



EXTENSION OF TIME AND AMENDED RESTORATION PROFILE AT PWLLFAWATKIN LANDFILL SITE.

Pre-Application (PAC) Report

On behalf of FCC Environment

December 2021

Private and confidential

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1. Executive Summary

FCC Environment (hereafter 'FCC') is committed to consulting with the local community regarding its proposed extension of time and amended restoration profile at Pwllfawatkin Landfill, near Gwaun Cae Gurwen, Neath Port Talbot.

Local residents, community stakeholders and statutory consultees were given the opportunity to give their feedback regarding the proposals during a pre-application consultation process via a number of different channels.

A freephone information line and email address were made available throughout the course of the planning stages, for interested parties and consultees to receive further information about the proposals and provide feedback to the project team.

As per the statutory 28-day pre-application consultation period guidance, FCC affixed site notices to the perimeter of the site and issued site notices to owners and occupiers of neighbouring properties, community consultees and specialist consultees. Additionally, FCC provided a dedicated bilingual website which hosted the draft application documents to allow the full detailed proposals to be read online.

Pre-application consultation also offered community stakeholders the opportunity to discuss the proposals and ask any questions of the project team. ALDI held the following meetings to discuss the proposals:

- **Thursday 2nd December 2021:** Drop-in meeting at Cwmgors Community Centre with FCC representative to discuss the proposals. Meeting attended Cllr Sonia Reynolds, Neath Port Talbot Ward Member for Gwaun Cae Gurwen (neighbouring site member) and six members of the public.

FCC has received a number of responses to the consultation from statutory consultees and the local community.

Constructive feedback has been received in the form of comments, concerns and suggestions with the main comments relating odour/gas, traffic on local highway, site location, operational issues, visual considerations and timescales for completion.

2. Introduction

This Pre-Application Consultation report has been prepared on behalf of FCC Environment (FCC) in support of a planning application for the extension of time and amended restoration profile at Pwllfawatkin Landfill, near Cwmgors, Neath Port Talbot.

This PAC report shows that the consultation undertaken was in accordance with the Pre-Application Consultation Process, introduced by the National Assembly of Wales in August 2016, which arose as one of the amendments of the existing development management procedures resulting from the Planning (Wales) Act 2015.

A programme of community engagement was designed to ensure local stakeholders were provided with details of the proposals and had the opportunity to provide their feedback.

The Pre-Application Consultation period for statutory consultees commenced on Monday 22nd November 2021 and ended on 20th December 2021.

This document outlines the consultation undertaken, detailing key activities and meetings, setting out feedback received, and highlighting reoccurring themes and conclusions.

3. Background

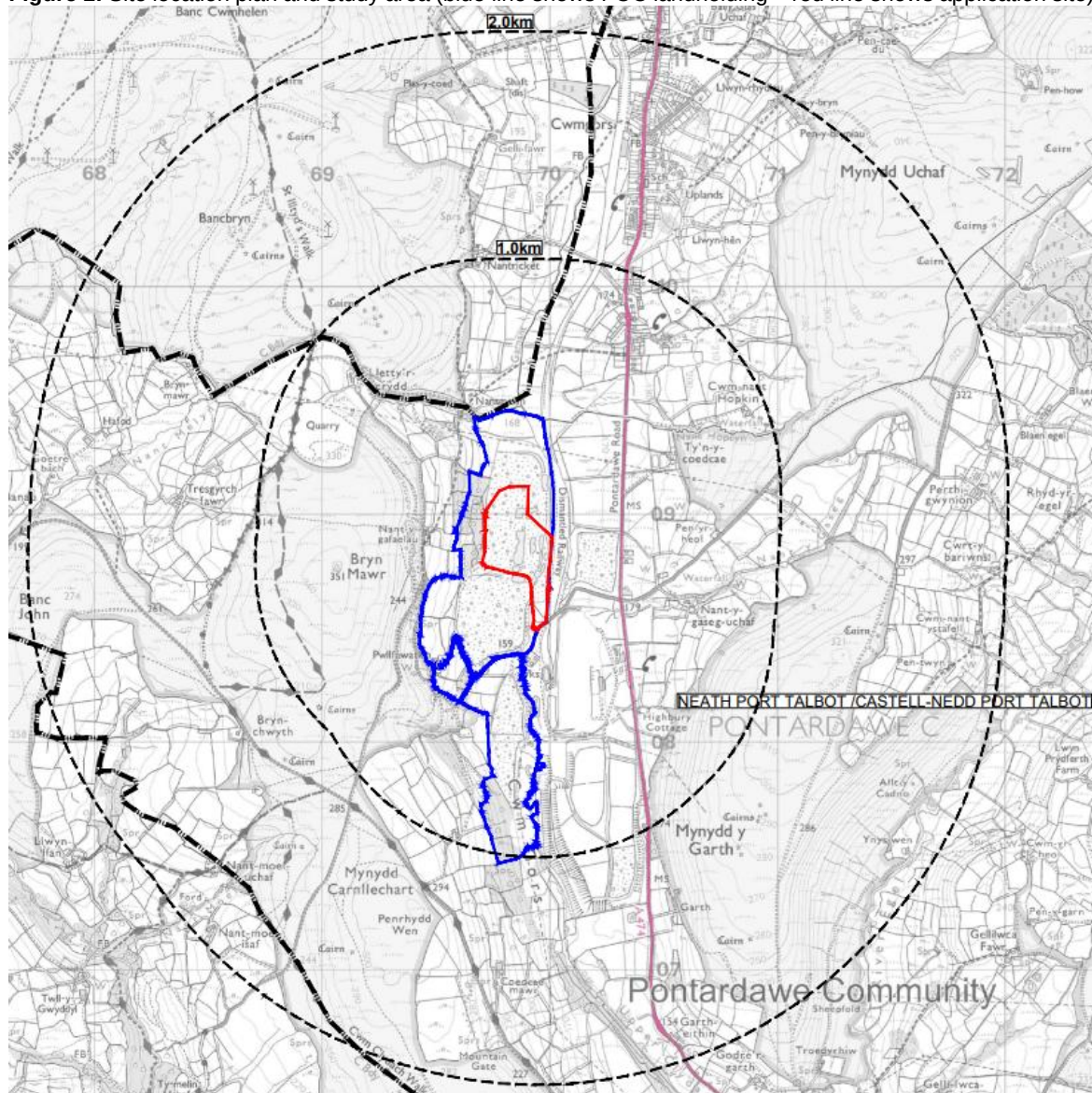
Application Site

The application site is located within the site boundary of the wider Pwllfawatkin landfill site, situated south of Cwmgors and Gwaun Cae Gurwen and northwest of Pontardawe in Neath Port Talbot. The A474 runs north to south to the east of the site.

Three former coal spoil tips form the majority of FCC landholding at Pwllfawatkin. Two of these tips, Tip 891 and Tip 890, are located to the north of Baran Road. The third tip, Tip 871 is located to the south of Baran Road.

Tip 891 has been restored for some time now, however Tip 890 is still accepting non-hazardous waste. Tip 871 is, where necessary, used as a source of engineering material for Tip 890.

Figure 1: Site location plan and study area (blue line shows FCC landholding – red line shows application site)



Proposal

FCC is seeking permission to extend the period of landfill operations at the Pwllfawatkin landfill site to the end of October 2023. This will allow the site to continue accepting non-hazardous waste and amend the restoration profile to reduce the capacity of the site from that previously approved.

The purpose of this application is to allow FCC to safely close the landfill operation following the expiration of an existing planning consent.

4. Pre-application Consultation

Legislative Requirements

As set out in Article 4 of Part 1A of The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016, planning applicants must, for a period of no less than 28 days, before an application is submitted:

- Display a site notice in at least one place on or near the land to which the proposed application relates;
- Write to any owner or occupier of any land adjoining the land to which the proposed application relates;
- Make the draft planning application information and environmental statement (where it is EIA development) available publicly; and,
- Consult with community and specialist consultees before applying for planning permission.

A Pre-Application Consultation (PAC) Report should be submitted alongside the planning application to the local authority detailing how it has complied with these requirements.

This document confirms that the above requirements have been undertaken for the proposed application at Pwllfawatkin landfill.

The following report details the steps taken to ensure that the statutory requirements have been met or exceeded, details the feedback received during the consultation period and provides responses to the comments submitted to the project team.

5. Statutory Consultation

Summary

Schedule 1B and 1C notices were issued to Specialist Consultees and Community Consultees on 19th November 2021. Site notices were also affixed in locations around the site boundary and in the local area on this date.

A dedicated project website was live on the 18th November, with copies to all required draft application documents available to view and download. The website also contained a feedback form, details of how to write to FCC with comments (Freepost) and an email address for feedback to be provided.

