

TWC/2018/0568

Land South of A518/West of A41, Newport, Shropshire

Hybrid planning application. Part A: Outline planning application for the construction of an employment park comprising of up to 34,890 sq.m of business, general industrial, warehouse and distribution floorspace (Use Classes B1(b), B1(c), B2 and B8) with all matters reserved except for the means of access to the site (Phases 2&3). Part B: Full planning application for the construction of 24no. business, general industrial and warehouse and distribution units (Use Classes B1(b), B1(c), B2 and B8) along with associated 2no. accesses and internal spine road, parking provision and landscaping (Phase 1)

**APPLICANT**

TWC, H Timmis (Farms) Ltd & Xafinity Pension, Dawn Toy

**RECEIVED**

13/07/2018

**PARISH**

Chetwynd Aston and Woodcote,  
Newport

**WARD**

Church Aston and Lilleshall, Newport  
South and East

**THIS APPLICATION IS BEFORE PLANNING COMMITTEE AS THE PROPOSAL IS A MAJOR DEVELOPMENT AND THE COUNCIL IS THE APPLICANT**

**1. SUMMARY RECOMMENDATION**

1.1 It is recommended that DELEGATED AUTHORITY be granted to the Development Management Service Delivery Manager to GRANT HYBRID PLANNING PERMISSION subject to Completion of Section 106 and Condition(s) and Informative(s).

**2. APPLICATION SITE**

2.1 The site is located approximately 1.3km to the south east of Newport town centre close to the junction of the A41 and A518 roads. The site is relatively flat and covers approximately 10 hectares of agricultural land. It consists of a single, triangular-shaped field that shares a boundary with the A518 to the immediate north along which runs a hedge and trees. There is a field gate located approximately halfway along the northern boundary. Mature hedgerows with several mature oak and maple trees also run along the other two boundaries to the east and to the south. Beyond these lie further arable fields.

2.2 To the north of the site on the opposite side of the A518 lies the Newport Enterprise Park, comprising a mixture of employment, commercial and retail uses, accessed off the A518 via Audley Avenue.

2.3 The de-trunked A41 lies approximately 120 metres to the east and is bound by a hedgerow with a bank of trees around the edge where it meets the A518 roundabout.

### **3. APPLICATION DETAILS**

- 3.1 The application is a Hybrid Planning Application submitted on behalf of Telford & Wrekin Council in respect of new employment development on land outside Newport. Hybrid applications are part-Outline and part-Full in nature. The Outline element (Phases 2 and 3) covers the creation of a new Employment Park consisting of up to 38,720 sq. metres of business, general industrial, warehouse and distribution floor space (Use Classes B1, B2 and B8) with all matters reserved except for the means of access to the site. The full element (Phase 1) involves the construction of 24No. business, general industrial and warehouse and distribution units (Use Classes B1, B2 and B8) along with two associated accesses and internal spine road, parking provision and landscaping within the south east area of the overall site.
- 3.2 The development is planned over three phases and will not be developed at the same time. It will include two separate accesses onto the A518 and these will involve the creation of two roundabouts - the first will be towards the eastern end of the site where the entrance to Audley Avenue exists at present and the second will be at the western end of the overall site. The speed limit along this stretch of the A518 will be reduced from 60mph to 40mph through a Traffic Regulation Order (TRO).
- 3.3 This is a Council-led development which will result in the formation of the Newport Innovation Park and is intended to form a major part of the Newport Innovation and Enterprise Package which has recently secured £6.36 million funding from the Marches Local Enterprise Partnership under the Local Growth Fund. The site is an Allocated Employment Area (E27) in the adopted Telford & Wrekin Local Plan 2011-2031.
- 3.4 The proposed floor space division for the new Innovation Park is as follows:
- Use Class B1 – 16,940 sq. metres
  - Use Class B2 – 9,680 sq. metres
  - Use Class B8 – 12,100 sq. metres
- 3.5 An indicative Masterplan for the entire site has been produced and shows how the site could be developed in the future. At present, only Phase 1 (the Full element) has full details provided.
- 3.6 The applicant's Planning Statement notes the detail of Phase 1 includes the following:
- New access into the site from the A518;
  - Provision of 124No. car parking spaces;

- Erection of six separate blocks of purpose-built and contemporary business units ranging in size from 66 sq. metres to 351 sq. metres (24 units and 3,830 sq. metres in total) set around the edges of the Phase 1 site;
- The site is set back from the A518 boundary and accessed via two spurs off the central estate spine road;
- In-curtilage car parking and service vehicle parking for each unit with a centrally located turning area for large service vehicles;
- Provision of covered cycle racks to encourage alternative means of travel;
- Varied rooflines to break up the physical massing of the buildings. Roof heights to vary between 5.3 metres and 6.7 metres;
- Design to reflect the functional form of the buildings but utilising a varied palette of materials and colours including coloured render, composite panelling and aluminium cladding with powder-coated fenestration coloured dark grey;
- Additional landscaping around the site to bolster and enhance the retained trees and hedges.

