



Neath Port Talbot County Borough Council
Civic Centre
Port Talbot
SA13 1PJ

Your Ref: P2020/0294

Our Ref: 70057278

5 November 2020

Dear Sir/Madam,

Planning Application P/2020/0294 Conditions 5 & 6 - Summary of Works Completed

WSP UK Ltd. (WSP) have been commissioned by Andrew Scott Ltd. on behalf of Neath Port Talbot County Borough Council to aid in the discharge of planning conditions 5 and 6 imposed on planning application reference P/2020/0294. The planning conditions are attached to this letter (Annex A).

In order to aid in the discharge of the conditions which relate to potentially contaminated land, WSP have completed the following reports which have been previously submitted and to the Local Planning Authority (LPA) and reviewed by Natural Resources Wales (NRW):

- § Opus Phase I Desk Study Report, Ref: V-C8602.01-OIC-00-XX-RP-01, Dated July 2017;
- § Opus International Consultants (UK) Ltd, NPT Harbourside Interpretative Geo-environmental Ground Investigation Report, Ref: V-C8602.01/OIC/00/XX/RP/02, Dated September 2017;
- § Opus International Consultants (UK) Ltd, NPT Harbourside – Addendum Ground Gas Letter Report, Ref: V-C8602.01-OIC-20171012-NPTCBC-01, dated October 2017;
- § WSP UK Ltd, Port Talbot Harbourside Generic Quantitative Risk Assessment, Supplementary Site Investigation Report, Ref 62253048-001, Dated September 2019;
- § WSP UK Ltd, Port Talbot Harbourside Controlled Waters Detailed Quantitative Risk Assessment, Ref 62253048-002, Dated February 2020;
- § WSP UK Ltd, Port Talbot Harbourside, Factual Report – Additional Product Investigation, Ref. 62253048-003, dated March 2020; and
- § WSP UK Ltd, Port Talbot Harbourside, Remediation Strategy, Ref. 62253048-004, dated June 2020.

GASHOLDER INVESTIGATION

Following submission of the abovementioned reports, WSP were provided with comments from NRW, contained within correspondence CA11625-N2P7 (Annex B). WSP provided a response to NRW's comments, which is included as Annex C.

One of the key concerns raised related to the lack of contamination information in the Gasholder area, present towards the east of the site as this is a potential hotspot. Following discussions, NRW agreed that the excavation of additional trial pits and further soil sampling in and around the gasholder would be sufficient to refine the site assessment. WSP supervised the excavation of trial pits and completed soil sampling for laboratory analysis, then carried out the subsequent risk assessment. The findings of these works are presented in the below report:

§ WSP UK Ltd, Port Talbot Harbourside, Gasholder Investigation, Ref. 70057278-002, dated November 2020.

The assessment indicated that no additional specific remediation measures were considered necessary at the site based on the results obtained.

BIODIVERSITY AREA 2 DESK STUDY

Following the conditional approval of the planning application, WSP were commissioned to complete a Preliminary Risk Assessment of the 'Biodiversity Mitigation Area 2', this is included in the below report:

§ WSP UK Ltd, Port Talbot Harbourside Biodiversity Area 2, Preliminary Geo-Environmental Risk Assessment, Ref. 70057278-001, dated October 2020.

SUMMARY

To summarise the planning conditions and submitted information:

Condition 5 – Contamination Assessment

5.1 – Preliminary Risk Assessments completed for the main site area (Opus, July 2017) and Biodiversity Mitigation Area 2 (WSP, October 2020).

5.2 – Several phased of ground investigation and assessment have been completed at the main site (Opus, September & October 2017; WSP, September 2019, March 2020, November 2020). No additional ground investigation works were deemed to be required for the Biodiversity Mitigation Area 2 area on the basis of the Preliminary Risk Assessment.

5.3 – Detailed quantitative risk assessment (WSP, February 2020) and remediation strategy (WSP, June 2020)

5.4 – An outline verification plan is included within the Remediation Strategy (WSP, June 2020) as Chapters 4 and 5. Furthermore, it is noted within correspondence from NRW (Annex B – Page 4) that *'It may be more pragmatical to have a watching brief of the site as ground is broken and if necessary, then agree a remedial target and remediation objectives as an iterative approach for this site'*. On the basis of this, WSP feel that the outline verification plan is sufficient to allow the remedial works to commence, with ongoing liaison with the LPA and NRW to agree suitable end points during the works.

Condition 6 – Verification Report

A verification report will be submitted based on the works described in the Remediation Strategy and Outline Verification Plan, following liaison with the LPA and NRW. As the planning condition



relates to site remediation and enabling works, this condition cannot be discharged until the works detailed within the planning application have commenced.

On the basis of the information submitted, WSP understands that Condition 5 can be discharged, with Condition 6 to be discharged following submission of a Verification Report which will be completed once the remediation works have been completed.