Following a request from a neighbouring ward member, hard copies of the application documents were also placed on deposit for local viewing at the following locations:

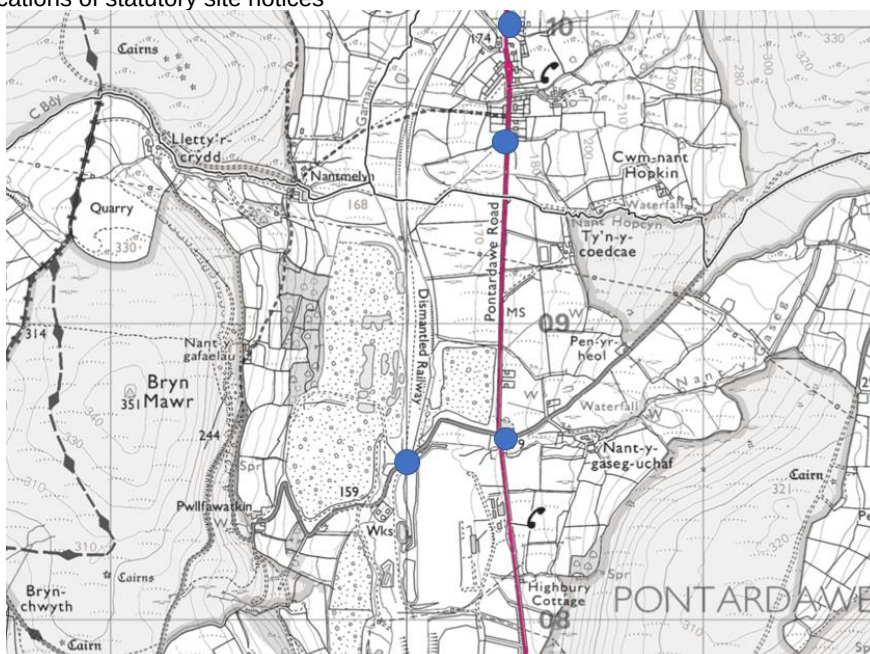
- Pontardawe Library, 21 Holly Street, Pontardawe, Swansea, SA8 4ET
- Cwmgors Community Centre, 1 Cemetery Road, Cwmgors, Gwaun Cae Gurwen, Ammonford, SA18 1PS
- Site offices at Pwllfawatkin Landfill, Pontardawe, SA8 4SX

A drop-in session at Cwmgors Community Centre also took place on 2nd December 2021, with and FCC representative attending to discuss the proposals and answer any questions from attendees.

Site Notices

The site notices were put up on Friday 19th November at the site and in nearby locations that it was deemed more likely that passers by would view them. Photographs of the site notices in situ and a declaration that the site notice was displayed in accordance with the statutory requirements are included in the appendix.

Figure 2: Locations of statutory site notices



The site notices were checked at intervals during the 28-day period, but none required replacing.

Specialist consultees notice (Schedule 1C)

Schedule 1C notices were issued to specialist consultees via email on 19th November 2021. A covering letter confirming the intention to submit an application and inviting comment was also included, as well as a copy of the Schedule 1B notice for information.

Examples of the Schedule 1C notice and covering letter can be found in the appendix.

The following specialist consultees were identified from the table in Schedule 4 of the Development Management Procedure (Wales) Order (DMPWO) and issued the Schedule 1C notice:

Para	Description of Development	Consultee
(a)	Development likely to affect land in the area of another local planning authority	The local planning authority concerned - Neath Port Talbot County Borough Council - Carmarthenshire County Council
(b)	Development, in relation to which an application for planning permission has been made to the Welsh Ministers under section 293A of the 1990 Act(20) (urgent Crown development: application), where that development is likely to affect land in the area of a community council	The community council - Pontardawe Town Council
(f)	Development likely to result in a material increase in the volume or a material change in the character of traffic entering or leaving a classified road or proposed highway	The local highway authority concerned - Neath Port Talbot County Borough Council
(j)	Development, other than householder development, within an area which has been notified for the purpose of this provision to the local planning authority by the Coal Authority because of the presence of land instability risks from coal mining	The Coal Authority
(l)	(i) Development which has a direct physical impact on a scheduled monument. (ii) Development likely to be visible from a scheduled monument; (iii) Development likely to affect the site of a registered historic park or garden or its setting; (iv) Development within a registered historic landscape that requires an Environmental Impact Assessment; or (v) Development likely to have an impact on the outstanding universal value of a World Heritage Site	The Welsh Ministers - CADW
(q)	Development— (i) in or likely to affect a site of special scientific interest; or	The Natural Resources Body for Wales - Natural Resources Wales

Para	Description of Development	Consultee
	(ii) within an area which has been notified to the local planning authority by the Natural Resources Body for Wales and which is within two kilometres, of a site of special scientific interest, of which notification has been given, or has effect as if given, to the local planning authority by the Natural Resources Body for Wales, in accordance with section 28 of the Wildlife and Countryside Act 1981 (sites of special scientific interest) as applied in Wales by section 27AA of that Act(<u>21</u>)	
(t)	Development within 250 metres of land which— (i) is or has, at any time in the 30 years before the relevant application, been used for the deposit of refuse or waste; and (ii) has been notified to the local planning authority by the Natural Resources Body for Wales for the purposes of this provision	The Natural Resources Body for Wales - Natural Resources Wales
(y)	Development— (i) involving new residential development (including single units); and (ii) which is major development not falling within paragraph (i).	The water and sewerage undertaker concerned - Dwr Cymru

Community Consultees notice (Schedule 1B)

Schedule 1B notices were issued to community consultees via email and post on 19th November 2021. A covering letter confirming the intention to submit an application and inviting comment was also included.

Examples of the Schedule 1B notice and covering letter can be found in the appendix.

The following community consultees were identified:

Consultee	Note
Cllr Linet Purcell	Host ward member for Pontardawe Ward, Neath Port Talbot County Borough Council
Cllr Anthony John Richards	Host ward member for Pontardawe Ward, Neath Port Talbot County Borough Council
Pontardawe Town Council	Host Community Council

Due to the proximity of the ward and authority boundaries with Carmarthenshire County Council and Gwaun Cae Gurwen Ward in Neath Port Talbot, the following consultees were also provided copies of the Schedule 1B notice and invited to provide comment:

Consultee	Note
Cllr Sonia Reynolds	Neighbouring ward member for Gwaun Cae Gurwen Ward, Neath Port Talbot County Borough Council
Cllr Kevin Madge	Neighbouring ward member for Garnant, Carmarthenshire County Council
Gwaun Cae Gurwen Community Council	Neighbouring Community Council
Cwmamman Community Council	Neighbouring Community Council

Adjoining landowners and/or occupiers notice

Schedule 1B notices were issued to owners and/or occupiers of adjacent properties on 19th November 2021 via post. A covering letter confirming the intention to submit an application and inviting comment was also included, as well as a copy of the Schedule 1B notice for information.

Examples of the Schedule 1B notice and covering letter to neighbouring owners and/or occupiers can be found in the appendix.

Due to the nature of the application, the site is situated largely within the land ownership of the existing Pwllfawatkin Landfill. However, neighbouring landowners and/or occupiers around the wider site were identified alongside all addresses within 1km of the site. This amounted to 21 addresses in total.

These identified owner/occupiers were written to with a copy of the Schedule 1B notice and covering letter.

Figure 2: 1km mailing radius for adjacent landowners and/or occupiers

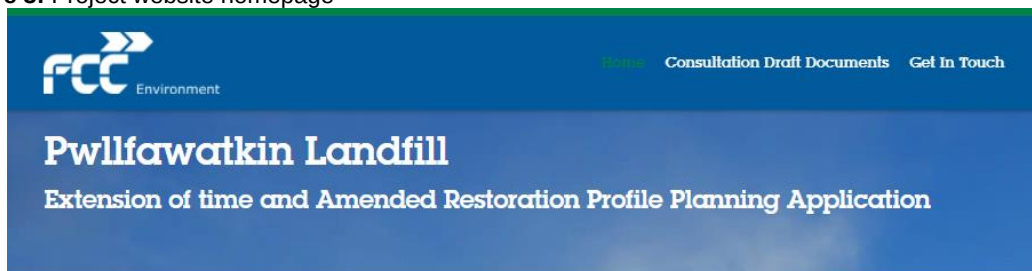


Draft Application and dedicated project website

A dedicated project website (<https://pwllfawatkin.fccenvironment.co.uk/>) was made live on the 18th November, with copies to all required draft application documents available to view and download.

The website also contained a feedback form, details of how to write to FCC with comments (Freepost) and an email address for feedback to be provided.