#### **4. PLANNING HISTORY**

4.1 There is no relevant planning history relating to this site.

#### **5. PLANNING POLICY DOCUMENTS**

5.1 National Planning Policy Framework (NPPF), Revised July 2018

5.2 Telford & Wrekin Local Plan 2011-2031

SP2 Newport

SP4 Presumption in Favour of Sustainable Development

EC1 Strategic Employment Areas

EC2 Employment in the Urban Area

EC4 Hierarchy of Centres

NE1 Biodiversity and Geodiversity

NE2 Trees, Hedgerows and Woodlands

C1 Promoting Alternatives to the Car

C3 Impact of Development on Highways

C4 Design of Roads and Streets

C5 Design of Parking

BE1 Design Criteria

BE4 Listed Buildings

BE10 Land Contamination

ER1 Renewable Energy

- ER9 Waste Planning
- ER10 Water Conservation and Efficiency
- ER11 Sewerage Systems and Water Quality
- ER12 Flood Risk Management
- E27 Allocated Employment Site (Newport Land South of A518)

## 6. SUMMARY OF CONSULTATION RESPONSES

### 6.1 Ward Member/Parish Council Consultations

#### 6.1.1 Chetwynd Aston and Woodcote Parish Council: Comment:

- Site should not become a routine business/warehouse park such as Hortonwood and Stafford Park. Given that there are no absolutes in the split between B1/B2 and B8 there's concern about the balance between small general businesses or storage and distribution and higher technology agriculture-based R&D jobs, especially in Phases 2 and 3;
- Parish Council would welcome reassurance that the Council are really going to fight for it to be high end jobs;
- The road layout in the site lends itself to misuse in evenings and weekends;
- Welcome plans for traffic calming arrangements, such as Speed Bumps or Pinch Points. Could the road design be changed at this stage?
- Two additional roundabouts seem to be unhelpful to local residents, in such short stretch of road and a dual carriageway. It is already chaotic & congested at key travel times;
- Noise concerns associated with road building, vehicles and vehicle movements once the site is occupied;
- Footpaths to the site are a must from Newport and Chetwynd Aston. Some consideration should also be given to a cycle path in a direct route from the last Island to the site rather than detouring through the town. Cyclists will go down the A518 rather than through town and this could be a Health & Safety risk; increased by the increase in traffic.

#### 6.1.2 Newport Town Council: Comment:

- Great opportunity for Newport and Harper Adams University;
- Seek the LPA to be mindful during the construction phases of this project;
- Application should reflect and enhance the rural setting and mitigate impact on the existing environment;
- Architecture must have consideration to the adjacent Conservation Area status of Newport Town Centre, design and street scape linking past and future;

- Consideration of employment space for business with non-industrial uses, to enhance and support 'Wellbeing' of employees and provide ancillary services are necessary to include such amenities as gym/cafe/crèche;
- Consider highway improvements and infrastructure to provide benefits and support links from the Town to improve and encourage walking, cycling, persuade less use of private vehicles' and a local bus service to provide accessibility to all members of the community is of paramount importance, as is a safe crossing access across the A518 from the 'Sheep Island' for the use of pedestrians' and cycle users.

## **6.2 Statutory Consultations**

6.2.1 Local Highway Authority: **Support**: subject to Conditions and financial contribution towards Strategic Highways Improvements and Public Right of Way (PRoW).

6.2.2 Ecology: **Comment**: the proposed scheme places hard standing and buildings in very close proximity to retained ecological features (species rich hedgerows, mature trees and ditches) and it will be important to manage those features in the long term.

6.2.3 Arboriculture: **Comment**: the development has encroached into the Root Protection Area (RPA) of the protected trees on the eastern boundary. Construction room will be required, which will encroach into the trees rooting environment. All of trees with roots within the site will require tree protection before any heavy plant has entered site. T7 will also need to be included on the Tree Protection Plan as the current Block Plan does not feature the tree and, therefore, it is not clear whether the new access road is encroaching into its Root Protection Area and thus how it will be affected by the proposed development.