Yours faithfully

Rhys Evans
Principal Consultant – Ground & Water

Encl.
Annex A – Conditional Planning Approval – P2020/0294
Annex B – NRW correspondence CAS-116525-N2P7
Annex C – WSP response to NRW comments CAS-116525-N2P7

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL CASTELL-NEDD PORT TALBOT**

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE)(WALES) ORDER 2012**

APPROVAL OF FULL PLANNING PERMISSION

Name and address of the applicant

NPTCBC Engineering & Transport -
Amanda Philips
The Quays
Brunel Way
Baglan Energy Park
Neath
Neath Port Talbot
SA11 2GG

DATE REGISTERED: 15 April 2020

APPLICATION NO: P2020/0294

LOCATION: Harbourside Strategic Employment Site, Harbourside Road, Port Talbot

PROPOSAL: Construction of an access road, flood mitigation works, land contamination remediation works, improving the load capacity of the ground and associated works to facilitate the regeneration of a former brownfield land for future commercial development. (additional information relating to water main and flooding)

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL as the Local Planning Authority in pursuance of its power under the above mentioned Act and Order hereby **GRANTS PLANNING PERMISSION** for the development as described above to be carried out in accordance with the application and the plans submitted therewith, subject to compliance with the following conditions:

Conditions:-

Time Limit Conditions

- 1 The development shall begin no later than five years from the date of this decision.
Reason:
To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

List of Approved Plans

- 2 The development shall be carried out in accordance with the following approved plans and documents:

C2014B-LOC-001-P Location Plan (Rev B)
C2014B-CR-0001-P Contractor Routes
C2014B-GA-0101-P General Arrangement- Access Road
C2014B-GA-0104-P General Arrangement Standard Details
C2014B-SC-0201-P Site Clearance main development site and carpark extension
C2014B-F-0301-P Accommodation Works
C2014B-DR-0501-P Drainage Main Development
C2014B-DR-0504-P Drainage Long section and Control Camber Details
C2014B-DR-0505-P Drainage Construction Details and Typical sections
C2014B-DR-0506-P Drainage Standard Details
C2014B-DR-0507-P Drainage Gully Types and Gully Connections
C2014B-EW-0601-P Earthworks
C2014B-EW-0602-P Biodiversity Mitigation Areas (Rev A)
C2014B-RP-0701-P Road Pavements
C2014B-K-1101-P Kerbs Footways and paved Areas
C2014B-RM-1201-P Traffic Signs and Road Markings
C2014B-PL-1301-P Lighting Design
C2014B-PL-1302-P Lighting Standard Detail
C2014B-CU-1701-P Flood mitigation Culvert General Arrangement 1 of 2
C2014B-CU-1702-P Flood mitigation Culvert general arrangement 2 of 2
C2014B-SU-2701-P Existing Services
C2014B-SP-0101-P Swept Path Analysis
C2014B-XS- 0001 Cross section location
C2014B-XS- 0002 Cross section 1 of 2
C2014B-XS- 0003 Cross section 2 of 2
C2014B-DR-WW-0001 Drainage main Development
C2014B-SU-AWM-D-001 Afan water Main

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 3 Prior to any development commencing on site, the developer must do the following:-

a) Notify the Local Planning Authority in writing that you intend to commence development by submitting a Formal Notice under Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) in the form set out in Schedule 5A (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect); and
b) Display a Site Notice (as required by Section 71ZB of the 1990 Act) in the form set out in Schedule 5B (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect), such Notice to be firmly affixed and displayed in a prominent place, be legible and easily visible, and be printed on durable material. Such Notice must thereafter be displayed at all times when development is being carried out.

Reason:

To comply with procedural requirements in accordance with Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) and Section 71ZB of the Town and Country Planning Act 1990.

NOTE: Templates of the required Notice and Site Notice are available to download at www.npt.gov.uk/planning

- 4 No development shall commence on site, including site clearance, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be made with reference to the requirements of British Standard BS5228-1:2009 - "Code of practice for noise and vibration control on construction and open sites". The CEMP should include the following information: -
 - (a) Construction methods: details of the extent and phasing of development; details of construction materials or techniques to be used; details for the storage and management of plant and materials used in constructing the development and details, waste and contaminated land.
 - (b) General Site Management: details of the construction programme including timetable; details of site clearance; construction drainage, site setup plan detailing sensitive receptors, buffer zones and relevant protection measure maintenance of security hoarding including decorative displays and facilities for public viewing; details of complaint investigation procedures.
 - (c) Control of Nuisances: Identification of the significant construction and demolition noise & vibration sources; details of physical and operational management controls necessary to mitigate noise & vibration emissions; A dust management plan (in accordance with the IAQM guidance on demolition and construction) and measures to control light spill.
 - (d) Traffic Management: details of site deliveries; details for the loading and unloading of plant and materials; details of wheel wash facilities; details for the parking of vehicles of site operatives and visitors; The erection and maintenance of security hoarding; A scheme for recycling/disposing of waste resulting from demolition and construction works and a scoping route for all deliveries to and from the development.
 - (e) Hours of working on site, including specified hours for deliveries; details of restrictions to be applied during construction and demolition works (including timing, duration and frequency of works) to prevent noise or nuisance amenity issues to surrounding properties.
 - (f) Biodiversity Management: tree and hedgerow protection, invasive species management (to include Himalayan balsam and Japanese knotweed), species/habitats protection and mitigation measures.
 - (g) Water Framework Directive (WFD) Assessment: details of the proposal to be assessed against the Water Framework Directive's objectives.
 - (h) Soil management: topsoil stripping, storage and amelioration for re-use.

