

28 July 2022

Steve Jenkins Planning Department

Neath Port Talbot

CBC Civic Centre,

Port Talbot SA13 1PJ

Dear Sir/Madam,

MARGAM – UNIT 3 KENFIG INDUSTRIAL ESTATE

PLANNING PORTAL REF-PP-114 3 9955

This planning application is submitted by Mr Tony Wadley on behalf of Michton Ltd, T/as The Chocolate Factory in respect of Unit 3 Kenfig Industrial Estate, Margam, SA13 2PE.

We herein submit a retrospective application proposing the rationalisation of car parking, internal vehicular access, temporary storage of single and double stacked containers, wood piling and chipping area in association with the ongoing use of the property.

The application follows a meeting on site with officers on 17 April 2017 and extensive dialogue thereafter in respect of the formation of the application package.

The application package comprises the following:

- Location Plan SM/02 – OS map
- Drawing SM/01 – showing the location of the planned areas
- Drawing SM/03 – Front and side Illustration of the shipping containers
- Facilities Management Plan
- Woodchip Process Statement
- Air Quality Assessment
- Ecology Report
- The Chocolate Factory Statement - reason for planning
- Cheque to the sum of £3,040 (fee already paid to the Council)

Site and Surrounding Area

The application site comprises Unit 3 Kenfig Industrial Estate. The unit is a large warehouse which is owned and occupied by Michton Ltd, T/as The Chocolate Factory.

The unit is located to the south west of the Industrial Estate. Vehicular and pedestrian access is provided via an internal road network which runs to the north and east of the unit. To this end, direct access to the site is taken from the east of it.

The site is dominated by the main warehouse operation. There are servicing areas to the east and south of unit. Located to the south east of the unit (and relevant to this application) are storage containers used in conjunction with biomass burners. In association with this, logs are stored on the southern site boundary.

Surrounding areas comprise a mixture of industrial uses. The use of the site for such purposes is therefore entirely in keeping with that of the surrounding area and indeed its policy allocation.

The site is highly accessible given its location in close proximity to the M4. The location is a key element of the company's business plan and enables fast and effective distribution throughout the UK.

Planning Enforcement Warning

A Planning Enforcement Warning was forwarded to the owners of The Chocolate Factory on 6 March 2013 (LPA Ref-E2015/0028). It in respect of the Warning Notice that this submission relates.

The Notice highlighted a requirement to submit a planning application within 21 days of receipt of the letter for the following:

"Shipping containers uses as drying containers for wood chip and the external storage of wood."

The Chocolate Factory

A Statement detailing background information on The Chocolate Factory and the operational requirements relating to the storage containers and wood longs on site is provided as part of this application. Notwithstanding, a summary of the operation is provided below:

- The company was established in 1992
- They are a significant local employer of 20 staff
- 3 staff are employed directly in relation to the biomass burners
- The use of biomass is part of the sustainable principles of the company and linked to the viability of the overall operation.
- They are a zero natural gas company

Proposed Development

The application is retrospective in nature and has arisen as a result of the above discussed Planning Enforcement Warning and subsequent meetings on site with officers. It proposes the following:

Rationalisation of Car Parking

It was requested by Officers on the site visit on 17 April 2017 that an area is shown on the proposed site layout plan showing an area which can be utilised by staff and visitors to the site for the purposes of vehicular parking.

For the sake of completeness, the area is shown on Drawing SM/01 and marked with the letter E and shaded green. The area comprises 1500m².

Internal Vehicular Access

As requested by officers, an area linking the car park to the service yard of the property is shown on the drawing and marked with the letter F and shaded grey. The area will allow for the safe, free movements of vehicles throughout the site.

Storage and Double Stacked Containers and Associated Flues

In the south eastern corner of the site are several containers. This will comprise:

- An area of double stacked containers and conveyors to a maximum height of 11 meters
- An area of single level containers to a max height of 3.5 meters,
- An area of containers and flues to a max height of 6 meters.

The storage and double stacked containers are shown on the map and marked with the letter D and shaded blue.

Wood Storage at Site Perimeter

Associated with the biomass operation on site, an area is required for the storage of wood. This area was agreed with officers to be located on the southern boundary of the site.

The amount of wood in the area will be fluid, however it will not exceed 3 meters in height or and will be within an area 70 meters wide and 14 meters deep (980 m²).

The wood storage area is shown on the map and marked with the letter B and shaded pink.

Wood Chipping Area

Linked to the storage of wood at the site, there will be an area used for the chipping of wood linked to the biomass operation on site.