6.2.4 Drainage Officer: **Support**: subject to Conditions.

6.2.5 Built Heritage Officer: **Comment**:

- The Heritage Statement lists 17 heritage assets within 1 km of the site and states that there are no significant connecting views between the site and any designated heritage assets. There is no evidence, however, that a full assessment has been carried out;
- Noting this site is supported in the Local Plan as an employment site, I would wish to see at Reserved Matters stage, a visual analysis of the potential impact of any proposed buildings on the backdrop and views from this group of buildings, with appropriate mitigation measures through siting, design and landscaping;

- Agree that the listed buildings on the north Newport side of the A518 have little or no indivisibility with the site. To the south side of the A518, however, at Field Aston, there is a linear group of listed buildings and other buildings of high heritage value, experienced in a more spacious rural setting, which includes the application site. There are substantial hedge boundaries and trees to the north side of this road filtering views of the site, but this may be more open in winter months.

6.2.6 Environment Agency: **No objection**: subject to Conditions and Informatives relating to contamination, pollution control and prevention.

6.2.7 Severn Trent Water: **No objection**: subject to conditions relating to drainage and flood risk mitigation.

6.2.8 Fire Safety Officer: **No objection** subject to a Fire Safety Informative.

### 6.3 **Neighbour Representations**

6.3.1 6No. letters of **objection** have been received which can be summarised as follows:

- Proposed development will lead to an increase in air pollution, noise pollution (especially at night), light pollution and increased traffic congestion;
- This will lead to south Newport becoming a no-go area for a lot of people and there will be lorries blocking the roads (particularly the A41 and A518), and more trailers & tractors overturning on the roundabouts as they come off the A41;
- Aldi and the other proposed shops will become very difficult to access due to the increased traffic;
- If there are any incidents on the A41 the traffic will detour either via the Town or Pave Lane, which are not built for increased levels of traffic (that is why the by-pass was built);
- The addition of the extra entrances to the business park will just add increased traffic congestion and the likelihood of accidents;
- Many parents drop off their children at BBS driving past Aldi;
- There are already plenty of empty industrial units in other parts of Telford;
- Why build in Newport and not Edgmond if the park is geared to Harper Adams and the agri-tech research industry;
- The floor areas of these warehouses are nothing compared to vast city suburb warehousing so no advantage of space either;

- Why build on a green field site when there are existing vacant brown field sites on the opposite side of the A518 (Aldi side);
- This application raises serious concerns that once development on the Field Aston side of the A518 is permitted this will lead to further expansion on green field sites up to Field Aston either of housing or industry. The rapid building works around Newport threaten the character of the town;
- Whilst the applicant is looking to have high end jobs at this site there are concerns over whether this is likely to happen in reality. It is noted from the documents that it allows for 12,000 sq. metres of storage and distribution space - this does not fit with high end jobs;
- Phase 1 doesn't look like it will allow storage units however Phases 2 and 3 have not yet been allocated and if spaces are struggling to be filled there is a potential for more storage and distribution type units; which would be better suited in places like Hortonwood, Stafford Park and Halesfield;
- The layout of the road in and out of the site lends itself nicely to becoming a race track; particularly at night time;
- The proposal to add two additional roundabouts into a very short stretch of road doesn't seem to make sense. This road already gets congested during peak times particularly on approaches to the existing roundabouts. The additional roundabouts would make this congestion worse;
- What would be the benefit of making the stretch between the new roundabouts a dual carriageway;
- Concerned that Chetwynd Aston will become a cut through to avoid congestion;
- Consideration should be given to extending the cycle route from the Aston Island to the site as it currently goes through the town. Anyone cycling would probably continue via the straightest route and therefore could be a health and safety risk; especially given the increase in traffic;
- The application describes the scheme as 'NI-Park the place for innovation' and should include innovative approaches in the construction, solar panels, ground source heating, air source heating, district heating EV charging points or at the very least the infrastructure installed to facilitate an upgrade in the future;
- Travel Plan fails to pick up on text in the National Planning Policy Framework which seeks development to exploit opportunities for the use of sustainable transport modes for the movement of goods or people;
- Accepted that cycling infrastructure is already in place at this location but question the provision of public transport which given that

'proposed parking is 134' and 'employment is noted as (up to) 471 new full time equivalent jobs';

- Parking in the town is already stretched;
- There appears to be no landscape buffer (mound/woodland planting) with the open countryside to the south;
- Phase 1 Landscape Plan is unclear as to whether the existing eastern boundary hedgerow is being retained in its entirety. The SUDS strategy appears from the indicative masterplan to consist of an attenuation pond by the eastern roundabout entrance rather than implementing a fully integrated approach.