(i) CEMP masterplan: detailing the development, location of landscape and environmental resources, design proposals and objectives for integration and mitigation.

(j) Resource Management: fuel and chemical storage, waste management, water consumption and energy consumption.

(k) Pollution Prevention: demonstrate compliance with relevant Guidelines for Pollution Prevention, incident response plan and site drainage plan.

(l) Responsible Persons: details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details

The CEMP shall be implemented as approved throughout the site preparation and construction phases of the development.

Reason:

In order to ensure necessary management measures are agreed and implemented to protect local amenity, especially for people living and/or working nearby, highway safety during construction, biodiversity, controlled waters, human health and to accord with Policies BE1, EN7, EN8 and TR2 of the Local Development Plan.

- 5 Notwithstanding the submitted information, No Development shall commence until a scheme which shall include the following components to deal with the risks associated with contamination of the site is undertaken by competent persons in accordance with the following document:-Development of Land Affected by Contamination: A Guide for Developers (WLGA & EAW, 2012) and shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment of the application site and the biodiversity mitigation area 2 shown on drawing C2014B / EW / 0602 which has identified:

- a) all previous uses
- b) potential contaminants associated with those uses
- c) a conceptual model of the site indicating sources, pathways and receptors
- d) potentially unacceptable risks arising from contamination at the site.

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

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

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

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reasons

To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment, and to ensure that risks from land contamination to the future users of the land and

neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Natural Resources Wales considers that the controlled waters at this site are of high environmental sensitivity due to proximity to surface water and being situated on a Secondary A aquifer. Contamination is known/strongly suspected at site due to historical contaminative uses, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 6 Notwithstanding the submitted information, no development shall commence until a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation is submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reasons

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to demonstrate that the remediation criteria relating to controlled waters have been met, and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 7 No development shall commence until details of a method statement and risk assessment for the protection of the structural condition of the water main assets crossing the site has been submitted to and approved in writing by the Local Planning Authority. The approved protection measures shall be implemented in full before any other development hereby permitted has commenced, and shall be retained at all times for the duration of the approved operations including the restoration works.

Reason:

To ensure that the proposed development does not affect the integrity of the public water supply system in the interests of public health and safety, and to and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan

- 8 Notwithstanding the submitted information, no development shall commence until a scheme is submitted to and approved in writing by the Local Planning Authority detailing the Tata pipe diversion having regard to Welsh Waters apparatus which is in the vicinity. The pipe shall be diverted in accordance with the agreed details

Reason

To ensure the Tata water pipe diversion does not have any unacceptable impact upon welsh waters apparatus and public health and safety and ensure the

development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan

- 9 Notwithstanding the submitted information, no development shall commence until a scheme has been submitted to and approved in writing by the Location Planning Authority detailing landscaping and biodiversity mitigation measures on both the application site and the biodiversity mitigation areas identified on Dwg. C2014B/EW/0602 Rev A, along with a timescale for their implementation and completion. The mitigation shall be implemented in accordance with the agreed timescale and maintained as such thereafter.

Reason:

In the interest of biodiversity enhancement and mitigation and visual amenity, and to ensure the development complies with Policies SP15 and EN6 of the Neath Port Talbot Local Development Plan.

- 10 Notwithstanding the submitted information, prior to the commencement of development, a landscape management plan, including management responsibilities and maintenance, for all landscaped and biodiversity mitigation areas (as identified on Dwg. C2014B/EW/0602 Rev A), to also include how the site will be managed post construction, shall have been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be implemented and adhered to in accordance with the approved details thereafter.

Reason:

In the interest of visual amenity, and to ensure the long term management and maintenance of all landscaped areas that lie outside of the curtilage of individual properties, and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

Action Conditions

- 11 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work on site shall cease immediately and shall be reported in writing to the Local Planning Authority. A Desk Study, Site Investigation, Risk Assessment and where necessary a Remediation Strategy must be undertaken in accordance with the following document:- Development of Land Affected by Contamination: A Guide for Developers (WLGA & EAW, 2012). This document shall be submitted to and agreed in writing with the Local Planning Authority. Prior to occupation of the development, a verification report which demonstrates the effectiveness of the agreed remediation, shall be submitted to and agreed in writing with the Local Planning Authority.

Reasons

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors. Given the complexity of the site it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 12 All works shall be subject to Road Safety Audits, stages 2, 3 and 4 in accordance with the Design Manual for Roads and Bridges. Each stage of the Road Safety Audit shall be submitted to and approved in writing by the Local Planning Authority. Stage 2 shall be submitted prior to the first beneficial use of the development; Stage 3 shall be submitted upon completion of the development, and stage 4 shall be submitted 1 year after the completion of the development. All issues highlighted at each stage shall be addressed to the written approval of the Local Planning Authority within 3 months of approval of that stage of the Road Safety Audit .

