

Our Ref: MM/148698/01

Date: 01 March 2023

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Neath Port Talbot County Borough Council
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Dear Sir/Madam,

Land at and Surrounding Nant Helen Open Cast Coal Site, Powys & Onllwyn Distribution Centre, Neath Port Talbot – Submission of Details Reserved by Way of Condition in Respect of Planning Permission (LPA Reference: P2020/0362)

Fairhurst have been instructed by GCRE Ltd (hereafter referred to as 'the Applicant') to submit details required to discharge condition numbers 4, 5, 13 & 15 of the planning permission, stemming from LPA Reference: P2020/0362. The planning permission, granted by Neath Port County Borough Council on the 31/07/2020, approved the following extent of development:

"Construction of complementary restoration earthworks to create 2 looped landform platforms (part in cutting and part on embankment) with associated drainage infrastructure and areas of landscaping and habitat creation to create a flexible and adaptable area of land that could be used for a variety of uses including agriculture, nature conservation, leisure, tourism and industrial, research and development/business uses (potentially including a proposed rail testing, research and development and storage facility)".

This application comprises the following documents:

- Application forms duly completed and signed;
- Site Location Plan (Drg No. PL01)
- Dust Management Plan (Document Reference: GCRE001-TFW-XX-XX-DO-YV-00003) (February 2023)
- Noise Monitoring and Management Action Plan (Document Reference: 2022/JULY/03) (September 2022)
- Geotechnical and Geo-environmental Desk Study (December 2019)
- Environmental Statement (May 2020)
- Ground Investigation Factual Report (Document Reference: Q0652/FR_01) (April 2022)
- Ground Investigation Report (Document Reference: CG3600) (December 2022)
- GCRE Contaminated Land Planning Summary Note (December 2022)

Due to the file sizes of the documents identified above, they will be sent via a WeTransfer link/email. The application fee will be paid separately.

The conditions which this application seeks to discharge are identified below:

- **Condition 4**

No development shall take place (including demolition, ground works, and vegetation clearance) until such time as a Dust Management Action Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented at all times for the duration of site preparation and construction of the earthworks hereby approved.

- **Condition 5**

No development shall take place (including demolition, ground works, and vegetation clearance) until such time as a Noise Monitoring and Management Action Plan has been submitted to and approved in writing by the Local planning Authority. The approved plan shall be implemented at all times for the duration of site preparation and construction of the earthworks hereby approved.

- **Condition 13**

No development shall commence until a preliminary investigation and assessment of the nature and extent of contamination affecting the application site area has been submitted to and approved in writing by the local planning authority. This investigation and assessment must be carried out by or under the direction of a suitably qualified competent person, in accordance with extant guidance and best practice, and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

- *A desk study*
- *A non-intrusive site reconnaissance*
- *Formulation of an initial conceptual model*
- *A preliminary risk assessment*

If the preliminary risk assessment identifies there are potentially unacceptable risks a detailed scope of works for an intrusive investigation, including details of the risk assessment methodologies, must be prepared by a suitably qualified competent person. The contents of the scheme and scope of works are subject to the approval in writing of the local planning authority. All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the WLGA document 'Development of Land Affected by Contamination: A Guide for Developers' (2012).

- **Condition 14**

No development shall take place until a site investigation of the nature and extent of contamination has been carried out, by a suitably qualified competent person, in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. A written report of the findings of the site investigation shall be made available to the local planning authority before any development begins. The written report should include an appraisal of remedial options and identification of the most appropriate remediation option(s) for each relevant pollutant linkage. The report is subject to the written approval of the local planning authority.

Information Submitted in Respect of Conditions**Condition 4 – Dust Management Action Plan (Full Discharge)**

A Dust Management Plan (Document Reference: GCRE001-TFW-XX-XX-DO-YV-00003) has been prepared by Atkins and Walters which addresses the requirements of condition 4 and is submitted in support of this application.

Condition 5 – Noise Monitoring and Management Action Plan (Full Discharge)

A Noise Monitoring and Management Action Plan (Document Reference: 2022/JULY/03) has been prepared by Atkins, which is submitted in support of this application.

Condition 13 – Preliminary Investigation and Assessment (Full Discharge)

A Geotechnical and Geo-environmental Desk Study (December 2019) has been prepared by Arup and is submitted as part of this application. In addition, Chapter 6 (pages 72 – 109) of the Environmental Statement, prepared by Arup in May 2020, that was submitted as part of LPA Reference: P2020/0362 contains information which will also enable this condition to be discharged. For ease, this document is also submitted as part of this application.

Full details of the documents which have been submitted to address this condition, and the methodology for how GCRE seek to discharge conditions pertaining to land contamination are contained in the document entitled, "*GCRE Contaminated Land Planning Summary Note*".

Condition 14 – Site Investigation (Partial Discharge)

A Ground Investigation Factual Report (Document Reference: Q0652/FR_01), prepared by Quantum Geotech (April 2022), is submitted to partially discharge this planning application. In addition, a Ground Investigation Report (Document Reference: CG3600) has been prepared by Arup (December 2022) and is submitted as part of this application to partially discharge this planning condition.

Full details of the documents which have been submitted to address this condition, and the methodology for how GCRE seek to discharge conditions pertaining to land contamination are contained in the document entitled, "*GCRE Contaminated Land Planning Summary Note*".

Please do not hesitate to contact me if you have any questions regarding the submitted information.

Yours faithfully



Mark Murphy

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