## **7. PLANNING CONSIDERATIONS**

7.1 Having regard to the development plan policy and other material considerations including comments received during the consultation process, the planning application raises the following main issues:

- Principle of Development
- Design and Visual Impact
- Highway Safety
- Impact upon Residential Amenity
- Heritage Impact
- Drainage and Flood Risk
- Ecology
- Landscaping and Trees
- Other Matters

### **7.2 Principle of Development**

7.2.1 In July 2018, the revised National Planning Policy Framework (NPPF) was introduced and reasserted the Government's commitment to a presumption in favour of sustainable growth and development. In terms of decision making, this means approving developments that accord with the development plan 'without delay' and, where the development plan contains either no relevant policies or where the policies which are most important for determining the application are out-of-date, granting planning permission unless 'the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

7.2.2 The Framework does not change the statutory status of the development plan as the starting point for decision making.

7.2.3 Under section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The Council has an up-to-date Local Plan that was adopted as recently as January 2018. The revised Framework is, however, a material consideration that needs to be given weight. Paragraph 12 of the Framework states that 'where a planning application conflicts with an up-to-date development plan permission should not usually be granted...local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.' Section 70(2) of the Act provides that in determining applications the local planning authority 'shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations.'

7.2.4 The Development Plan consists of the adopted Telford & Wrekin Local Plan (January 2018). The Development Plan for the Borough is up to date and consistent with the Framework.

7.2.5 The site is allocated in the adopted Local Plan as a key employment site (E27 Land South of A518 Newport). The allocation covers the entire 9.68ha site and is allocated for a mix of B Class uses. In respect of paragraph 11 of the Framework, the proposals accord with an up-to-date development plan and should be approved without delay. In principle, therefore, the proposed development complies with the development plan and is sustainable development.

### 7.3 Design and Visual Impact

7.3.1 This section is concerned with the design, appearance and scale and massing of the proposals. The application is a hybrid being part outline and part full in nature. The outline element contains no detail other than a site plan and an indicative plan showing the potential route of the internal spine road. The actual detail will be considered at the reserved matters stage.

7.3.2 The full element concerning Phase 1 contains full details of design, materials, scale, appearance, access, car and service vehicle parking and drainage. This Phase is the smallest of the three shown on the master plan and covers 9.37ha. It will provide 3,830sqm of employment floor space. It also contains the smallest-sized buildings.

7.3.3 The layout of this phase shows it set back from the northern and southern boundaries of the overall allocated site, but adjacent to the eastern boundary. It would be accessed via two short spur roads; one to the north western part of the phase and the other to the west. The proposed 24no. employment units are shown arranged in four groups around the four edges of the site with an

internal courtyard providing parking and service vehicle turning space. Additional car parking is shown on the outer faces of the buildings on the northern and western sides of the phase.

- 7.3.4 The buildings will be standard portal-frame construction with the flexibility to accommodate a range of prospective end-users. The buildings each share similar design elements and materials to ensure a cohesive scheme. These include low profile mono-pitch roofs and a materials palette comprising composite panelling, aluminium cladding and coloured render. The Design and Access Statement explains that the coloured render is applied generally to central panels of the blocks, with micro-rib cladding accenting the pedestrian entrances. The trapezoidal cladding is utilised between the micro-rib and the rendered panels, providing variety and interest. The windows, doors and roller shutters are powder coated steel units which will be coloured dark grey. The roofs of the blocks are mono pitch with a deliberate overhang with similar trapezoidal composite cladding providing continuity of materials between these two elements.
- 7.3.5 To minimise clutter when in operation, communal bin stores have been integrated with the development and are kept in unobtrusive locations adjacent to each block. However, to promote natural surveillance, both the car parking and the cycle shelters are centrally located.
- 7.3.6 The supporting Tree Survey and Design and Access Statement both emphasise the aspiration that the development site will have a strong landscape structure. The eastern and southern boundaries are formed by mature hedgerows and trees. Although the Planning, Design and Access Statement and Ecology Survey state these will be retained and augmented with new native-species trees and shrubs, the proximity of the proposed building to the eastern boundary in particular is likely to compromise the quality of the landscaping in this area. As a result the buildings are likely to be more visually prominent, especially from the east, than is preferable.
- 7.3.7 Additional planting will be carried out within the site, all ranging in size from semi-mature to heavy standard types. These are planned to align the main routes through the estate and in groups at appropriate points to soften the impact of car parking and servicing areas.
- 7.3.8 The precise detail and management regime for the site landscaping will be secured through appropriate conditions.
- 7.3.9 Whilst the design and appearance of the buildings as industrial units in themselves is considered acceptable, the layout of the site and scale of the buildings within the site mean they will be located close to the boundaries with the adjacent rural land and will therefore be visually prominent. The lack of space along the eastern boundary in particular will make it difficult to create a visually effective landscaping buffer that softens the appearance of the industrial units within the wider landscape in an effective manner and to this