Reason

In the interest of highway and pedestrian safety and to ensure accordance with Policies TR1, TR2 and BE1

Regulatory Conditions

- 13 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network and/or the highway drainage network

Reason:

To prevent hydraulic overloading of the public sewerage system and highway drainage network, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, and to and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan.

- 14 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason

There is an increased potential for pollution from inappropriately located infiltration systems such as soakaways, unsealed porous pavement systems or infiltration basins and to and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan.

Informatives:

1 Please note that SAB approval will be required prior to any work commencing. It is a breach of approval required under Paragraph 7 (1) Schedule 3 of the Flood and Water Management Act 2010 whereby action will be taken by the Authority under The Sustainable Drainage (Enforcement) (Wales) Order 2018.

2 As of 7th January 2019, this proposed development may be subject to Schedule 3 of the Flood and Water Management Act 2010. In the event this proposed development amounts to a total impermeable area of 100sqm or more, approval of Sustainable Drainage Systems (SuDS) features will be required in accordance with the Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems. It would therefore be recommended that the developer engage in consultation with the Council's drainage team, as the determining SuDS Approval Body (SAB), in relation to proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will

provide comments to any SuDS proposals by response to SAB consultation. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication Sewers for Adoption- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com. The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Neath Port Talbot Local Development Plan (2011-2026) adopted January 2016.

It is considered that the proposal development would help bring this designated strategic regeneration area to fulfilment with an aim to provide a mixed use development that will increase employment opportunities within Port Talbot and surrounding areas. The proposal therefore represents an appropriate form of development that would have no unacceptable impact on visual amenity and the character of the area as a whole. Highway and pedestrian safety, residential amenity, pollution, flooding and biodiversity. Accordingly, the proposed development is in accordance with Policies SP1, SP2, SP3, SP4, SP5, SP7, SP11, SP12, SP15, SP16, SP20, SP21, SRA2, SC1, I1, H1/17, EC1/4, EN6, EN8, TR1, BE1 and R1/3 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

Signed: 
Ceri Morris – Head of Planning & Public Protection

Date: 5 October 2020

IMPORTANT:

(1) Please note that for all decisions issued after 16th March 2016 for outline or full planning permission, a revised decision notice will be issued whenever a subsequent consent is given, for example providing details of any Reserved Matters approvals (outline applications only) and/or approval of conditions (including on Reserved Matters). This will ensure that the current status of the conditions applied to a consent is clear. Accordingly you are advised to visit www.npt.gov.uk/planning to view the application documentation to see if this is the current version, or whether it has been superseded by a more up-to-date revision of this Decision Notice. For Reserved Matters approvals the revised Decision Notice will only be shown under the Outline approval.

(2) Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

(3) In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition). Please note that any works carried out without compliance with the conditions attached to this approval will be entirely at the risk of the persons involved and may result in formal action being taken by the Local Planning Authority.

(4) The developer should have regard to Sections 4, 7, 8 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the British Standards Institution's Code of Practice for "Design of buildings and their approaches to meet the needs of disabled people" (BS 8300:2009+A1:2010).

(5) From 1st October 2012 it has been an offence to install a public sewer or lateral drain without having an adoption agreement in place. From the 1st October 2012 the vast majority of all existing private sewers and lateral drains which link with the public sewer network were transferred to Welsh Water. For further details on how this will affect your development please contact: Welsh Water Developer Services, PO Box 3146, Cardiff, CF30 0EH. Telephone No. 0800 9172652 or email: developer.services@dwrcymru.com.

IMPORTANT INFORMATION: TOWN AND COUNTRY PLANNING ACT 1990

The applicant's attention is drawn to the notes below.

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act 1990 (as amended).
- (2) You can also appeal to the Welsh Government against a decision to refuse permission or grant subject to conditions in respect of applications made for :- Listed Building or Conservation Area Consent; Consent under a Tree Preservation Order; Advertisement Consent.
- (3) You can also appeal If your application for a Certificate of Lawful Existing Use or Lawful Proposed Use is partly or wholly refused or is granted differently from what you asked for (under Section 195/196) of the Town and Country Planning Act 1990 (as amended).
- (4) If you are aggrieved of the LPAs decision, the following deadlines apply for appeals to be submitted to the Welsh Government (from the date of the Council's decision):-

(1) Planning Permission (with the exception of Minor Commercial and Householder applications – see below)	Within 6 Months
(2) Householder Appeal see endnote i	Within 12 weeks
(3) Minor Commercial Appeal see endnote i	Within 12 weeks
(4) Listed Building or Conservation Area Consent appeals	Within 6 months
(5) Tree Preservation Order (TPO) Consent	Within 28 days
(6) Advertisement Consent	Within 8 weeks
(7) Certificate of Lawfulness of Existing (Section 191) or Proposed (Section 192) Use or Development	Within 6 months
(8) Hazardous Substances Consent	Within 6 months
- (5) Appeals must be made on a form which is obtainable from the Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ – Tel 0303 444 5940, or online at www.planningportal.gov.uk/pcs .
- (6) The Welsh Government has power to allow a longer period for the giving of notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- (7) The Welsh Government is not required to entertain an appeal if it appears to them that permission for the proposed development could not have been granted having regard to the statutory requirements to the provisions of the development order, and to any directions given under the Order. They do not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by them.
- (8) If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Welsh Government, and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the County Borough Council, in which the land is situated, as the case may be, a **purchase notice** requiring that Council purchase his interest in the land

