away from an allocated site unless there is an overriding planning reason. The implied reason is an overriding need for the leisure use, however there is a country park in close proximity albeit without free parking.
- It is questioned whether Oakdale needs any more factories. - This question also challenges the purpose of the Development Plan, which is to ensure that there is an adequate supply of identified employment land. The supply of employment land is currently under review but that review will not recommend that employment be turned away from allocated sites that meet usual planning criteria. Furthermore, this development is not speculative - the applicants want to build the factory for themselves.

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- There are protected flora and fauna that would be "eradicated" by the development, i.e. it has been suggested that the proposal would result in valuable habitat, such as nesting for species such as the Skylark or space for orchids. - The Council's Ecologist has considered the ecology of the site and has recommended appropriate mitigation conditions. The development is not considered by the Council's Ecologist to give rise to impact critical to the population of protected flora or fauna.

Other material considerations: A unique feature of the proposed development is that all manufacturing and storage takes place within the proposed building. As a consequence the external areas (i.e. operational space and parking) have been designed accordingly. A condition should be imposed to reflect the fact that the determination of this application is based upon the submitted design principle.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) Prior to the commencement of the development hereby, approved details surface water and land drainage flows from the site shall be submitted to and agreed in writing with the Local Planning Authority. Any proposal to discharge surface water flows to an existing watercourse shall be limited by the installation of onsite storage facilities in association with a controlled discharge device limited to maximum rates of flow appropriate to that water watercourse. The development shall thereafter be completed and maintained in accordance with the agreed details.  
REASON: To ensure the installation and maintenance of appropriate land and surface water drainage of the site.
- 03) No development or site vegetation clearance shall take place until a detailed Reptile Mitigation Strategy has been prepared by a competent ecologist and submitted for the approval of the Local Planning Authority. The approved measure shall be strictly complied with.  
REASON: To ensure that reptiles are protected.

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- 04) Prior to the occupation of the development hereby approved details of hedgerow enhancement planting and management, including a species list detailing the name and origin of native broadleaved trees and shrubs to be used to plant up the new hedgerows, shall be submitted to the Local Planning Authority for approval. The approved details shall be complied with and the hedgerow planting shall be carried out within 12 months of the completion of the development.  
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales (2010) TAN 5 Nature Conservation and Planning (2009).
- 05) Prior to the commencement of development a light mitigation strategy, including measures to ensure that street lighting and security lighting reduces light spillage into foraging habitat for bats, shall be submitted to the Local Planning Authority for approval. The lighting shall be installed and maintained in accordance with the approved strategy.  
REASON: To ensure proper measures are taken to safeguard the habitat of bats, in the interests of biodiversity.
- 06) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House Sparrow, House Martin, Starling, Swallow and Swift), shall be submitted to and agreed in writing with the local Planning Authority. The agreed details shall be implemented before the new development hereby approved is first occupied.  
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, Planning Policy Wales and paragraph 1.4.3 of TAN 5 Nature Conservation and Planning.
- 07) Prior to the occupation of the development hereby approved a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and agreed in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. The landscaped areas shall be carried out in accordance with the agreed schedule.  
REASON: To ensure that the landscaping is maintained in the interests of the visual amenity of the area.

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- 08) Details of surface water and land drainage shall be submitted to and agreed in writing with the Local Planning Authority before the works commence and shall be carried out in accordance with the agreed details before the development hereby approved is first occupied.  
REASON: In the interests of highway safety and adequate drainage.
- 09) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.  
REASON: In the interests of highway safety.
- 10) Any gates at the highway entrance shall be set back 20m from the edge of the carriageway.  
REASON: In order to prevent vehicles waiting on the highway.
- 11) Before the development hereby approved is occupied, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with any timescales contained therein.  
REASON: The Travel Plan submitted is in draft only and to encourage the use of a variety of transport options
- 12) The footway at the site boundary identified by the area shaded grey and marked 'F' in drawing number 1124:PL:002A shall be set back and a 3.0m wide footway/cycleway provided along the frontage which shall be constructed in permanent materials that shall have been submitted to and agreed in writing with the Local Planning Authority and completed prior to the first occupation of the development hereby approved.  
REASON: In the interests of highway safety.
- 13) The covered secure cycle parking area shaded blue and marked 'K' in drawing number 1124:PL:002A shall be constructed in accordance with details that shall have been submitted to and agreed in writing with the Local Planning Authority, and completed prior to the first occupation of the development hereby approved, and it shall thereafter only be used for cycle parking.  
REASON: To provide secure cycle parking on site.

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- 14) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme.  
REASON: In the interests of public health.
- 15) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.  
REASON: To protect public health.
- 16) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), the means of vehicular access from the highway to the development hereby approved shall be from a single point as shown in drawing number 1124:PL:002A .  
REASON: In the interests of highway safety.
- 17) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor details of which shall be agreed with the Local Planning Authority prior to its installation.  
REASON: To prevent pollution.
- 18) Prior to any filling of any underground voids or grouting a method statement that details the methods to avoid pollution shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details.  
REASON: To prevent pollution to the water environment.
- 19) Prior to the commencement of works associated with the development hereby approved, a scheme for the translocation of wild orchids currently growing within the footprint of the areas proposed to be disturbed by construction and landscaping, shall be submitted to and agreed in writing with the Local Planning Authority and the agreed scheme shall be carried out within the first planting season following the completion of the development unless the Local Planning Authority gives written consent to any variation.  
REASON: In the interests of biodiversity conservation and enhancement in accordance with Section 40 Natural Environment and Rural communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales Tan 5 Nature Conservation and Planning.

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- 20) Prior to the commencement of any vegetation clearance, site clearance or development a detailed invertebrate survey shall be carried out and the results of the survey, together with any proposed remedial measures (including methodologies) shall be submitted for the agreement of the Local Planning Authority. The measures shall be complied with as agreed.  
REASON: To ensure adequate protection for red data protected species present on site.
- 21) All manufacturing processes and the storage of materials shall be entirely contained within the building hereby approved.  
REASON: The development is hereby approved on the basis that all manufacturing processes and the storage of materials is internal and the external areas of parking and operational space have been considered accordingly.
- 22) Notwithstanding the submitted details of landscaping revised details shall be submitted to and agreed in writing with the Local Planning Authority. Those details shall take account of the observations of the Council's Landscape Architect dated 10.07.15 (hereby attached) and the landscaping shall be carried out in accordance with the agreed details.  
REASON: To more exactly clarify the details of the landscaping scheme that is acceptable in principle.

Advisory Note(s)

Please find attached the comments of Senior Engineer (Land Drainage), Wales and West Utilities, Natural Resources Wales and Countryside & Landscape Services that are brought to the applicant's attention.

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