The wood chipping area is shown on the map and marked with the letter A and shaded purple. The area is 450m².

Finally, and following discussions with Nicola Lake of the Council, it was required that the storage containers should be painted a uniform colour. The storage containers have all been painted grey. This will enable visual consistency when the site is viewed from both the road network surrounding the site and the railway line to the south.

Planning Policy

Planning Policy Wales (PPW)

The latest edition of Planning Policy Wales (PPW) is Edition 11 which was published in February 2021.

PPW, sets out the land use planning policies of the Welsh Government and is the overarching national planning guidance which informs lower tier guidance such as local planning authority development plans. PPW is supported by a number of Technical Advice Notes or TANs, which deal with specific technical areas of planning.

Planning Policy Wales aims to promote resource-efficient and climate change resilient settlement patterns that minimise land-take (and especially extensions to the area of impermeable surfaces) and urban sprawl, especially through preference for the re-use of suitable previously developed land and buildings, wherever possible avoiding development on Greenfield sites.

“The planning system manages the development and use of land in the public interest, prioritising long term collective benefit, contributing to improving the economic, social, environmental and cultural well-being of Wales.”

2.2 of PPW states that “Sustainable Places are the goal of the land use planning system in Wales; they are the output of the planning system rather than the process of achieving them”. This planning application is driven by Michton’s commitment to sustainable energy and carbon reduction.

We believe that the design of the operation is in keeping with what is expected in an industrial site and the uniform colour of the storage containers is not intrusive and the storage containers function perfectly for their application.

2.28 Michton has considered the “social considerations” of this development and we do not think anyone or any community is negatively affected by this development. Our property is on the edge of an industrial site and away from any community.

The development does have a positive economic consideration because it is vital to the operation of our company. We currently employ 20 full time staff and their jobs. These are all long term, safe jobs. There is also the added economic benefit to our local suppliers of renewable biofuel.

The development has a positive environmental impact because we are using locally sourced, renewable fuel to reduce our company’s reliance on gas. The development ensures that our company has had a massive reduction in its carbon footprint. We have commissioned an environmental report (attached) which has confirmed that our development has no negative impact on our local environment.

3.7 The design was considered during our initial stages and we chose the development location to be on our current site. This land was not being used by Michton, and the land was already Tarmaced. It seemed

a natural choice for us to maximise the use of the current land. Because we chose an area that we already Tarmaced, our development would not add to the water run off from our property. The proximity of the storage containers to our factory means that there would be a reduction in vehicle traffic on the roads (dried chip occupies a lot of space in a lorry compared to round wood logs) which helps free up the road network and reduces the exhaust fumes. A further carbon saving (and reduction in greenhouse gases) is in the reduction of fuel required to make the biofuel deliveries. We believe we have maximised the environmental movement of our biofuel without compromising the safety or layout of our Chocolate Factory. Environmentally, it was the most sustainable location we could find.

3.30 “In 2019 the Welsh Government declared a climate emergency in order to coordinate action nationally and locally to help combat the threats of climate change.”

This development was driven by the ambition for Michton Ltd to reduce its’ carbon footprint. As a direct consequence of this investment in time, R&D and manpower, Michton no longer uses ANY gas or heating oil and has reduced the reliance (and use) and on electricity. This is what can be achieved by any company who is prepared to subscribe wholehearted to the net-zero goal. Michton is proud in what it has achieved and how it is helping the Welsh Government combat the threat of climate change through the use of locally produced, renewable fuel supplies.

5.7 “The benefits of renewable and low carbon energy, as part of the overall commitment to tackle the climate emergency and increase energy security, is of paramount importance.”.... “maximise renewable and low carbon energy generation;” I suggest this development is exactly what the PPW is guiding us to develop. Michton has been actively reducing its electricity usage for a number of years (took part in the Green Dragon Campaign), has installed energy efficient lights and energy efficient motors, and has invested in biomass. The heat we create from biomass is used as space heat (replacing gas and oil heaters) and for production processes (reduces electrical heater elements in our production processes and hot water systems)

5.9 “Local authorities should facilitate all forms of renewable and low carbon energy development and should seek cross-department co-operation to achieve this.” Our biomass development is renewable. We only buy biomass grade round wood from local suppliers who provide us with felling licences, and where we are confident the wood is from a sustainable, renewable forest that has been properly managed. We insist that the wood is locally sourced. This allows us to be satisfied that we are creating a low carbon form of energy.