Figure 3: Project website homepage



The following draft application documents were made available on the website:

Submission Documents
• Environmental Statement (ES)
• Non Technical Summary of the ES
• Planning Statement
• Application form
Technical Appendices
• 1.1 Scoping Opinion
• 7.1 LVIA Methodology
• 7.2 Landscape Figures:
○ Figure 7.1 – Site Location and Study Area
○ Figure 7.2 – Landscape Designations and Recreational Routes
○ Figure 7.3 – Landscape Character and Landmap
○ Figure 7.4 – Zone of Theoretical Visibility
○ Figure 7.5 – Visual Receptors
○ Viewpoint 1 – WR7816 05 21 R0-VIEWPOINT 1 – A1xA4
○ Viewpoint 2 – WR7816 05 22 R0-VIEWPOINT 2 – A1xA4
○ Viewpoint 3– WR7816 05 23 R0-VIEWPOINT 3 – A1xA4
○ Viewpoint 4 – WR7816 05 24 R0-VIEWPOINT 4 – A1xA4
○ Viewpoint 5 – WR7816 05 25 R0-VIEWPOINT 5 – A1xA4
• 7.3 LANDMAP – National Landscape Character Area
• 8.1 Ecological Appraisal (FPCR, 2018)
• 8.2 Amphibian and Reptile Reasonable Avoidance Measures Method Statement

8.3 Ecology Figures: 8.3 Phase 1 Habitat Plan 8.3 – Pond Location Plan 9.1 Flood Consequence Assessment 9.2 Surface Water Management Plan 10.1 Air quality
Drawings
- WR7816/12/01 Site Location Plan - WR7816/12/02 Planning Application Boundary and Ownership Plan - WR7816/12/03 Proposed Phasing Plan - WR7816/12/04 Pre-Settlement Waste Contours - WR7816/12/05 Post-Settlement Waste Contours - WR7816/12/06 Site Sections Location Plan - WR7816/12/07 Site Sections Through Proposed Landform - WR7816/12/08 Proposed Restoration Plan - WR7470/01/01 R4 Surface Water Management Scheme

6. Non-statutory consultation

Additional documents and local community drop in

Following a request from a neighbouring ward member, hard copies of the application documents were also placed on deposit for local viewing at the following locations:

- Pontardawe Library, 21 Holly Street, Pontardawe, Swansea, SA8 4ET
- Cwmgors Community Centre, 1 Cemetery Road, Cwmgors, Gwaun Cae Gurwen, Ammonford, SA18 1PS
- Site offices at Pwllfawatkin Landfill, Pontardawe, SA8 4SX

A drop-in session at Cwmgors Community Centre also took place on 2nd December 2021, with an FCC representative attending to discuss the proposals and answer any questions from attendees.

Update letter to residents

To provide information about the additional hard copy document deposit locations, and the local community drop-in session at Cwmgors Community Centre, a second letter was issued to owners and occupiers in the vicinity, as well as identified community consultees.

This letter was issued on 1st December 2021 and can be found in the appendix.

0800 comment facility and email address

In addition to the feedback form and freepost details contained on the project website, an 0800 freephone consultation line number was provided on statutory notices in order to allow interested parties to phone the project team to discuss the proposals and provide feedback if desired.

7. Responses to the consultation

Review of comments from owners/occupiers and local community

Over the 28-day PAC consultation period, four responses were received from owners/occupiers near to the site and the general public via the website and freephone line. In addition, six members of the public attended the drop-in session in Cwmgors and posed a number of questions. These respondents raised the following points and queries:

Comment	Developer response
Concern at air pollution and odour coming from the site	The air quality assessment presented in the ES concludes that the results of qualitative odour risk assessment indicate that there is likely to be negligible to slight risk of odour effects from the proposal. Continued implementation of the odour controls set out in the Odour Management Plan (OMP), and ongoing review and amendment of the OMP should ensure that odour emissions do not have a significant effect on local receptors. As part of the Pre-Application Consultation, NRW (as waste regulator) has reviewed the draft ES and has not raised any concerns over the odour assessment or the OMP.
Desire for further remedial actions to address odour from the site	Odour management is regulated by NRW under the Environmental Permit for the site. Continued implementation of the odour controls set out in the Odour Management Plan (OMP), and ongoing review and amendment of the OMP should ensure that odour emissions do not have a significant effect on local receptors.
Concern at effect on house prices in Cwmgors and along Pontardawe Road	The potential effects on house prices from a planning proposal is not considered a planning matter. The LPA will not accept this as material consideration in their determination of the planning application.
Concern at health implications from the site (e.g. higher cancer risk rate/air pollution)	To the best of FCC's knowledge, there is no link between the operations of a landfill site and cancer. Some specific facilities have been linked to respiratory issues but this is specific to certain sites which does not include FCC facilities.
Concern at existing site location	Landfill operations have been present at Pwllfawatkin since the site was first developed as a landfill by Lliw Valley Borough Council in the mid 1970's. The site subsequently passed into private ownership in the mid 1990's. This application is for the safe closure of the landfill in October 2023.
Query about the need for the site's continued operation and why there needs to be a further time extension	Continuing operations at Pwllfawatkin Landfill Site are necessary to ensure that the site is safely completed to a suitable final landform that will be resilient to settlement and ensure surface water is drained from the landfill surface in the long term. The continuation of operations also ensures disposal capacity for the local and wider area for the short term. To achieve the restoration profiles preliminary forecasting of likely residual waste arising has been undertaken to estimate likely timescales for completion, see chapter 5 of the ES for further details.
Concern at additional traffic on the local highway as a result of these proposals	As average vehicle movements resulting from the proposal will be less than previously experienced at the site it is considered that in terms of congestion and

	delay there will be no effect on the local highway network beyond that previously encountered.
Concern that the HGV traffic on Pontardawe Road past the site is dangerous, and does not allow for other modes of transport, such as cycling due to safety concerns	As average vehicle movements resulting from the proposal will be less than previously experienced at the site it is considered that in terms of congestion and delay there will be no effect on the local highway network beyond that previously encountered.
Preference to fill the site with other materials that aren't waste (such as soils)	The site has been designed and developed as a non-hazardous landfill to receive non-hazardous wastes and the site engineering and infrastructure is therefore all designed around the material properties and settlement characteristics of non-hazardous wastes. Non-hazardous wastes have specific density and settlement behaviors and there are not alternative 'non-waste' materials that would behave in the same way. To use alternative materials such as soils that have different material properties (i.e. bulk densities and settlement behaviors') risks causing damage to the sites engineered liner, capping systems and environmental control infrastructure as they would increase loadings on the engineering and infrastructure and result in uneven and differential settlement which causes issues with cap integrity, surface water management, stability of final capping layers and consequently the ability to complete restoration and bring the site into afteruse.
Query about restoration timescales – how long would it take to be fully restored?	Preliminary forecasting of likely residual waste arising has been undertaken to estimate likely timescales for completion of the proposed restoration profile. Assuming c. 7,000 – 8,000 tonnes per month of residual waste is deposited on site then an anticipated end date for waste importations is 31st October 2023. A further two years to complete the restoration will be necessary as this allows flexibility to address any issues which may interfere with the delivery of restoration such as bad winter weather and supply chain issues for planting stock and seed.
Query about final restoration appearance of the site – what would the final restored site look like?	The previous consent allowed for five containment cells to be constructed across Tip 890. Under the revised restoration profile, FCC is seeking to reduce the number of cells to four but include a sidewall extension to cell 4 to achieve a suitable final profile to safely close the site. The footprint of cell 5 will simply be graded to tie into surrounding levels. The restoration proposals are shown on Drawing no. WR7816/12/08.
Query about what safeguards are in place to complete and manage the site if FCC were to become insolvent – is there a guarantee that the site would be restored?	FCC are committed to completing the final restoration of the site. The site is operated under an Environmental Permit issued and regulated by Natural Resources Wales (NRW) and the permit includes a condition requiring that financial provision is made to ensure that funds are available to continue the operation and completion of the site in the event that the operator becomes insolvent.
Concern that the drop-in session at Cwmgors was not publicised with enough notice	The drop-in session was arranged at the request of Cllrs Reynolds and Purcell once the PAC period had commenced. Under the circumstances the applicant made best endeavors to facilitate the drop-in session at short notice and it was attended by members of the community and local councillors.

Desire for the site to cease receiving waste and for remediation to be undertaken immediately	If the landfill was closed immediately a scheme of restoration and aftercare could not be fully implemented due to the final landform not being completed. Not achieving the approved levels, soil depth and composition could potentially result in long-term ground instability, differential or excessive settlement and inadequate provision to manage surface water. These factors would all interfere with the ability to deliver the final restoration and aftercare.
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The project team has noted all of these points and where possible, responded to queries directly, and these issues have been included in the 'main issues' table, below.

Review of community consultee comments

No formal community consultee comments were received in response to the Schedule 1B notice. However, communication was received from the ward member for the site and the neighboring ward member for Gwaun Cae Gurwen in relation to the availability and accessibility of documents during the consultation period.

As a result (as is set out in this document), additional letters were issued to neighbours explaining where to view additional information and hard copy documents, which were placed at three locations in Cwmgors, Pontardawe and on site. A drop-in session with an FCC representative was also arranged for interested parties to discuss the proposals directly.

Review of specialist consultee comments

The following specialist consultee responses were received in response to the Schedule 1C notice.