extent it is considered that the proposal would be unduly prominent within the landscape.

7.3.10 In considering whether the design and layout of Phase 1 is acceptable, a judgement is required on where the balance of planning merit lies. The Local Planning Authority is of the view that the layout could be amended to allow more space around the outer edges of the site to allow a more effective and higher quality landscaping buffer that would allow the development to respond more positively to the rural location in which it is situated.

#### 7.4 Highway Safety

7.4.1 Policy C3 expects major new development proposals to ensure that:

- The relevant cumulative impact of new developments on the local and strategic road networks are mitigated in a co-ordinated and plan led manner;
- The cumulative impact of new developments is assessed by using the Telford Strategic Transport Model (TSTM) or other means as long as these are significantly robust;
- A Transport Assessment is provided;
- The impact of the development on the local and strategic road networks including any commuted sums specified by the local highway authority.

7.4.2 The revised NPPF expects new development proposals to consider and mitigate the impacts of development on transport networks and to take and improve opportunities to promote alternatives to use of private motor transport.

7.4.3 The application has been accompanied by a comprehensive Transport Statement and Travel Plan and these have been appraised by the Council's Highway Engineer. The split of B Use Classes can be summarised as follows:

<b>Use</b>	<b>Total GFA (sq. m)</b>	<b>Phase 1 (sq. m)</b>	<b>Phases 2/3 (sq. m)</b>
B1(b)	7,260	720	6,540
B1(c)	9,680	960	8,720
B2	9,680	960	8,720
B8	12,100	1,200	10,900
<b>Total</b>	<b>38,720</b>	<b>3,840</b>	<b>34,880</b>

7.4.4 The accompanying Indicative plan shows one possible layout for Phases 2 and 3 but it should be noted that there has been no assessment of this against parking standards or the practicalities of service/delivery manoeuvring. This would be considered at the Reserved Matters stage.

- 7.4.5 Parking should accord with the standards for Strategic Employment Areas. The Council's Highways Engineer confirms that Phase 1 exceeds that standard when measured against the above development mix. The nature of the site is that car parking may need to be communal (i.e. unallocated). HGV parking can be accommodated by each unit and there is manoeuvring space for larger vehicles allowed for in the layout as shown by the swept path drawing. The layout indicates stands for 52No. cycles which is reasonable.
- 7.4.6 Off-site infrastructure is being delivered in conjunction with strategic highway improvements being delivered under LEP funding and support by previous S106 contributions for development around Newport. This proposal will also need to contribute to the strategic highway works and this has been calculated as £338,003.25. Based on the split in the above table Phase 1 - £34,320.33; Phase 2 - £303,682.92. This infrastructure is required prior to the site being brought into use particularly as it provides pedestrian/cycleway linkage to the facilities alongside Audley Avenue. The onsite roads also form part of the Full application and will need to be in place prior to bringing any unit in to operation.
- 7.4.7 Public Right of Way (PROW) No.1 crosses the site. This will need to be accommodated in the proposals and details will need to be submitted in conjunction with the first Reserved Matters Application. There are separate processes to cover diversion to a new alignment and this will need to be done before any development on the land over which the PROW currently falls. It is recommended that £5000 is sought for further enhancement of the PROW.
- 7.4.8 All previous Planning Applications in Newport have made some contributions to public transport. The larger sites all contributed towards providing a new service linking the surrounding residential areas with the town centre, employment and retail zones as well as allowing onward connection to Telford/Stafford. In line with these developments a contribution of £120,000 will be required. It should be noted, however, that other development has not progressed as quickly as was envisioned and sufficient contributions have yet to be accrued to create the service. That said if money is not secured the opportunity will be lost.