in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Making an Appeal

- (9) Please note that for all applications received by the LPA after 5th May 2017, it is now a requirement that any appeal made to the Planning Inspectorate (other than Householder and Minor Commercial Appeals, and appeals against refusal to grant advertisement consent) must be accompanied by all the information and evidence you intend to rely upon (a **“full statement of case”**). You must also send a copy of the notice of appeal and full statement of case to the LPA.
- (10) In addition, for ‘planning appeals’ an amendment to an application following notice of appeal may only be made to correct an error.
- (11) Additional details and information on making an appeal to the Welsh Government is available from the Planning Inspectorate at the above address and website. The relevant documents are entitled “making your planning appeal” and “planning appeals Public Local Inquiries”.
- (12) Further correspondence regarding this application should bear the reference number quoted on the top of the decision notice.

THIS NOTICE RELATES ONLY TO A PLANNING DECISION AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY LEGISLATION UNDER:

- BUILDING REGULATIONS – Please contact buildingcontrol@npt.gov.uk or 01639 686949 to discuss all aspects of the service that is offered by Building Control
- HIGHWAY LEGISLATION

IF PLANNING CONSENT HAS BEEN GRANTED IT IS ADVISABLE TO ESTABLISH WHETHER ANY OTHER FORM OF CONSENT IS REQUIRED AND TO OBTAIN SUCH CONSENT BEFORE COMMENCING DEVELOPMENT

ⁱ Please see the [Town and Country Planning \(Referred Applications and Appeals Procedure\) \(Wales\) Regulations 2017](#) for appeal procedures and for full definitions of:

- *“householder application”* (essentially an application for the enlargement, improvement or other alteration of a dwellinghouse, or development within the curtilage of such a dwellinghouse, or change of use to enlarge the curtilage of a dwelling house)
- *“householder appeal”* means an appeal in relation to a householder application, but excludes an appeal against conditions on the grant of planning permission; or an appeal which is accompanied by an enforcement or listed building consent appeal.
- *“minor commercial application”* (essentially relates to existing buildings of no more than 250 square metres gross external floor space at ground floor level, currently in use for any of the purposes set out in Schedule 1A to The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2015 which is an application for change of use from Class A1 to A2 or A3; or Class A2 to A3); or the carrying out of building or other operations to a shop front.
- *“minor commercial appeal”* means an appeal in relation to a minor commercial application but excludes an appeal against conditions on the grant of planning permission; or an appeal which is accompanied by an enforcement or listed building consent appeal.



Ein cyf/Our ref: CAS-116525-N2P7
Eich cyf/Your ref: P2020/0294

Maes Newydd
Llandarcy
Neath Port Talbot
SA10 6JQ

Ebost/Email:
swplanning@cyfoethnaturiolcymru.gov.uk
Ffôn/Phone: 0300 065 3264

Mr Steven Jenkins
Neath Port Talbot County Borough Council
The Quays
Baglan Energy Park
Briton Ferry
SA11 2GG

Dyddiad/Date: 30 June 2020

Annwyl / Dear Mr Jenkins,

BWRIAD / PROPOSAL: CONSTRUCTION OF AN ACCESS ROAD, FLOOD MITIGATION WORKS, LAND CONTAMINATION REMEDIATION WORKS, IMPROVING THE LOAD CAPACITY OF THE GROUND AND ASSOCIATED WORKS TO FACILITATE THE REGENERATION OF A FORMER BROWNFIELD LAND FOR FUTURE COMMERCIAL DEVELOPMENT.

LLEOLIAD / LOCATION: HARBOURSIDE STRATEGIC EMPLOYMENT SITE
HARBOURSIDE ROAD, PORT TALBOT

Thank you for re-consulting Cyfoeth Naturiol Cymru/Natural Resources Wales (NRW) on the above application, which we received on 9 June 2020.

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission having taken into consideration our comments on flood risk. Our other concerns would be addressed if you attach the following conditions to the permission. Otherwise, we would object to this planning application.

Conditions - Contaminated land: Inclusion of the four contaminated land conditions noted below.

Condition – Pollution prevention: No development, including site clearance, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.

Flood Risk

We have reviewed the Flood Consequence Assessment (FCA) undertaken by JBA Consulting, Harbourside Flood Consequence Assessment dated May 2018, based on the current hydraulic modelling, in support of the application.

The application site is predominately located in Zone C1 of the development advice maps as defined in Technical Advice Note (TAN) 15. Apart from an element of the western extent it is considered to be at risk of flooding beyond the limits prescribed within TAN15. As such mitigation has been proposed in the form of land raising to an elevation of 7.5m AOD (above ordnance datum) where the proposed buildings and access road will be sited, along with a new flood drainage path that will take flood waters in southerly direction underneath the A4241 via culverts and drain into the docks.

