

The Quays, Brunel Way, Baglan Energy Park, Neath SA11 2GG
Y Ceiau, Ffordd Brunel, Parc Ynni Baglan, Castell-nedd SA11 2GG

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Application for non-material amendment following a grant of planning permission.

Town and Country Planning Act 1990

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Site Details

Number	
Suffix	
Property name	Csn Precision Engineering
Address line 1	Neath Abbey Road
Address line 2	
Town/city	Neath
Postcode	SA10 7BR
Description of site location must be completed if postcode is not known:	
Easting (x)	274528
Northing (y)	197507
Description	

2. Applicant Details

Title	
First name	
Surname	Aldi Stores Limited
Company name	
Address line 1	C/O Agent
Address line 2	13-14 Orchard Street
Address line 3	
Town/city	Bristol

2. Applicant Details

Country	United Kingdom
Postcode	BS15EH
Primary number	
Secondary number	
Email address	

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

3. Agent Details

Title	Mr
First name	Lloyd
Surname	Collins
Company name	Planning Potential Ltd.
Address line 1	13-14
Address line 2	Orchard Street
Address line 3	
Town/city	BRISTOL
Country	United Kingdom
Postcode	BS1 5EH
Primary number	01172141820
Secondary number	
Email	lloyd.collins@planningpotential.co.uk

4. Eligibility

Do you, or the person on whose behalf you are making this application, have an interest in the part of the land to which this amendment relates?

☒ Yes ☐ No

5. Description of Your Proposal

Please provide the description of the approved development as shown on the decision letter, including the application reference number and date of decision in the sections below

Erection of a Class A1 foodstore (1,899 sqm gross floor area) with associated access, car parking and landscaping (additional retail information submitted)

Reference number:	P2019/5304
Date of decision	03/02/2021

For the purpose of calculating fees, which of the following best describes the original application type?

- ☐ Householder development: Development to an existing dwelling-house or development within its curtilage
- ☒ Other: anything not covered by the above category

6. Non-Material Amendment(s) Sought

Please describe the non-material amendment(s) you are seeking to make

The proposed non-material amendment seeks to alter the wording of condition 4 to enable the highways works to be completed prior to the occupation of the new store, rather than prior to the commencement of the store construction. We therefore propose that the wording of the condition is amended as follows:

The new retail store / building shall not be occupied until such time as all works to the existing highways and new junction into the site off Neath Abbey Road, which include visibility splays, right hand turn lane, footpaths etc. as identified on drawing 79-E1379-CDY-XX-XX-DR-D-En_80_35_74-0010-A2-P0 and 1190487-1400 P21 have been completed to the satisfaction of the Local highway Authority.

Reason: To ensure accordance with LDP Policy BE1 and TR2.

Are you intending to substitute amended plans or drawings?

☐ Yes ☒ No

Please state why you wish to make this amendment

Aldi can provide evidence to demonstrate that it has the benefit of contracts to acquire the land required to undertake the highways works. We have redacted versions of the exchanged contracts with each of the three vendors, CSN, Huw Jenkins (and, in respect of the unregistered land, L H Evans). These can be provided to the Council confidentially, which demonstrate Aldi's contractual interest in the land on which highways works are required. Completion of each acquisition will take place simultaneously and is expected imminently. Once completion has taken place, Aldi will have full control of the land on which highways works are required.

In anticipation of completion of Aldi's acquisition, the undertaking of initial temporary ground works has commenced. This comprises the stripping of topsoil, infilling with Type 1 material, and a 70mm bitumen binder course. A photographic supplement showing the works is included with this submission. These works therefore enable the S.228 process to commence. Furthermore, the S.228 process has been formally signed-off by the Council. This provides the LPA with the certainty it needs that the highways works can be undertaken and completed.

Further still, the amended condition 4 still provides the LPA with control over the highways works, as it requires them to be completed prior to the store opening. This is a standard time requirement for highways works to be completed by so we do not feel this disadvantages the LPA in any way. If the condition cannot be amended, it will have major consequences on the build programme for the store. The current wording of condition 4 only allows the commencement of the store construction once the highways works are fully completed. This means the highways works would have to be undertaken entirely separately from and ahead of the main store build programme rather than concurrently which is more efficient and cost effective. The highways works will take up to the end of 2021 to fully complete, which means construction of the store may not be able to commence until December 2021 or even January 2022. Additionally, the approval process involved with highways works can become protracted and has the potential to create further delays to commencing store construction. These issues could all have knock-on impacts on the store opening date. The longer the store opening is delayed, the longer it will be until the new in-store jobs are created.

The development is a significant investment (circa £7m) in the local area, and now that there is certainty that Aldi is in control of the land, it is not in the public interest to delay the commencement of the store construction process.

7. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☒ Yes ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

- ☒ The agent
☐ The applicant
☐ Other person

8. Pre-application Advice

Has pre-application advice been sought from the local planning authority about this application?

☐ Yes ☒ No

9. Authority Employee/Member

With respect to the Authority, is the applicant or agent one of the following:

- (a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

Do any of these statements apply to you?

☐ Yes ☒ No

10. Declaration

I/we hereby apply for planning permission as described in this form and the accompanying plans/drawings and additional information. I confirm that, to the best of my knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the persons giving them. ☒

Date (cannot be pre-application)

12/04/2021