## 7.5 Impact upon Residential Amenity

- 7.5.1 Policy BE1 expects new development to respect and respond to its context and, amongst other things, demonstrates that there will be no significant adverse impact on nearby properties by noise, dust, odour or light pollution.

- 7.5.2 The overall site is an allocated strategic employment site (E27) and the discourse that led to its allocation considered a range of issues, including the potential impact on local residential amenity.
- 7.5.3 The immediate context of the site is agricultural to the south, east and west. To the north is the existing Newport Enterprise Park, containing a number of substantial industrial and commercial buildings, including the Aldi store on the junction with the A41 and A518. The nearest dwellings to the site are located on the southern part of Station Road approximately 580m away from the western edge of Phase 1. Not only is the distance considerable, but the A518 is lined with substantial tree planting for a significant length along its northern edge from the junction with Station Road. It is highly unlikely that there will be any adverse visual impact arising from the development of Phase 1 affecting the amenity of these residents.
- 7.5.4 The settlement of Chetwynd Aston sits approximately half a kilometre to the south and south west of the site. The nearest dwellings are located between 450m and 510m, approximately, from the southern edge of the Phase 1 site and 320m and 400m from the southern edge of the remaining site. There are open fields with intervening hedges and trees to the north of the village that provide visual obstructions in views towards the application site. Given the degree of separation and the proposal to retain and enhance the boundary hedges, it is unlikely that the buildings on Phase 1 would cause undue visual harm to the amenities of residents in Chetwynd Aston.
- 7.5.5 The detail of Phases 2 and 3 are yet to be determined and will come before the Council at the reserved matters stage. The detail for Phase 1 has been provided and the applicant has designed the buildings to be of low profile and set back from the sensitive southern and northern boundaries.
- 7.5.6 In terms of noise, the applicant provided a Noise Impact Assessment based on the principles set out in the Noise Policy Statement for England (2010), which is linked to the National Planning Practice Guidance. This categorises noise into three categories:
- NOEL - No Observed Effect Level is the level below which no effect can be detected;
  - LOAEL - Lowest Observed Adverse Effect Level is the level above which adverse effects on health and quality of life can be detected;
  - SOAEL - Significant Observed Adverse Effect Level is the level above which significant adverse effects on health and quality of life occur.
- 7.5.7 The report has considered a range of potential noise generating activities in relation to the development and the location of sensitive receptors (such as residential properties) and measured them against these noise exposure

categories together with mitigation measures to address any unacceptable levels. These activities include future traffic movements and plant and machinery associated with the fully operational Innovation Park. The measurement positions were agreed before the application was submitted and are located on the southern boundary of the site, which is considered to be the least exposed to existing noise and is located closest to existing residential development.

7.5.8 Traffic movement assessment has focussed predominantly on HGVs and the report predicts the likely numbers of movements during worst case one hour periods during the night and day times for each of the units proposed, together with noise levels associated with those vehicles (e.g. reversing alarms, air brakes, opening and closing of doors, shutters, wheeling of full and empty cages, engine starting and lorries driving away).

7.5.9 Calculations indicate that the increase in vehicular movements on the surrounding road network as a result of the proposed development is likely to increase the existing dB LA10, 18-hour sound level by a maximum of +2 dB. This is calculated to have a negligible impact at nearby residential receptors and would fall within the LOAEL category (i.e. noticeable and not intrusive).

7.5.10 The noise emissions fall within WHO Guidelines and are at least 20 dBA below the existing ambient sound level during the daytime period and at least 10 dBA below the existing ambient sound level during the night-time period. The proposed development is not likely to increase the ambient noise levels at sensitive receptors.

7.5.11 In respect of plant and machinery, the precise future occupiers of the units are not known at this stage. However, it is possible to estimate the likely noise levels and impact thereof based on the master plan and detailed plan in relation to Phase 1. The assessment concludes that it should be possible to limit cumulative noise emissions to levels that are 5dBA below the background noise levels during the day and night times and it is proposed that this be limited to 30dBA. More detail can be provided once the units are occupied and it is recommended that suitable planning conditions be imposed to secure submission of further detail and to secure a more accurate limit on noise levels and appropriate mitigation.