It is acknowledged that the FCA has demonstrated the proposed mitigation will reduce the wider flood risk to much of the surrounding area as well as the development locations of the application site itself. It is also noted that within the areas identified as 'danger to some' and 'danger to all' as per the flood hazard matrix there will be no intention for future development.

Whilst the areas of the site allocated for development are shown to comply with TAN15 guidance the proposals do not fully mitigate against the impact to third parties. The FCA highlights there will be areas subject to increased flood risk of up to 15mm, which is beyond the accepted hydraulic modelling tolerances and would be regarded as increased flooding elsewhere according to TAN15.

The FCA has accepted that this remaining increased flood risk cannot be removed by physical mitigation measures and therefore we would advise that all affected landowners should be made aware of the effect on their property and agreement sought in order to demonstrate all potential measures have been taken to mitigate against the inability to achieve full compliance with TAN15 requirements. This will allow you, as local planning authority, to make a fully informed and balanced decision on the impacts of the development in terms of the stated reductions and increases in flood risk elsewhere.

In addition to the comments above we can also confirm that the proposed flood flow route culverts will not require a Flood Risk Activity Permit if they already benefit from a valid planning permission.

Land contamination

Condition 1- Site investigation

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

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

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

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

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reasons

Natural Resources Wales considers that the controlled waters at this site are of high environmental sensitivity due to proximity to surface water and being situated on a Secondary A aquifer. Contamination is known/strongly suspected at site due to historical contaminative uses.

Condition 2- Verification report

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

Reasons

To demonstrate that the remediation criteria relating to controlled waters have been met, and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.

Condition 3- Unsuspected contamination

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

Reasons

Given the complexity of the site it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated.'

Condition 4- Sustainable drainage systems (SUDS)

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason

There is an increased potential for pollution from inappropriately located infiltration systems such as soakaways, unsealed porous pavement systems or infiltration basins.

Having reviewed all the supporting documents relating to groundwater and contaminated land we have the following comments.

Reviewing the samples, it is difficult to replicate results for areas where there may be a source. From recent bail down sampling the thickness of the hydrocarbons was not consistent. We would recommend a further sampling round to see if the thickness of hydrocarbons can be replicated. It is difficult to determine whether this is a plume or an artefact of a relic structure on the site. We would not recommend remediation based on results that cannot be replicated. We would recommend monitoring during and after construction with a watching brief at the breaking ground stages to ensure that, if necessary, source removal can be undertaken at this stage. It may be more pragmatic to have a watching brief of the site as ground is broken and if necessary, then agree a remedial target and remediation objectives as an iterative approach for this site.

We note that the CONSIM model is conservative and this why we have made the comments in point 1 above. However, for the modelling to use the prevent and limit principle of the Groundwater Regulations, (in line with Remedial Targets Methodology Level 3 assessments) there should be a default of 50m or the boundary of the site for

hazardous substances. Deviation of this needs careful justification. As this related to the potential expansion of a plume from a recent spill, we would await further input from site data before determining whether any deviation from the prevent and limit entry is advisable.

Based on the current model with no degradation the contaminants benzene and naphthalene are above the Environmental Quality Standards values (Water Framework Directive) for surface waters. We would welcome revision of the risk assessment model, once ground has been broken to ensure that controlled waters are protected but that also any remediation is considered with an emphasis on a sound evidence base and sustainability looking to the SURF Framework.

Previously we had suggested further monitoring especially of the areas impacted by hydrocarbons to ensure that these specific areas were not acting as sumps. We require an explanation of the poor coverage of the East of the site covering the gas holder. We note that only one sample was taken from a trial pit in 2017. As this area is within the red line planning boundary, we cannot agree that this area of the site has been adequately characterised. Bearing its former use and the potential for the groundwater in this area to contain hazardous substances, we ask that further investigation to be undertaken in this area to give more data, in order to understand this risk.

We have reviewed the Remediation Strategy for the site and have the following comments to make, for the west of the site, not including the area of the former gas holder.

There appear to be discrete areas of hydrocarbon contamination on the west of the site. Some of these areas contain light non-aqueous phase liquid (LNAPL) and we understand that these are to be removed from excavation areas only, and the lateral extent is to be determined on breaking ground. LNAPL should be removed from the area surrounding every borehole that it has been discovered in and we note that the hydrocarbon removal requires verification and naphthalene should be added in as a hazardous substance.

We also note that Bore hole (BH) C5 is on the boundary so currently LNAPL and or dissolved phase hydrocarbons are leaving the site. Although the CONSIM model recommends that there is limited or no impact on the receptor at 500m, for the remediation to meet the “prevent and limit” aspect of the groundwater regulations, and in line with Remedial Targets Methodology, 50m, especially for the hazardous substances within the hydrocarbon is the maximum that is permissible. It is nominally 50m from the source, which arguably is within the site and compliance should be met at the boundary e.g. at BHC5.

To that end, we ask that a risk assessment that fits within the prevent and limit requirements is undertaken. At this point we would be happy to discuss the sustainability aspects of the remediation.