Consultee	Response summary	Developer response
Pontardawe Town Council	Receipt acknowledged on 22 nd November 2021 by no formal response provided.	Noted.
Neath Port Talbot County Borough Council	Receipt of letter dated 13th December 2021 noting no highways objection. Some comments were received relating to drainage on the site. These include: - Flood risk mitigation measures on the Northern landfill Area - Flood risk mitigation on Tip 871 SW Design - Further information on water run off onto the adopted highway west of the Leachete Storage facility.	Similar concerns were raised on a previous submission (planning ref) P2018/0512 regarding surface water management. In that instance the LPA were satisfied that such matters could be adequately addressed through the provision of a condition requesting the submission of further details. It is considered a similar approach could be adopted in this instance.
The Coal Authority	Receipt of letter on 8 th December 2021 to confirm no objection and no comments.	Noted
CADW	Receipt of letter from CADW on 8 th December 2021 to confirm no objection and no comments.	Noted

<i>Consultee</i>	<i>Response summary</i>	<i>Developer response</i>
Natural Resources Wales	Received 16th December 2021 Noted that some areas of concern could be overcome through attaching conditions to any planning consent. These points related to: • Great crested newts protection • Ecological recommendations contained within Chapter 8 of the Environmental Statement Vol 1- Amended Restoration Profile (Nov 21) • Surface Water Management Plan • Issues relating to the need for FCC to comply with the Environmental Permitting (England and Wales) Regulations 2016	The comments from NRW are welcome and happy to accept conditions to address identified concerns.
Dwr Cymru	Receipt of letter on 7th December 2021 to confirm no objection and reference to standing advice for all new major developments.	Noted

Copies of the full responses provided by the specialist consultees is included in the appendix. Given the nature of the comments received during the PAC and the above response, the Planning Statement and Environmental Statement submitted as part of this application contains sufficient information to address these comments.

8. Conclusion

The project is grateful for the comments received from specialist consultees, community consultees, owners/occupiers and members of the local community around the site.

As is noted in this report, concerns and issues raised by some respondents are acknowledged and have been reviewed carefully to ensure that they are addressed in the scheme design or agreed mitigation wherever possible.

The project team will continue to be contactable throughout the application process to ensure continued dialogue with local stakeholders and the community.

The project website will remain live and keep updated through the process to ensure interested parties have the opportunity to find out information and contact the project team to discuss any issues.

9. Appendix

Appendix 1 – Compliance Tables

Public Consultation Checklist			
The Town and Country Planning (Development Management Procedures) (Wales) Order 2016			
Applicant:	FCC Environment		
Site:	Pwllfawatkin Landfill, Rhy Dy Fro, Pontardawe, Neath Port Talbot, SA8 4RX.		
Proposal:	<i>"to seek planning permission for an extension of time and amended restoration profile at the Pwllfawatkin Landfill site"</i>		
Website Containing all draft planning application documents.	https://www.pwllfawatkin.fccenvironment.co.uk	Uploaded	18/11/2021
Email:	planningconsultations@thesiriusgroup.com		
Hard Copy Location(s):	Pontardawe Library, 21 Holly St, Pontardawe, Swansea SA8 4ET Cwmgors Community Centre, 1 Cemetery Rd, Cwmgors, Gwaun-Cae-Gurwen, Ammanford SA18 1PS Site offices at Pwllfawatkin Landfill, Pontardawe, Swansea, SA8 4SX		
<u>Schedule 1b Notices</u>		Welsh	English
Site Notice Locations:	1) Site entrance, Pwllfawatkin Landfill, Pontardawe Road, Rhydyfro, Pontardawe, Swansea, SA8 4SX 2) Junction at Pontardawe Road, SA8 4SX 3) Entrance to Cwmgors, Heol y Gors, SA18 1RW 4) Cwmgors, Heol y Gors, SA18 1RN <i>See map/imagery in Appendix</i>	✓	✓
Adjoining landowners/occupiers:	- Nant Melyn, Cwmgors, Ammanford, SA18 1DR - Cwmnant Hopkin Farm, Pontardawe Road Rhydyfro, Pontardawe, Swansea, SA8 4SX - TULIP INVESTMENTS LIMITED (incorporated in Guernsey) of PO Box 119, Martello Court, Admiral Park, St Peter Port, Guernsey, GY1 3HB - Derwen, Pontardawe Road, Rhydyfro, Pontardawe, Swansea, SA8 4SX - Dolgoch, Pontardawe Road Rhydyfro, Pontardawe, Swansea, SA8 4SX - Gernant Hopkin Farm Cottage, Pontardawe Road Rhydyfro, Pontardawe, Swansea, SA8 4SX - Star Villa, Pontardawe Road Rhydyfro, Pontardawe, Swansea, SA8 4SX - Old Star, Pontardawe Road Rhydyfro, Pontardawe, Swansea, SA8 4SX - Tyn Y Coedcae Farm, Pontardawe Road Rhydyfro,	✓	✓

	Pontardawe, Swansea, SA8 4SX - Abernant Enterprise Workshops, Pontardawe Road Rhydyfro, Pontardawe, Swansea, SA8 4SX - Birch Farm Plastic Collection Ltd, Pontardawe Road Rhydyfro, Pontardawe, Swansea, SA8 4SX - Neath Port Talbot County Borough, Abernant Recycling Plant, Pontardawe Road, Rhydyfro, Pontardawe, Swansea, SA8 4SX - Nant Y Gafaelau Farm Rhydyfro, Pontardawe, Swansea, SA8 4RX - Pwllfa Watkin Farm Rhydyfro, Pontardawe, Swansea, SA8 4RX - Garth Cottage, Pontardawe Road Rhydyfro, Pontardawe, Swansea, SA8 4SY - Highbury House, Pontardawe Road Rhydyfro, Pontardawe, Swansea, SA8 4SY - Nant Y Gaseg Uchaf Farm, Pontardawe Road Rhydyfro, Pontardawe, Swansea, SA8 4SY - Pen Yr Heol, Pontardawe Road Rhydyfro, Pontardawe, Swansea, SA8 4SY - Plasnewydd, Pontardawe Road Rhydyfro, Pontardawe, Swansea, SA8 4SY - Woodland, Pontardawe Road Rhydyfro, Pontardawe, Swansea, SA8 4SY - Garth House, Pontardawe Road Rhydyfro, Pontardawe, Swansea, SA8 4SY -		
Community Consultees*¹:	Cllr Linet Purcell	✓	✓
	Cllr Anthony John Richards	✓	✓
	Pontardawe Town Council	✓	✓
Other Consultees	Cllr Sonia Reytnolds	✓	✓
	Cllr Kevin Madge	✓	✓
	Cwmamman Town Council	✓	✓
	Gwaun Cae Gurwen Community Council	✓	✓
<u>Schedule 1C Notices*²:</u>		Welsh	English
Specialist Consultees	a) <i>The local planning authority concerned</i> Neath Port Talbot County Borough Council and Carmarthenshire County Borough Council TRBoothroyd@carmarthenshire.gov.uk	✓	✓
	f) <i>The local highway authority concerned</i> Neath Port Talbot County Borough Council hdc@npt.gov.uk	✓	✓
	j) The Coal Authority planningconsultation@coal.gov.uk	✓	✓
	q) and t) The Natural Resources Body for Wales Natural Resources Wales swplanning@cyfoethnaturiolcymru.gov.uk	✓	✓

Appendix 2 – Example of Schedule 1B Notice

SCHEDULE 1 Article 4(4)**Pre-application notices****SCHEDULE 1B Articles 2C & 2D****PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION****Town and Country Planning (Development Management Procedure) (Wales) Order 2012****PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION NOTICE UNDER ARTICLES 2C AND 2D**

(to be served on owners and/or occupiers of adjoining land and community consultees; and displayed by site notice on or near the location of the proposed development)

Purpose of this notice: this notice provides the opportunity to comment directly to the developer on a proposed development prior to the submission of a planning application to the local planning authority ("LPA"). Any subsequent planning application will be publicised by the relevant LPA; any comments provided in response to this notice will not prejudice your ability to make representations to the LPA on any related planning application. You should note that any comments submitted may be placed on the public file.

Proposed development at Pwllfawatkin Landfill, Rhyd y Fro, Pontardawe, Neath Port Talbot, SA8 4RX

I give notice that FCC Environment is intending to apply for planning permission for an **extension of time and amended restoration profile at the Pwllfawatkin Landfill site.**

You may inspect copies of:

- the proposed application;
- the plans; and
- other supporting documents

online at pwllfawatkin.fccenvironment.co.uk and computer facilities are available to view this information online at Pontardawe Library, Holly Street, Pontardawe, Swansea, SA8 4ET, between the hours of:

- Monday: 9:30am – 6:00pm
- Tuesday: 9:30am – 5:00pm
- Wednesday: 9:30am – 6:00pm
- Thursday: 9:30am – 6:00pm
- Friday: 9:30am – 6:00pm
- Saturday: 9:30am – 1:00pm
- Sunday: Closed

Anyone who wishes to make representations about this proposed development must write to the applicant/agent at planningconsultations@thesiriusgroup.com or **FREEPOST TC CONSULTATION** by Monday 20 December 2021. If you require further information please email, or call 0800 699 0081.