## 7.6 Heritage Impact

7.6.1 The NPPF places substantial importance on the protection, conservation and enhancement of the historic environment. The application has been accompanied by a Heritage Impact Assessment. This concludes that there is little evidence of heritage interest on the actual site but that there are 17

designated heritage assets within 1km of the site. Sixteen of these are all Grade II listed buildings with the final asset being the Grade II Park and Garden of Lilleshall Hall. None of these are intervisible with the site, being separated by other built development, and none would suffer either direct or indirect impacts as a result of the development.

7.6.2 The Heritage Impact Assessment has been appraised by the Council's Built Heritage Specialist who is broadly in agreement with its conclusions but requires further visual analysis of the potential impact of any buildings proposed within Phases 2 and 3 on the backdrop and views from this group of buildings, with appropriate mitigation measures through siting, design and landscaping submitted with future reserved matters applications.

## 7.7 Drainage and Flood Risk

7.7.1 The application has been accompanied by a Flood Risk Assessment (FRA), which has been assessed by the Environment Agency and by the Council's Drainage Engineer.

7.7.2 Whilst the developer has established the principle of drainage, the proposed location of an attenuation pond lies within an area mapped as being susceptible to surface water flooding. The size of the pond is also unlikely to provide the estimated 3621-4948m<sup>3</sup> of surface water storage required to restrict discharge to greenfield rates in a 0.1% AEP + 20% event. Consequently, the developer will need to demonstrate that there is enough attenuation and surface water treatment provided within the site.

7.7.3 The Council's Drainage Engineer requires the flood modelling data for the watercourse on the sites' eastern boundary and supports this application subject to conditions which provide this information and a detailed drainage scheme.

## 7.8 Ecology

7.8.1 The Conservation of Habitats and Species Regulations 2010 requires local authorities to give due weight to the presence of protected species on a development site. Planning permission may be granted provided there is no detriment to the maintenance of the species population at favourable conservation status in their natural range. The Regulations advise that if any detriment would be caused by the proposed development, planning permission should only be granted provided:

- There is no satisfactory alternative; and
- The development is in the interests of public health and safety, or other imperative reasons of over-riding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

- 7.8.2 The site is largely arable land under oilseed rape with species poor and species rich hedgerow boundaries, a water course and scattered mature trees. The site is set within a wider arable landscape with a number of ponds present.
- 7.8.3 The hedgerows surrounding the site are species poor to the north and species rich to the south, east and west. Two areas of the northern hedgerow will be lost to facilitate access but gapping up of the other retained hedgerows is offered to offset this loss. The species rich hedgerows are identified as being Important under the Hedgerow Regulations and identified as retained along with the trees contained within them.
- 7.8.4 The Council's Ecology Specialist retains concerns that the site plans, both the indicative master plan and the detailed layout, show buildings and hard standing in very close proximity to retained significant trees and retained hedgerows and the retained ditch. The Phase 1 area of the site for which full permission is sought is a concern and it would be preferable in both biodiversity and visual design terms if development in this area is pulled back from the eastern boundary hedge and ditch.
- 7.8.5 A site layout which recognises the biodiversity value of these boundary features by allowing more space between the proposed industrial units and the southern and eastern boundaries, and avoiding works within root protection areas of trees with bat roosting potential, would be more compliant with policies BE1, NE1 and NE2 of the Local Plan. This space is also vital to the ability to manage these features appropriately in the long term as access must be achievable and it is not clear how this would be achieved in the current site design. Additionally the close proximity of buildings to existing mature trees is likely to result in conflict.
- 7.8.6 The proposed new pond on the site is referred to in the ecology survey as a pond but the Planning, Design and Access Statement refers to it as an attenuation feature. The detail provided with the future reserved matters applications will need to clarify the purpose and design of this pond to show how it will deliver the biodiversity benefit to the site that the PDAS states it will.
- 7.8.7 The full element of this planning application has the opportunity to protect, retain and enhance biodiversity value on site by positioning the buildings a satisfactory distance from the biodiversity assets although the assessment from the Council's Ecology Specialist sets out that it fails to do this. In this respect the proposed development does not fully comply with Local Plan policies NE1 or NE2, and therefore does not fully meet the requirements of policy BE1 which seeks for development to make a positive contribution to its environment.
- 7.8.8 With regards to Conservation of Habitats and Species Regulations 2010, therefore, it would appear that re-positioning the buildings in a manner that respects and retains these habitat features would represent a satisfactory

alternative to the current proposal. Furthermore, it is acknowledged that whilst the proposal would generate benefits socially and economically, no evidence has been provided to suggest there are imperative reasons of over-riding public interest to allow the full part of this proposal to be approved with its current site layout that would compromise the conservation of species and habitat at this location.

## 7.9 Landscaping and Trees

7.9.1 The Planning, Design and Access Statement (PDAS) states “*The proposal is sensitively located, landscaped delivering a net biodiversity gain, and designed to relate appropriately to its context*”. As has been discussed in the sections on Design and Ecology, there is likely to be a loss of biodiversity on site due to the location of the proposed buildings.

7.9.2 Whilst the PDAS considers the scheme to comprise a comprehensive and well thought-out landscaping scheme and specifically on the eastern side, this directly conflicts with the Council Ecology Specialist’s assessment of the proposals.

7.9.3 The site is located on the fringe of Newport and is therefore surrounded by agricultural land. Both the layout of the full planning proposal and the indicative outline planning proposal shows the buildings located very close to the edges of the site and therefore opportunities for providing an effective landscaping buffer that respects the location and visually integrates the builds into the landscape are unlikely to be deliverable. This will result in industrial buildings that are unduly prominent in the landscape.

7.9.4 The Council’s Arboricultural Officer has commented that the development has encroached into the root protection areas of the protected trees on the eastern boundary and details are required showing ground protection and/or no dig design. Due to the proximity of the industrial buildings, construction room would also encroach into the rooting environments of the trees.

## 8. **CONCLUSIONS**

8.1 The site is allocated in the adopted Local Plan as a key strategic employment site. The LHA is supportive of the scheme in principle subject to Section 106 contributions to support the strategic highway network and considers matters of detailed design can be agreed at Reserved Matters Stage. From the discussions above it is evident there are a combination of advantages and disadvantages to the scheme.

8.2 In terms of advantages, the scheme would deliver employment land and associated benefits and opportunities. The scheme is considered capable of delivering an acceptable drainage and flood risk scheme, and would have an acceptable impact in terms of residential amenity. The impact of Phases 2 and 3 upon heritage will be considered in full at Reserved Matters Stage.

8.3 With regards to disadvantages of the scheme, the layout of the site could be

improved and, if it were, would have benefits for biodiversity, landscaping and arboriculture. There are no objections to the visual appearance of the buildings themselves although their integration into the wider landscape would be improved through enhanced landscaping, which could be delivered via amending the site layout to create more space around the edges of the site.

- 8.4 On balance, therefore, it is considered that the planning merits of the proposed development outweigh any harm and it can be recommended for approval.

## 9. RECOMMENDATION

- 9.1 Based on the conclusions above, it is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT OUTLINE AND FULL PLANNING PERMISSION** subject to:

- a) The applicant/landowner entering into a Section 106 legal agreement with the Local Planning Authority, (terms to be agreed by the Development Management Service Delivery Manager) relating to:

- Strategic Highway Contribution - £338,003.25 (Phase 1 - £34,320.33; Phase 2 - £303,682.92)
- PROW Enhancement - £5,000
- Travel Plan Monitoring - £5,000
- Public Transport Contribution - £120,000

- b) The following Conditions and Informatives (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):

### **Outline Condition(s)**

Statutory Time Limit

Reserved Matters submission

No outside storage

No external work or processes

Floor space restriction to that applied for under Phases 2 & 3

Heritage conditions

Drainage conditions as advised by Council's Drainage Engineer

Highways conditions as advised by Council's Highways Engineer

Arboricultural conditions as advised by Council's Arboriculturist

Ecology conditions as advised by Council's Ecologist

Water contamination conditions as advised by the Environment Agency

Details of material prior to construction

Construction Environmental Management Plan

Details of landscaping proposals  
Development in accordance with the approved plans

**Full Condition(s)**

Statutory Time Limit  
No outside storage  
No external work or processes  
Floor space restriction to that applied for under Phase 1  
Heritage Conditions as advised by Council's Built Heritage Specialist  
Drainage conditions as advised by Council's Drainage Engineer  
Highways conditions as advised by Council's Highways Engineer  
Arboricultural conditions as advised by Council's Arboriculturist  
Ecology conditions as advised by Council's Ecologist  
Water contamination conditions as advised by the Environment Agency  
Details of material prior to construction  
Construction Environmental Management Plan  
Details of landscaping proposals  
Hours of operation  
Hours of delivery and servicing  
Noise assessment prior to occupation of units  
Development in accordance with the approved plans

**Informatives**

I09	Highways - Diversion of PRow Required
I40	Conditions
I41	Reasons for Grant of Planning Permission
I44	Reasons for Grant of Outline Planning Permission