Pollution Prevention

No development, including site clearance, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Construction methods, including details of materials, waste and contaminated land.
- General Site Management: construction programme and site clearance requirements, construction drainage, site set-up plan detailing sensitive receptors, buffer zones and relevant protection measures (e.g. fencing, etc).
- Biodiversity Management: tree and hedgerow protection, invasive species management (to include Himalayan balsam and Japanese knotweed), species/habitats protection and mitigation measures.
- Water Framework Directive (WFD) Assessment: details of the proposal to be assessed against the Water Framework Directive's objectives.
- Soil management: topsoil stripping, storage and amelioration for re-use.
- CEMP masterplan: detailing the development, location of landscape and environmental resources, design proposals and objectives for integration and mitigation.
- Control of Nuisances: restrictions on timing/duration/frequency of works, e.g. noise/vibration from piling activities, acoustic barriers, dust control measures, control of light spill and conservation of dark skies.
- Resource Management: fuel and chemical storage, waste management, water consumption and energy consumption.
- Traffic Management: deliveries, plant on site and wheel wash facilities.
- Pollution Prevention: demonstrate compliance with relevant Guidelines for Pollution Prevention, incident response plan and site drainage plan.
- Details of the persons/bodies responsible for particular activities associated with the CEMP and emergency contact details.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance.



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

Yn ddiffuant / Yours sincerely

Lisa Jones

Gynghorydd - Cynllunio Datblygu / Advisor - Development Planning

E-bost/E-mail: swplanning@cyfoethnaturiolcymru.gov.uk



Lisa Jones
Natural Resources Wales
Maes Newydd
Llandarcy
Neath Port Talbot
SA10 6JQ

CAS-116525-N2P7
62253048 – P2020/0294
2 July 2020
CONFIDENTIAL

Dear Lisa,

Port Talbot Harbourside Strategic Employment Site – CAS-116525-N2P7

Further to NRW feedback relating to Port Talbot Harbourside (your ref. CAS-116525-N2P7), please see below comments / discussion relating to the points raised.

The planning application is to complete enabling works, which would be done to prepare the site for future development (to be carried out under a separate planning application). The enabling works include remediation of contaminated land and ground improvement works. I feel that this is pertinent, as a lot of the points raised within the comments include 'completing works when ground is broken'; but this obviously cannot be completed without the planning application being approved and works allowed to progress.

With regards to the specific conditions you have stated as being required:

Condition 1 – Site Investigation

1. Preliminary Risk Assessment – This has already been completed and submitted:

Opus Phase I Desk Study Report, Ref: V-C8602.01-OIC-00-XX-RP-01, Dated July 2017.

2. Site Investigation Scheme – several phases of ground investigation have been completed and reported
3. Site Investigation results and risk assessment – Several phases of investigation and assessment submitted as part of application:

Opus International Consultants (UK) Ltd, NPT Harbourside – Addendum Ground Gas Letter Report, Ref: V-C8602.01-OIC-20171012-NPTCBC-01, dated October 2017;
WSP UK Ltd, Port Talbot Harbourside Generic Quantitative Risk Assessment, Supplementary Site Investigation Report, Ref 62253048-001, Dated September 2019;
WSP UK Ltd, Port Talbot Harbourside Controlled Waters Detailed Quantitative Risk Assessment, Ref 62253048-002, Dated February 2020;
WSP UK Ltd, Port Talbot Harbourside, Factual Report – Additional Product Investigation, Ref. 62253048-003, dated March 2020;

4. Verification plan – included as part of the remediation strategy

WSP UK Ltd, Port Talbot Harbourside, Remediation Strategy, Ref. 62253048-004, dated June 2020;

Condition 2 – Verification Report

The requirement for a verification report following remediation is stated within our remediation strategy.

Condition 3 – Unsuspected Contamination

Suitable for the proposed planned works

With regards to the feedback to the submitted reports, I have provided our comments relating to the concerns raised in blue below each paragraph.

Reviewing the samples, it is difficult to replicate results for areas where there may be a source. From recent bail down sampling the thickness of the hydrocarbons was not consistent. We would recommend a further sampling round to see if the thickness of hydrocarbons can be replicated. It is difficult to determine whether this is a plume or an artefact of a relic structure on the site. We would not recommend remediation based on results that cannot be replicated. We would recommend monitoring during and after construction with a watching brief at the breaking ground stages to ensure that, if necessary, source removal can be undertaken at this stage. It may be more pragmatical to have a watching brief of the site as ground is broken and if necessary, then agree a remedial target and remediation objectives as an iterative approach for this site.

Four rounds of gauging are included within the DQRA and additional gauging within the Additional Product Investigation Report/Remediation Strategy. This shows a consistent thickness of ~0.6m n BH104, and limited thickness in BHC5 during one round followed by non-detectable LNAPL.

LNAPL has been known to be present since the initial investigation works (identified in TPH05 in 2017) and has been identified within the same spatial area since (as reported).

A watching brief is recommended within the remediation strategy during ground works (breaking ground and excavation) of known contamination. In addition, monitoring during and after construction is included within the Remediation Strategy.

We accept that remedial targets and objectives could be agreed following breaking ground and initial source removal works; however, this planning application needs to be approved to allow these works to commence.