Signed: Date: 19 November 2021



(James Cook, Principal Planning Manager, Sirius Planning)

ATODLEN 1

Erthygl 4(4)

Hysbysiadau cyn cyflwyno cais

ATODLEN 1B

Erthyglau 2C a 2D

CYHOEDDUSRWYDD AC YMGYNGHORIAD CYN CYFLWYNO CAIS AM GANIATÂD CYNLLUNIO

Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012

CYHOEDDUSRWYDD AC YMGYNGHORI CYN GWNEUD CAIS AM GANIATAD CYNLLUNIO HYSBYSIAD O DAN ERTHYGLAU 2C A 2D

(i'w gyflwyno i berchnogion a/neu breswylwyr tir cyfagos ac ymgynghoreion cymunedol; a dylid ei arddangos ar hysbysiad safle yn lleoliad y datblygiad arfaethedig neu gerllaw)

Diben yr hysbysiad hwn: mae'r hysbysiad hwn yn cynnig cyfle i gyflwyno sylwadau'n uniongyrchol i ddatblygwr datblygiad arfaethedig cyn cyflwyno cais cynllunio i'r awdurdod cynllunio lleol ("ACLI"). Caiff unrhyw gais cynllunio dilynol ei gyhoeddi gan yr ACLI perthnasol; ni fydd unrhyw sylwadau a wneir mewn ymateb i'r hysbysiad hwn yn lleihau eich gallu i gyflwyno sylwadau i'r ACLI ar unrhyw gais cynllunio cysylltiedig. Sylwer y gall unrhyw sylwadau a gyflwynir gael eu cynnwys yn y ffeil gyhoeddus.

Datblygiad arfaethedig yn Safle Tirlenwi Pwllfawatkin, Rhyd y Fro, Pontardawe, Castell-nedd Port Talbot, SA8 4RX

Rwy'n rhoi rhybudd bod FCC Environment yn bwriadu gwneud cais am ganiatâd cynllunio ar gyfer estyniad amser a phroffil adfer diwygiedig ar Safle Tirlenwi Pwllfawatkin.

Gallwch archwilio copïau o'r canlynol:

- y cais arfaethedig;
- y planiau; a
- dogfennau ategol eraill

ar-lein yn pwllfawatkin.fccenvironment.co.uk a cheir cyfleusterau cyfrifiadurol er mwyn gweld yr wybodaeth hon ar-lein yn **Llyfrgell Pontardawe**, Stryd Holly, Pontardawe, Abertawe, SA8 4ET, rhwng yr oriau o:

- Dydd Llun: 9:30yb - 6:00yh
- Dydd Mawrth: 9:30yb - 5:00yh
- Dydd Mercher: 9:30yb - 6:00yh
- Dydd Iau: 9:30yb - 6:00yh
- Dydd Gwener: 9:30yb - 6:00yh
- Dydd Sadwrn: 9:30yb - 1:00yh
- Dydd Sul: Ar gau

Dylai unrhyw un sy'n dymuno cyflwyno sylwadau ynghylch y datblygiad arfaethedig hwn ysgrifennu at yr ymgeisydd/asiant yn planningconsultations@thesiriusgroup.com neu **FREEPOST TC CONSULTATION** erbyn dydd Llun 20 Rhagfyr 2021. Os oes angen rhagor o wybodaeth arnoch, e-bostiwch, neu ffoniwch 0800 699 0081.

Llofnod: Dyddiad: 19 Tachwedd 2021



(James Cook, Prif Reolwr Cynllunio, Sirius Planning)

Appendix 3 – Example of Community Consultee Covering Letter



19 November 2021

RE: Statutory pre-application consultation for Pwllfawtkin Landfill: application for extension of time and amended restoration profile

I am writing to you in relation to the pre-application consultation being undertaken by Sirius Planning on behalf of FCC Environment in relation to the future operation and amended restoration profile of the Pwllfawtkin Landfill, between Pontardawe and Gwaun Cae Gurwen, Neath Port Talbot.

We are seeking permission to extend the period of landfill operations at the Pwllfawtkin site to the end of October 2023. This will allow the site to continue accepting non-hazardous waste and amend the restoration profile to reduce the capacity of the site from that previously approved.

The purpose of this application is to allow FCC Environment (FCC) to safely close the landfill operation following the expiration of an existing planning consent.

As required by the Planning (Wales) Act 2016, we are undertaking a statutory period of pre-application consultation for 28 days, prior to submitting a planning application to Neath Port Talbot County Borough Council.

A pre-application notice is enclosed with this letter for your information.

This notice provides you with the information to be able to view and comment on the proposed development mentioned above by **Monday 20 December 2021**.

Further information and all project documents can be found on the project website www.fcc-pwllfawtkin.co.uk.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'James Cook'.

James Cook
Principal Planner, Sirius Planning
07714704969
James.cook@thesiriusgroup.com

Appendix 4 – Example of Owner/Occupier Covering Letter and Addressed Envelope



19 November 2021

RE: Statutory pre-application consultation for Pwllfawatkin Landfill: application for extension of time and amended restoration profile

I am writing to you in relation to the pre-application consultation being undertaken by Sirius Planning on behalf of FCC Environment in relation to the future operation and amended restoration profile of the Pwllfawatkin Landfill, between Pontardawe and Gwaun Cae Gurwen, Neath Port Talbot.

We are seeking permission to extend the period of landfill operations at the Pwllfawatkin site to the end of October 2023. This will allow the site to continue accepting non-hazardous waste and amend the restoration profile to reduce the capacity of the site from that previously approved.

The purpose of this application is to allow FCC Environment (FCC) to safely close the landfill operation following the expiration of an existing planning consent.

As required by the Planning (Wales) Act 2016, we are undertaking a statutory period of pre-application consultation for 28 days, prior to submitting a planning application to Neath Port Talbot County Borough Council.

A statutory site notice is included with this letter for your information.

This notice provides you with the information to be able to view and comment on the proposed development mentioned above by Monday 20 December 2021.

Further information and all project documents can be found on the project website www.fcc-pwllfawatkin.co.uk.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'James Cook'.

James Cook
Principal Planner, Sirius Planning
07714704969
James.cook@thesiriusgroup.com

Return Address
Postal Administration
A7 Mercury Business Park
Bradhinch
EX5 4BL



Delivered by



468870000211(2138900)NO01G
The Owner and/or Occupier
Cwmgorf
AMMANFORD
SA1 8 1

Appendix 5 – Example of Schedule 1C notice and Specialist Consultee Covering Letter

SCHEDULE 1C Article 2D

CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION

NOTICE UNDER ARTICLE 2D

(to be served on specialist consultees, as defined by article 2(1) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012)

Purpose of this notice: this notice comprises a formal request for a pre-application consultation response under article 2D of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

Proposed development at Pwllfawatkin Landfill, Rhy Dy Fro, Pontardawe, Neath Port Talbot, SA8 4RX.

I give notice that FCC Environment is intending to apply for planning permission for an **extension of time and amended restoration profile at the Pwllfawatkin Landfill site.**

A copy of the proposed application; plans; and other supporting documents can be viewed online at pwllfawatkin.fccenvironment.co.uk.

In accordance with the requirements of article 2E of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, a consultation response must be sent to planningconsultations@thesiriusgroup.com by Monday 20 December 2021 or by post to **FREEPOST TC CONSULTATION** (no further address of stamp required).

Signed:



(James Cook, Principle Planning Manager, Sirius Planning)

Date: 19 November 2021

ATODLEN 1C Erthygl 2D

YMGYNGHORIAD CYN CYFLWYNO CAIS AM GANIATÂD CYNLLUNIO

Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012

YMGYNGHORIAD CYN CYFLWYNO CAIS AM GANIATÂD CYNLLUNIO HYSBYSIAD O DAN ERTHYGL 2D

(i'w gyflwyno i ymgynghoreion arbenigol, fel y'u diffinnir gan erthygl 2 (1) Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012)

Diben yr hysbysiad hwn: mae'r hysbysiad hwn yn cynnwys cais ffurfiol am ymateb i'r ymgynghoriad cyn cyflwyno cais dan erthygl 2D Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012.

Datblygiad arfaethedig yn Safle Tirlenwi Pwllfawatkin, Rhy Dy Fro, Pontardawe, Castell-nedd Port Talbot, SA8 4RX

Rwyf yn hysbysu bod FCC Environment yn bwriadu gwneud cais am ganiatâd cynllunio ar gyfer estyniad amser a phroffil adfer diwygiedig ar Safle Tirlenwi Pwllfawatkin..

Gellir gweld copi o'r cais arfaethedig; cynlluniau; a dogfennau ategol eraill ar-lein yn www.fcc-pwllfawatkin.co.uk.

Yn unol â gofynion erthygl 2E Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012, rhaid anfon ymateb i'r ymgynghoriad at planningconsultations@thesiriusgroup.com neu FREEPOST TC CONSULTATION erbyn dydd Llun 20 Rhagfyr 2021:

Llofnod:



(James Cook, Prif Reolwr Cynllunio, Sirius Planning)

Dyddiad: 19 Tachwedd 2021



Issued via email

19 November 2021

RE: Statutory pre-application consultation for Pwllfawatkin Landfill: application for extension of time and amended restoration profile

I am writing to you in relation to the pre-application consultation being undertaken by Sirius Planning on behalf of FCC Environment in relation to the future operation and amended restoration profile of the Pwllfawatkin Landfill, between Pontardawe and Gwaun Cae Gurwen, Neath Port Talbot.

