

Date: 14th December 2021

Our Ref: S20.254

Unit 9 Oak Tree Court
Mulberry Drive
Cardiff Gate Business Park
Cardiff
CF23 8RS

Tel: 02920 732 652
www.asbriplanning.co.uk

Helen Bowen
Planning Department
Neath Port Talbot County Borough Council
Civic Centre,
Port Talbot
SA13 1PJ

Dear Helen,

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

LPA REF: P2021/1019 - FULL PLANNING APPLICATION FOR THE CONSTRUCTION AND OPERATION OF PROPOSED ASPHALT PLANT WITH AGGREGATE STORAGE AREA, WEIGHBRIDGE, OFFICES AND ANCILLARY INFRASTRUCTURE WORKS LAND AT EDWARDS WORKS, LLANDARCY

I refer to your recent email exchanges as regards the above-mentioned application which currently awaits determination by the Local Planning Authority (LPA).

As discussed, it is encouraging to note that several consultees have responded raising no concerns and I would comment as follows;

Environmental Health (Air and Noise)

Raises no concerns as sensitive receptors are a sufficient distance to prevent issues in relation to both noise and dust emissions.

- Noted and no further action required.

Drainage

The Drainage Officer advises the following :

1. *SAB approval will be required prior to any work commencing. To commence work is a breach of SAB approval required under Paragraph 7 (1) Schedule 3 of the Flood and Water Management Act 2010 whereby legal action will be taken by the Authority under The Sustainable Drainage (Enforcement) (Wales) Order 2018. Guidance and applications can be found on www.npt.gov.uk/sab*
2. *There must be no interference, alteration or diversion of any ditch, watercourse, stream or culvert crossing or bordering the site, without prior consultation and agreement with the Local Authority.*

3. *Adequate provision, in accordance with a scheme to be first submitted and approved in writing by the Local Planning Authority, shall be made for the drainage of the site. Such scheme shall ensure that the drainage of any adjoining land is not interrupted or otherwise adversely affected by the development. The scheme shall be implemented prior to the occupation of the dwelling.*
- Noted and you will be aware from our initial meeting, a SAB pre-application inquiry has been made and the SAB officer was content with the scheme. The client has outline designs approved and have given instruction for detailed design works to be completed by JBA Consulting to make a formal SAB application.

Dwr Cymru/Welsh Water

Welsh Water advises that the submitted application form indicates proposals to dispose foul water flows to the "Main Sewer"; however, there is no public sewerage system in the immediate area and therefore any new development will require the provision of satisfactory alternative facilities for sewage disposal. It may be possible for the Developer to requisition sewers from Dwr Cymru Welsh Water under Sections 98 - 101 of the Water Industry Act 1991.

DCWW suggest the following condition;

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

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment."

In addition to the above the following advisory notes are suggested

If the development will give rise to a new discharge (or alter an existing discharge) of trade effluent, directly or indirectly to the public sewerage system, then a Discharge Consent under Section 118 of the Water Industry Act 1991 is required from Dwr Cymru / Welsh Water. Please note that the issuing of a Discharge Consent is independent of the planning process and a consent may be refused although planning permission is granted. -

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.

- Upon submission of the application we had some connection from the plant to the sewer, this has since been clarified with the client and I have confirmation that there are no foul generated from the plant and as such there is no foul connection required for the development.

Land Contamination

The Land Contamination Officer advises that due to the site history of the site being former industrial land, there is possibility of made ground being encountered at the site and gas risk associated with previous land use. A desk study will be required as a minimum to assess the potential pollutant linkages associated with this development, and suggests that standard land contamination conditions in respect of this, verification, remediation and unexpected contamination are imposed on any consent.

- Client accepts the imposition of suitable planning condition to cover the above comments.

NPT CBC Highways

The Highways Officer has raised the following concerns:

1. The Transport Statement submitted provides details of the anticipated trip generation by this development, however details are required as to how these movements impact against existing trip generation to and from the site as a whole.
- At this juncture the site is used by Ronnie S Evans a haulage contractor who is operating out of the site on a day to day basis. From discussions with the operator I have had an opportunity of clarifying the position who confirms average vehicle movements per day of 25 -30. To be clear that's 25 - 30 movements per day out and the same number in. This gives total vehicle movements of 50-60 per day.

The following table below show GD Harries & Sons planned movements which shows 21 loaded movements therefore 42 movements , less than the current level of movement associated with the operations of Ronnie S Evans from the site. As such I trust that this allays any concerns with regards to the level of trips associated with the development.

Daily Loaded movements over the bridges -Based on 5.5 Days Working	No of Vehicles
44t Gross Weight Vehicles (Net weight 16t)	5.45
32t Gross Weight Vehicles (Net weight 12t)	6.18
7.5t Gross Weight Vehicles (Net weight 7.5t)	3.64
3.5t Gross Weight (Net weight 3.5t)	7.27

2. As per the comment made on the prelim application, this matter is still outstanding:
'We are of the understanding that the proposed development will encourage an increase of HGV's to and from the site. The bridge which forms part of the access route leading to this development is un-adopted. I would require confirmation of the structural integrity of this bridge and that it can withstand the proposed loading, in addition details of the inspection and management regime for the maintenance of this bridge including when it was last inspected and who is the owner'.
- In this matter I would revert to my email of the 21st September 2021 which provided a photograph of the bridge structure and associated contact details which I again provide. The attached photograph of the bridge reference number indicates the bridge is a Council asset and as such

could you please seek confirmation if this is the case from your colleagues in Highways. In addition, I would also reiterate the fact that the proposed level of trips associated with the development is less in terms of 50-60 HGV's which the current landowner operates from the site.

3. Car parking dimensions are to be in accordance with SPG Parking Standards Oct 2016. A car parking space should have a length of 4.8m by 2.6m wide with an off-set reversing distance of 6m to allow ease of access and egress from the space, a disabled parking bay has an increased width of 3.6m. From measuring the provided plan at a scale of 1:1000 the proposed staff car parking area does not appear to comply with these requirements.
- Please find attached a revised Plan View & Elevation Drawing dated the 3rd December 2021, which shows the car parking area fully annotated to state the car parking spaces set at a length of 4.8m by 2.6m wide with an off-set reversing distance of 6m to allow ease of access and egress from the space, a disabled parking bay to an increased width of 3.6m. In addition, 3 waiting areas are now annotated as waiting and parking areas for HGV's and 2 new HGV parking areas added to the right of bitumen tanks.
4. There could be potential conflict between HGV's at the Asphalt Loading bay and where there are vehicles waiting in the Asphalt collection waiting bays, auto-tracking will be required to demonstrate that there is sufficient room at this location (see extract below) for vehicles to successfully manoeuvre.
- Please find attached as above a revised Plan View & Elevation Drawing dated the 3rd December 2021, which shows the required swept path analysis in relation to the internal operation of the site as requested.

Biodiversity

The Biodiversity Officer confirms that the content of the PEA is acceptable, however no details of enhancements (required under the Environment (Wales) Act 2016) have been provided.

- Please find attached a copy of the Bay Ecology Biodiversity Enhancement Plan dated the 3rd December 2021. As you will appreciate due to the nature of the site and the operations proposed there are limited opportunities to provide significant enhancement. However, from discussions with the client, project engineers the Sustainable Drainage Systems (SuDS) infrastructure provides the only viable opportunity for such enhancement works and this has been the focus to utilise both the vegetated filter strip and wet swale.

Natural Resources Wales (NRW)

In response to NRW's consultation response of the 30th November 2021, the client has no comments as regards the imposition of suitable conditions which to an extent mirror those of the Council's own Environmental Health Officer.

As regards the comments relating to flood risk it is accepted that the application proposes less vulnerable development of an Asphalt Plant which we can accept has a design life of 75 years although the current leasehold agreement with the landowner is in fact less than this.

The client has confirmed that all structures will be developed upon a slab set 200-300mm above the existing ground levels. As such, the Finished Floor Level (FFL) of the development is considered to be at

least 7.3m AOD, based upon the average ground level at the site and assuming a minimum slab depth of 200mm. Construction of the asphalt plant upon a slab elevated at 7.3m AOD will result in the development being flood free during the 2096 0.5% AEP event, in compliance with TAN-15.

From a review of the site and its surrounding environs it is clear that as stated any consequential raising of ground levels at the site will have a negligible impact to third party land. Flood risk at the site is tidally sourced therefore any displacement as a result of the proposed works will be immaterial.

The client will accept the imposition of a suitable condition as regards the provision of a flood management plan (FMP) which will be formulated by the client's consultants JBA Consulting.

I trust that the submitted additional information is now sufficient to allow the application to progress to a positive determination. However, if you have any queries in the meantime, please do not hesitate to get in touch.

Yours Sincerely,

Richard Bowen - Director
Asbri Planning Ltd