5.9.6 “Local authorities should consider the renewable energy resource they have available in their areas when formulating their renewable energy target,” The wood we use is all sourced locally. The wood is often not suitable for other uses such as planking, furniture or making into fence posts. In the past this wood would be left in the forests. Now, it is a vital income stream for the forest owners. South Wales has had a large number of diseased trees which had no commercial value until biomass operations like ours were installed. This is the epitome of a renewable energy source.

5.9.20 The development of the biomass operation at the Chocolate Factory is low impact. We have carried out an air quality survey and an ecological survey and they both support the fact that the development does not impact our local community. We have painted all the storage containers grey which reduces the visual impact from the road and the rail. There are no houses close to us who could be affected by any noise, and the noise levels are considerably below the train and the nearby motorway. We have assessed our operations and have reduced the impact on the road network down to less than 25

articulated lorry deliveries per month, which is minimal for a company of our size, located on an industrial site.

Planning Considerations

The application is retrospective in nature and proposes the rationalisation of car parking, internal vehicular access, temporary storage of single and double stacked containers, wood piling and chipping area in association with the ongoing use of the property.

The application follows a meeting on site with officers on 17 April 2017 and extensive dialogue thereafter in respect of the formation of the application package.

The application included supporting documents required in order to support as agreed with Nicola Lake of the planning department. To that end, a Facilities Management Plan and Woodchip Process Statement are included.

The applicant comprises Michton Ltd, T/as The Chocolate Factory who own the site and have traded since 1992. We employ 20 people with 3 of those directly linked to the biomass operation. It is therefore clear that the company is a significant, long-term employer who's occupation and trading from the site has resulted in significant economic benefits for the locality and surrounding area.

The company require biomass burners on the site for two principal reasons:

- The significant emphasis they place on a sustainable, carbon free operation.
- Linked to viability and profitability in uncertain economic times. The latest rise in gas, and oil prices would make the company unviable.

In accordance with the above, it is clear that the shipping containers and storage of logs represent an operational requirement which is critical to the viability of the company's operation from the site.

Given the use of the warehouse at the site is at capacity, there is a requirement to find outside storage for both the woodchip and the biomass burners. Accordingly, and in the interests of safety, the company have strategically located the storage containers and wood logs the furthest distance possible from the main operation.

The application lies within Kenfig Industrial Estate. It is identified as a preferred employment area by way of the adopted LPA Proposals Map and linked Policy EC2. It is therefore considered that their occupation of the site and operation from it is entirely consistent with prevailing planning policy at a national and local level.

To that end it is considered common place that large scale storage yards, particularly those which are in excess of the area required for operational purposes are used for alternative purposes such as the storage of goods where required in order to facilitate the needs of businesses.

Notwithstanding, and as discussed with Officers prior to the submission of the application, it is acknowledged that the Council are concerned regarding safety linked to the storage of woodchip and potential fire hazards. To that end, the following documents have been submitted as part of the planning application:

1) Facilities Management Plan

The Facilities Management Plan highlights the processes and safety measures linked to the storage and handling of biomass fuel, the emergency procedure in the event of such circumstances and monitoring processes including key performance indicators order to ensure safety measures going forward.

2) Wood Chip Method Statement

3 Kenfig Industrial Estate, Port Talbot, SA13 2PE

† 01792 293 689

www.thechocfactory.co.uk

The Wood Chip Method Statement highlights the processes undertaken on site in respect of the preparation, storage and use of wood chip at the site.

The storage containers and wood logs are generally at a low level and sit well below the perimeter fencing on the boundaries of the site. To that end, it is considered that they do not raise any concerns in respect of visual impact of safety.

The shipping containers have all been painted grey to improve the visual image of the site, particularly when viewed from the train line to the south and road network in the vicinity of the site.

Conclusion

The application is submitted following the issuing of a Planning Enforcement Warning to the site owners regarding storage containers and wood logs within the service yard of the unit. It is considered that the application is minor in nature and comprises a request for permission for an essential element of the site owner's operation.

The applicant comprises a locally based, long term occupier who employs 20 people with 3 of those specifically linked to the biomass operations on site. Given the industrial nature of the site, it is considered that the use of the storage yard for such purposes is entirely compatible with the policy allocation of the site in addition to both national and local planning policy. Linked to site safety and in order to provide clarity, clarification is provided in the supporting documents relating to the Facility Management and Methods used on site regarding wood chips.

In accordance with the above, it is respectfully requested that planning permission is granted for the application to which this statement relates. To that end I hope you can confirm validation of the application in the near future.

Yours faithfully



Tony Wadley

Director

Michton Ltd