We are seeking permission to extend the period of landfill operations at the Pwllfawatkin site to the end of October 2023. This will allow the site to continue accepting non-hazardous waste and amend the restoration profile to reduce the capacity of the site from that previously approved.

The purpose of this application is to allow FCC Environment (FCC) to safely close the landfill operation following the expiration of an existing planning consent.

As required by the Planning (Wales) Act 2016, we are undertaking a statutory period of pre-application consultation for 28 days, prior to submitting a planning application to Neath Port Talbot County Borough Council.

A pre-application notice (Schedule 1C) is enclosed with this letter, and a statutory site notice (Schedule 1B) is also included for your information.

This notice provides you with the information to be able to view and comment on the proposed development mentioned above by **Monday 20 December 2021**.

Further information and all project documents can be found on the project website www.fcc-pwllfawatkin.co.uk.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'James Cook'.

James Cook
Principal Planner, Sirius Planning
07714704969
James.cook@thesiriusgroup.com

Appendix 6 – Update Letter issued 1 December 2021



1 December 2021

Dear

RE: Statutory pre-application consultation for Pwllfawatkin Landfill: application for extension of time and amended restoration profile – additional locations to view hard copies of the application documents

Further to my previous letter dated 19th November 2021 I am writing to you with a brief update in relation to the pre-application consultation being undertaken by Sirius Planning on behalf of FCC Environment regarding the future operation and amended restoration profile of the Pwllfawatkin Landfill, between Pontardawe and Gwaun Cae Gurwen, Neath Port Talbot.

In addition to the provision of all project documents on the project website (pwllfawatkin.fccenvironment.co.uk/) we have also made hard copies of the planning application documents available at the following locations:

1. **Pontardawe Library**, 21 Holly St, Pontardawe, Swansea SA8 4ET (please check opening times before you travel on <https://www.npt.gov.uk/5740>)
2. **Cwmgors Community Centre**, 1 Cemetery Rd, Cwmgors, Gwaun-Cae-Gurwen, Ammanford SA18 1PS (please check opening times before you travel on <https://www.gcgcc.org.uk/cwmgors/community-centre>)
3. **Site offices at Pwllfawatkin Landfill**, Pontardawe, Swansea, SA8 4SX (open 9am to 4pm Mon-Fri)

In addition, representatives from FCC Environment will be in attendance at Cwmgors Community Centre (1 Cemetery Rd, Cwmgors, Gwaun-Cae-Gurwen, Ammanford SA18 1PS) **between 10am and 4pm on Thursday 2nd December**. Alternatively, you can contact the project team via any of the methods listed in this letter should you have any further questions.

As noted previously, anyone who wishes to make representations about this proposed development must write to the applicant/agent at planningconsultations@thesiriusgroup.com or **FREEPOST TC CONSULTATION**. If you require further information please email, or call 0800 699 0081.

Yours sincerely,

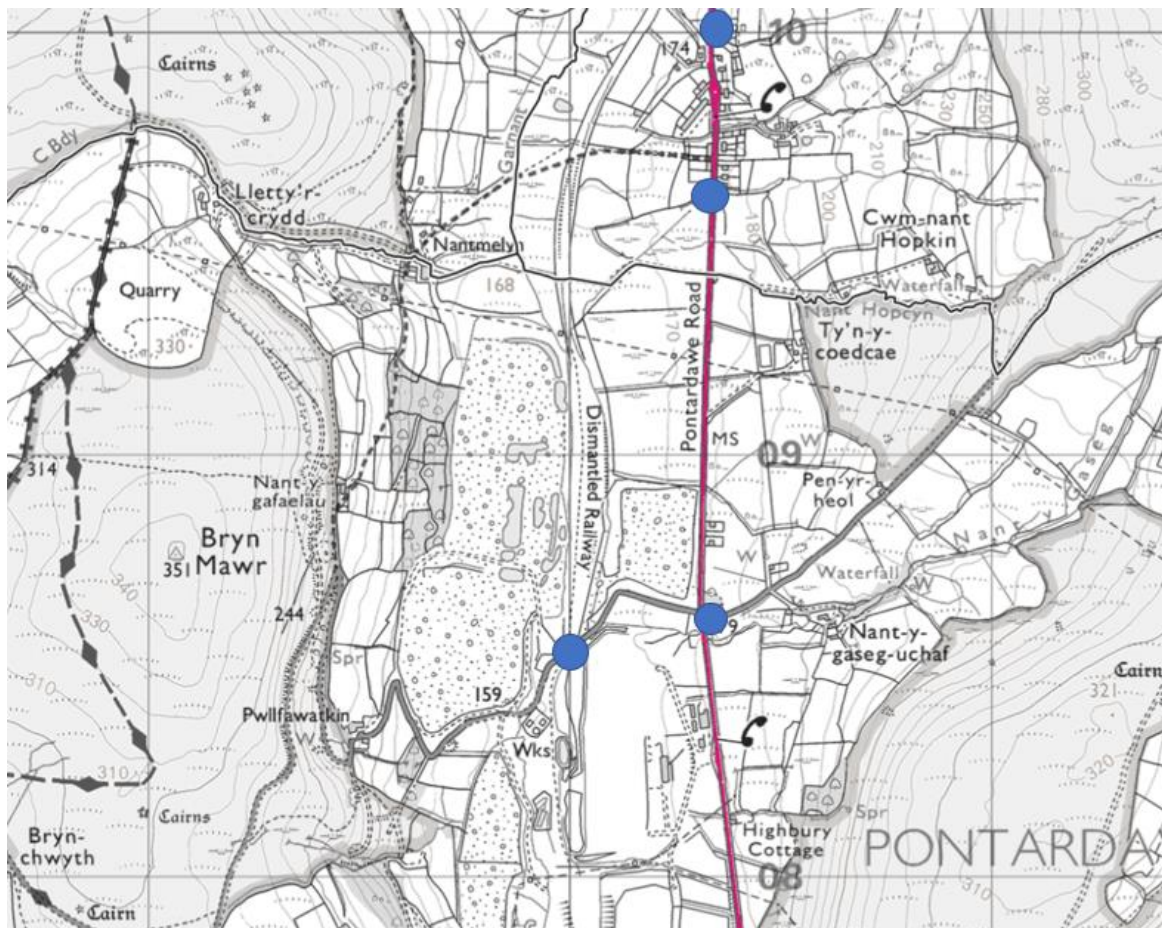
A handwritten signature in blue ink, appearing to read 'James Cook'.

James Cook
Principal Planner, Sirius Planning (on behalf of FCC Environment)
07714704969
James.cook@thesiriusgroup.com

Appendix 7 – Site display of Schedule 1B Notices

Declaration: Statutory Notices

I, Richard Thomas, declare that I erected site notices on the access points to the proposed site. I also affixed site notices at locations shown on the below map along Pontardawe Road and at the southern end of Cwmgors.



As part of the due diligence checks these notices were checked at intervals during the course of the statutory consultation period, and where required replacement notices were erected.

Signed: Richard Thomas

Operations Manager, Pwllfawatkin Landfill – FCC Environment





Appendix 8 – Responses from Statutory Consultees

The Coal Authority Response:



200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Mr J Cook – Principal Planner, Sirius Planning

[By Email: James.cook@thesiriusgroup.com]

8th December 2021

Dear Mr Cook

Pre-Application Enquiry - Application for extension of time and amended restoration profile. ; Pwllfawtkin Landfill, Between Pontardawe and Gwaun Cae Gurwen,, Neath Port Talbot

Thank you for your notification received on the 19th November 2021 in respect of the above.

The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

Our records indicate that coal outcrops run through the site and these may have been subject to unrecorded workings at shallow depth. If shallow workings are present then these may pose a risk to surface stability and public safety.

It is note that the current proposal is to extend the period of landfill operations and to amend the restoration profile to reduce the capacity of the site from that previously approved. I can confirm that the Planning team at the Coal Authority has no objection to these proposals and have we have no specific comments to make.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely

Melanie Lindsley

Melanie Lindsley BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI

Development Team Leader (Planning)

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.