We note that the CONSIM model is conservative and this why we have made the comments in point 1 above. However, for the modelling to use the prevent and limit principle of the Groundwater Regulations, (in line with Remedial Targets Methodology Level 3 assessments) there should be a default of 50m or the boundary of the site for hazardous substances. Deviation of this needs careful justification. As this related to the potential expansion of a plume from a recent spill, we would await further input from site data before determining whether any deviation from the prevent and limit entry is advisable.

"Prevent" relates to Hazardous substances i.e. they should be prevented from entering groundwater with an assessment point identified as the base of the unsaturated zone. We stated in Section 4.2 of the DQRA that "The observed contamination at Port Talbot is, however, considered as an 'Accidental Input' (already within the saturated zone) and a passive input resulting from some previous activity that has now ceased i.e. has already entered the water environment. Focus should, therefore, be on limiting its further impact/damage."

With regards to the 50m default compliance point, we noted in Section 4.6 of the DQRA that *"it is considered that the proximity to the dock and the sea limit the plausible requirement for consideration of potable resource potential and assessment points should instead be derived from factors only related to protection of 'at risk' ecosystems (the adjacent surface waters of the Port Talbot Dock)."* The aim of this 50m for hazardous substances is for resource protection.

It is very unlikely that potable abstraction for resource protection would arise within 50m as that would place an abstraction within the wider development. Potable abstraction to the south at 50m would be on the shore of the dock.

The site is underlain by Made Ground comprising sands and gravels including ash, slag, brick, concrete and clinker together with occasional fragments of metal, glass and wood to a maximum observed depth of ~3 m below ground level (bgl). This Made Ground is underlain by Alluvium deposits comprising layers of gravely sand, gravely clay and silt and sandy gravels to a maximum explored depth of ~10 m bgl. Bedrock deposits include the South Wales Middle Coal Measures Formation comprising mudstone, siltstone and sandstones with interbedded coal seams. None of the aquifers beneath the site are currently known to be used for potable water resource. Additionally, no licensed groundwater abstractions have been identified within a 1 km radius of the site and no Groundwater Source Protection Zones (SPZ) are not located within 10 km of the site.

The product from BH104 and BH204 has been analysed and shown differing ages with the first sample collected from BH104 suggesting an age range of 1-5 years; but subsequent sampling of BH104 and BH204 have given ages of >10 years which is considered more likely. The age ranges are an interpreted estimation; and the re-sampling of BH104 was completed to confirm the age range, which was aged at a more expected >10 years subsequently. Given the site has been vacant for an extended period of time, it is unlikely that the LNAPL present is as a result of a 'recent spill'; and more likely associated with the historical infrastructure (being located in proximity to historic tank farms).

Based on the current model with no degradation the contaminants benzene and naphthalene are above the Environmental Quality Standards values (Water Framework Directive) for surface waters. We would welcome revision of the risk assessment model, once ground has been broken to ensure that controlled waters are protected but that also any remediation is considered with an emphasis on a sound evidence base and sustainability looking to the SURF Framework.

The ConSim model is based on effective solubility i.e. worst-case concentrations that could ever exist. Should we use actual concentrations observed following remediation, these concentrations would be lower than the utilised effective solubility and would reduce the risk further. We adopt effective solubility as this therefore acknowledges we will never be able to remove all hydrocarbons.

Previously we had suggested further monitoring especially of the areas impacted by hydrocarbons to ensure that these specific areas were not acting as sumps. We require an explanation of the poor coverage of the East of the site covering the gas holder. We note that only one sample was taken from a trial pit in 2017. As this area is within the red line planning boundary, we cannot agree that this area of the site has been adequately characterised. Bearing its former use and the potential for the groundwater in this area to contain hazardous substances, we ask that further investigation to be undertaken in this area to give more data, in order to understand this risk.

The area is currently covered in a substantial thickness of reinforced hardstanding associated with the gasholder, as such advancing exploratory locations has not been feasible. Monitoring well locations are



We have identified during subsequent ground investigation and sampling (reported in additional product investigation and remediation strategy), that BH203 adjacent to BHC5 recorded concentrations of TPH <LOD; which further supports that the contamination at the site is spatially limited, and isolated to hotspots. Further discussion relating to the 50m is included previously and detailed in the DQRA.

Remedial works around BHC5 are planned as part of the remedial activities, as it is a known potential source of LNAPL.

To that end, we ask that a risk assessment that fits within the prevent and limit requirements is undertaken. At this point we would be happy to discuss the sustainability aspects of the remediation.

Further to the above comments in relation to your feedback and conditions, we ask that the below is taken into consideration:

- All pre commencement conditions have been covered by the information submitted to date to support its discharge;
- The works planned under this planning permission are primarily for ground improvement works, which include remediation of the site. We do not feel that additional ground investigation works and risk assessment would be valuable at present prior to the remedial works. The enabling and remediation works (of which this planning application is for undertaking) will allow for further investigation, sampling and, if required, assessment at this stage under Conditions 3 and in accordance with the Remediation Strategy (Section 3.8 - Contingency Plan).
- Following completion of all remediation work, appropriate validation and assessment will be provided within the verification report (to support the discharge of Condition 2).

Yours faithfully

Rhys Evans
Principal Consultant
Ground and Water