Dwr Cymru Response:



Developer Services
PO Box 3146
Cardiff
CF30 0EH

Tel: +44 (0)800 917 2652
Fax: +44 (0)2920 740472
E.mail: developer.services@dwrcymru.com

Gwasanaethau Datblygu
Blwch Post 3146
Caerdydd
CF30 0EH

Ffôn: +44 (0)800 917 2652
Ffacs: +44 (0)2920 740472
E.bost: developer.services@dwrcymru.com

Sirius Planning
4245 Park Approach
Thorpe Park, Leeds
Leeds
LS15 8GB

Date: 07/12/2021
Our Ref: PPA0006277

Dear Sir/Madam,

Grid Ref: 269781 208558

**Site Address: Pwllfawatkin Landfill site, Pontardawe Link Road to Baran Road Pontardawe, Neath
Development: 2D - Extension of time and amended restoration profile**

Outcome: We refer to the letter received and your formal request for a pre-application consultation response from Dwr Cymru Welsh Water, as a 'Specialist Consultee' as defined by Paragraph (y) of Schedule 4 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016, before applying for planning permission. It is acknowledged that the consultation request relates to a major development site and thus seeks a substantive response within 28 days from the date of the notice, as per the requirements of Article 2E.

This request includes our views on the capacity of our network of assets and infrastructure to accommodate your proposed development and by response we offer no objection subject to the following standing advice which should be taken into account within any future planning application for the proposal:

SEWERAGE

Firstly, it appears the application does not propose to connect to the public sewerage system and therefore Dwr Cymru Welsh Water has no further comments. However, should circumstances change and a connection to the public sewerage system/public sewage treatment works is preferred we must be re-consulted on this application.

In addition, please note, 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.



Welsh Water is owned by Glas Cymru – a 'not-for-profit' company.
Mae Dwr Cymru yn eiddo i Glas Cymru – cwmni 'nid-er-elw'.

We welcome correspondence in
Welsh and English

Dwr Cymru Cyf, a limited company registered in
Wales no 2366777. Registered office: Pentwyn Road,
Nelson, Trehamis, Mid Glamorgan CF46 6LY

Rydym yn croesawu gohebiaeth yn y
Gymraeg neu yn Saesneg

Dwr Cymru Cyf, cwmni cyfyngedig wedi'i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestredig: Heol Pentwyn
Nelson, Trehamis, Morgannwg Ganol CF46 6LY.

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. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

WATER SUPPLY

A water supply can be made available to service this proposed development. The cost of providing new on-site water mains can be calculated upon the receipt of detailed site layout plans which should be sent to the above address.

I trust the above information is helpful and will assist you in forming water and drainage strategies that should accompany any future planning application. I also attach copies of our water and sewer extract plans for the area, and a copy of our Planning Guidance Note which provides further information on our approach to the planning process, making connections to our systems and ensuring any existing public assets or infrastructure located within new development sites are protected.

Please note that our response is based on the information provided in your enquiry and should the information change we reserve the right to make a new representation. Should you have any queries or wish to discuss any aspect of our response please do not hesitate to contact our dedicated team of planning officers, either on 0800 917 2652 or via email at developer.services@dwrcymru.com

Please quote our reference number in all communications and correspondence.

Yours faithfully,



Owain George
Planning Liaison Manager
Developer Services

Please Note that demands upon the water and sewerage systems change continually; consequently the information given above should be regarded as reliable for a maximum period of 12 months from the date of this letter.



Welsh Water is owned by Glas Cymru – a 'not-for-profit' company.
Mae Dwr Cymru yn eiddo i Glas Cymru – cwmni 'nid-er-elw'.

We welcome correspondence in
Welsh and English

Dŵr Cymru Cyf, a limited company registered in
Wales no 2366777. Registered office: Pantwyn Road,
Nelson, Trehamis, Mid Glamorgan CF46 6LY

Rydym yn croesawu gohebiaeth yn y
Gymraeg neu yn Saesneg

Dŵr Cymru Cyf, cwmni cyfyngedig wedi'i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestredig: Heol Pantwyn
Nelson, Trehamis, Morgannwg Ganol CF46 6LY.

Neath Port Talbot County Borough Council Response:

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

The Town and Country Planning (Development Management Procedure)
(Wales) Order 2015 (as amended)

HEAD OF ENGINEERING & TRANSPORT**OBSERVATIONS**

PLANNING APPLICATION NO: N/3/21/0008/00
 APPLICANT: MR J COOK, SIRIUS PLANNING, 4245 PARK
 APPROACH, THORPE PARK, LEEDS, LS15 8GB
 LOCATION: PWLLFAWATKIN REFUSE TIP, PONTARDAWE
 LINK RD - BARAN RD, PONTARDAWE, SA8 4RX
 PROPOSAL: REVISED RESTORATION PROFILE OF TIP 890
 INCLUDING CONTINUATION OF WASTE
 IMPORTATION TO 31/10/2023 WITH
 RESTORATION COMPLETED BY 31/10/2025.

The Highway Authority, in responding to the above application, provides the following substantive response:

No comment	☐
No objection (subject to any specified conditions below)	☐
Concerns have been identified (see below for how those concerns can be addressed by the applicant)	☒
Objection – on the grounds set out below	☐

MY OBSERVATIONS ON THIS PAC PROPOSAL ARE AS FOLLOWS:-

Planning application P2018/0511 – **No Highway or Drainage objection.**

Planning application P2018/0512 – **No Highway objection.** Regarding drainage the following concerns have still not been responded to by the applicant.

Drawing - Proposed Haul Road and Tip 871 Drainage Improvements REV F

The adopted highway (Baran Road) has historically flooding on occasions, previous we have requested that a scheme be submitted to mitigate any future flooding from the tip (private land) onto the publically maintained highway. Previously there has been a pumping mechanism/system in place that allows the water to be pumped to a lagoon. Long term however, the applicant has intentions of removing the pump, therefore how does the applicant wish to mitigate any flooding events on the highway?

I have the following concerns regarding the Micro Drainage have been reiterated as follow:

Northern Landfill Area

1. Page 1 and 2, the Network Results Table shows the velocity (meters per second) to be considerably more than 0.76m/s, which is the safe and recommended rate we would accept. This indicates a risk of flood, if so what are the mitigation measures.
2. Page 18, manhole S4.003 showing a risk of flooding which is not acceptable, what are the mitigation measures for this risk?

Tip 871 SW Design.

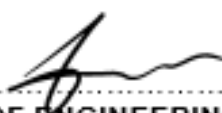
3. Page 1, the Network Results Table shows the velocity (meters per second) to be considerably more than 0.76m/s, which is the safe and recommended rate we would accept. This indicates a risk of flood, if so what are the mitigation measures.

Network.1 File: Revised Northern network.

4. Page 1 and 2, the Network Results Table shows the velocity (meters per second) to be considerably more than 0.76m/s, which is the safe and recommended rate we would accept. This indicates a risk of flood, if so what are the mitigation measures.
5. Page 17, PN 6.000 designed at a 1 in 30yr return period, is showing a risk of "Flood" which is not acceptable, what are the mitigation measures for this risk?
6. Page 24, PN 6.000 designed at a 1 in 100yr return period, is showing a risk of "Flood" which is not acceptable, what are the mitigation measures for this risk?

General observations:

7. Within the revised documents I cannot see any mitigation measures that would otherwise prevent or significantly reduce (to an acceptable level) surface water run-off from the application site onto the adopted highway. The location of the highway I refer to is West of the Leachete Storage facility. Please can we have this information.

SIGNED:  DATE: 13/12/2021
pp HEAD OF ENGINEERING & TRANSPORT

PAC|REF: N321000800 - PWLLFAWATKIN REFUSE TIP

CADW Response:



Llywodraeth Cymru
Welsh Government

Please Carew, Unit 57, Cefn Cedd
Pain Nantgarw, Cardiff CF15 7QQ
Tel: 0300 025 6000 as Road
Email: cadw@gov.wales
cadw.gov.wales
0300 025 6000
cadw@gov.wales/cadw@llyw.cymru
www.cadw.gov.wales

Sirius Planning

By email:
planningconsultations@thesiriusgroup.com

Eich cyfeirnod
Your reference

Ein cyfeirnod
Our reference

Dyddiad
Date

Linell uniangrychol
Direct line

Ebost
Email:

LC

8 December 2021

0300 0256004

cadwplanning@gov.wales

Dear Sir/Madam

Pre-Planning Application - application for extension of time and amended restoration profile, Pwllfawatkin Landfill site

Thank you for your letter of 19 November inviting our comments on the pre-planning application consultation for the proposed development described above.

Advice

The following comments are based on information made available to us as part of the pre-application consultation and we will review our comments when we are consulted on the final planning application. Our assessment of the pre-application is given below.

Having carefully considered the information provided, we have no objection to the proposed development in regards to the scheduled monuments listed in our assessment of the application below.

The national policy and Cadw's role in planning are set out in Annex A.

Assessment

GM078 Carn Llechart Stone Circle
GM480 Burial Chamber Nr Carn Llechart
CM332 Bancbryn post-medieval lluest farmstead
CM333 Bancbryn cairn cemetery
CM334 Bancbryn platform cairn
CM335 Bancbryn cairn cemetery [east]
GM612 Mynydd y Garth Cairn

This planning application is for a future operation and amended restoration profile at the Pwllfawrkin Landfill, between Pontardawe and Gwaun Cae Gurwen.

Mae Gwasanaeth Amgylchedd Hanesyddol Llywodraeth Cymru (Cadw) yn hyrwyddo gwaith cadwraeth ar gyfer amgylchedd hanesyddol Cymru a gweithfawrogiad phono.

The Welsh Government Historic Environment Service (Cadw) promotes the conservation and appreciation of Wales's historic environment.

Rydym yn croesawu gohebiaeth yn Gymraeg ac yn Saesneg.
We welcome correspondence in both English and Welsh.

BUDDSODDWR MEWN POBL
INVESTOR IN PEOPLE

The above scheduled monuments are located inside 3km of the proposed works, but in most cases intervening topography and vegetation will block views between them. Where views are possible the previous legitimate operations on the site have already had a significant adverse impact on the settings of the monuments but this will be reduced significantly once the proposed restoration works have been completed. As such the proposed works will have a beneficial impact on the settings of these scheduled monuments.

Finally, there may also be undesignated historic assets that could be affected by the proposed development and, if you have not already done so, we would advise that you consult the Historic Environment Record held by the Glamorgan-Gwent Archaeological Trust www.ggat.org.uk

Yours sincerely,

Laura Cooper
Diogelu a Pholisi / Protection and Policy

Annex A

Our role

Our statutory role in the planning process is to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled monuments, registered historic parks and gardens, registered historic landscapes where an Environmental Impact Assessment is required and development likely to have an impact on the outstanding universal value of a World Heritage Site. We do not provide an assessment of the likely impact of the development on listed buildings or conservation areas, as these are matters for the local authority.

It is for the local planning authority to weigh our assessment against all the other material considerations in determining whether to approve planning permission.

National Policy

Applications for planning permission are considered in light of the Welsh Government's land use planning policy and guidance contained in Planning Policy Wales (PPW), Technical Advice Notes and related guidance.

PPW [planning-policy-wales-edition-11.pdf](#) explains that it is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.

The conservation of archaeological remains and their settings is a material consideration in determining a planning application, whether those remains are a scheduled monument or not. Where nationally important archaeological remains are likely to be affected by proposed development, there should be a presumption in favour of their physical protection in situ. It will only be in exceptional circumstances that planning permission will be granted if development would result in a direct adverse impact on a scheduled monument (or an archaeological site shown to be of national importance)

[Technical Advice Note 24: The Historic Environment](#) elaborates by explaining that when considering development proposals that affect scheduled monuments or other nationally important archaeological remains, there should be a presumption in favour of their physical preservation in situ, i.e. a presumption against proposals which would involve significant alteration or cause damage, or would have a significant adverse impact causing harm within the setting of the remains.

Historic Parks and Gardens

PPW also explains that local authorities should value, protect, conserve and enhance the special interests of parks and gardens and their settings included on the register of historic parks and gardens in Wales and that the effect of a proposed development on a registered park or garden or its setting should be a material consideration in the determination of a planning application.

Natural Resources Wales Response:



Ein cyf/Our ref: CAS-175384-T9G7
Eich cyf/Your ref: Pwllfawatkin

Maes Newydd,
Llandarcy,
Neath Port Talbot,
SA10 6JQ

ebost/email:
swplanning@cyfoethnaturiolcymru.gov.uk

James Cook
Principal Planner
Sirius Planning
Office Suite 2
The Beacon Centre for Enterprise
Dafen
Llanelli
SA14 8LQ

16/12/2021

Annwyl / Dear Mr Cook

STATUTORY PRE-APPLICATION CONSULTATION - TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012 AS AMENDED.

BWRIAD / PROPOSAL: Application for extension of time and amended restoration profile.

LLEOLIAD / LOCATION: Pwllfawatkin Farm, Rhydyfro, Pontardawe, SA8 4RX.

Thank you for providing a requisite notice to us under Article 2D of the above Order. We received a copy of your proposed application on 19 November 2021.

We have concerns with the application as proposed. However, we are satisfied that these concerns can be overcome by the planning authority attaching the following conditions to any planning permission granted:

Condition: Pre-commencement surveys for otter and Great crested Newts.

Please note, without these conditions, we would be likely to object to the planning application. Further details are provided below.

we would also have concerns if the planning authority do not include the following document in the approved plans and documents condition on the decision notice:

- Recommendations in chapter 8 of the Environmental Statement

Please note, we would be likely to object if this document is not included in this condition. Further details are provided below.

FCC are seeking permission to extend the period of landfill operations at the Pwllfawatkin site to the end of October 2023. This will allow the site to continue accepting non-hazardous waste and amend the restoration profile to reduce the capacity of the site from that previously approved.

Protected Species

We welcome the provision of the Environmental Statement(ES) report, specifically chapter 8 (Ecology) which includes a recent walkover of the proposed area. We note that proposals are limited to current working areas and that pre commencement surveys prior to restoration and re profiling works will be undertaken.

European Protected Species – Legislation and policy:

Otter and great crested newt, as well as their breeding sites and resting places, are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Where these species are present and where a development proposal is considered likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. A licence may only be authorised if:

- i. The proposed works to be authorised satisfy an appropriate derogation purpose, which in the case of development are for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment;
- ii. There is no satisfactory alternative; and
- iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

These requirements are translated into planning policy through Planning Policy Wales (PPW) Edition 11 dated February 2021, sections 6.4.22 and 6.4.23 and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009). To avoid developments with planning permission subsequently not being granted a licence, the planning authority should take them into account when considering development proposals where a European Protected Species is present.

Condition : Pre-commencement surveys for otter and Great crested Newts.

No development with the potential to impact on otter and great crested newts, shall commence until a pre-construction species survey has been carried out for the development. If the survey confirms the presence of <otter or great crested newts the results of the survey together with proposed mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be carried out in accordance with the approved details.

Justification: To ensure the potential presence of otter and great crested newt is confirmed prior to construction and where necessary remedial measures are implemented for their protection

Environmental Statement -Ecology

We recommend you should only grant planning permission if you include the following documents on the decision notice:

- Implementation of the recommendations outlined in Chapter 8 (ecology) of 'Environmental Statement Vol 1- Amended Restoration Profile, Pwllfawatkin Landfill dated Nov 21 by Sirius Planning'

Hydrology and groundwater

We have reviewed the relevant parts of the ES (notable Chapter 9 in relation to hydrogeology) and the updated surface water management plan (SWMP) and we offer no adverse comments . We

welcome the addition of the consideration to climate change in line with TAN15 in both the ES and the SWMP.

Whilst there is no reference to a groundwater monitoring regime, either existing or proposed or any leachate management information, we are satisfied that this will be covered by the Environmental Permit.

Environmental Permitting

The operator currently holds a landfill permit issued under the provisions of the Environmental Permitting (England and Wales) Regulations 2016 (EPR). Any changes to the final landform will need to be approved and reflected in the site EPR permit. The operator is aware that they need to successfully apply for a variation to their EPR permit before the changes can be accepted by NRW. The operator is encouraged to submit this EPR application as a matter of urgency so that the changes can be considered. We are unable to pre-determine the outcome of this permit application and cannot therefore provide comment on the proposed revised landform at this stage.

Some of the key issues FCC (the operator) would need to address as part of the EPR permit application is whether any changes in the gradients would affect the stability of the landfill's capping and restoration infrastructure (i.e. particularly on the interfaces between the various geosynthetic and other layers that form the cap).

FCC will also need to demonstrate that the revised landform would not affect the integrity of the underlying basal lining system in each landfill cell. The design of the basal lining system in each cell was based on an expected loading from the overlying waste and soil layers, which in turn was derived from the original landform approved in the current EPR permit. Any changes to the landform could therefore impact the basal lining systems, which provide containment to the waste and landfill leachates. FCC will therefore need to demonstrate, as part of their EPR permit application, that the proposed changes in landform would be within the design parameters of the basal lining system built for each cell. If the changes in waste profiles are greater than the design parameters of the basal lining system in the underlying cell, then we are unlikely to accept the proposed landform.

As part of the EPR variation application FCC would also need to provide details on how landfill infrastructure will be maintained during the long aftercare period, specifically the practicalities of drilling replacement leachate/landfill gas wells on steep slopes. Furthermore there is also the practicalities of accessing the infrastructure routinely on steep flanks e.g. access roads etc.

The responsibility of complying with the environmental permit conditions and relevant legislation lies with the landfill operator and they are ultimately in control and responsible for what happens on site. By applying for an EPR permit, they have made a commitment to operate lawfully and in line with the conditions within it.

Please note, within submitted report number WR7816/ES dated November 2021 Titled Environmental Statement Volume 1: Amended Restoration profile at Pwllfawtkin landfill site, point 6.4.4 states "NRW is the regulatory body responsible for ensuring on site safety." This is not accurate, NRW's role is as an environmental regulator.

Other Matters

Please note, if further information is prepared to support an application, it may be necessary for us to change our advice in line with the new information.

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.

In addition to planning permission, you are advised to ensure all other permits/consents/licences relevant to the development are secured. Please refer to our [website](#) for further details.

Further advice on the above matters could be provided prior to your planning application being submitted, however there would be a charge for this service. Additional details are available on our [website](#).

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Rhian Isaac

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales