

0346- Main Road Dyffryn Cellwen, Neath

Section 73 Planning Statement -A

by Hickman & Smith Architects

Hickman & Smith Architects have been appointed to assist with the planning applications for the Land at Main Road Dyffryn Neath following the sites acquisition by a new owner and the appointment of new contractors. The previous contractors completed works without appropriately discharging planning conditions, leaving the new contractors in a difficult position and looking to move forward with the works by resolving all planning issues properly with the local authority. All work has been stopped on site whilst the planning issues are resolved.

The planning history for Land at Main Road Dyffryn Cellwen Neath has been complex. In 2017 an outline planning permission was approved for 6 new houses on the site. Later, in 2020 a reserved matters application was approved. Both had a number of conditions on, some of which were pre-commencement conditions.

P2012/0922- Application to demolish existing care home on the site (approved)

P2017/0025- Outline planning application for 6 new dwellings (approved with conditions)

P2020/0703- Reserved matters application (approved with conditions)

Work was commenced by the previous contractors without discharging the pre commencement conditions listed below:

Outline application P2017/0025

-Condition 6 (Requires the submission of a detailed Construction Method Statement)

Reserved matters application P2020/0703

-Condition 2 (Requires the footway to be completed along main road to base course level pre-commencement)

-Condition 5 (Requires the submission of a detailed drainage intent following a drainage assessment)

In order to get the applications and the work back on track a new section 73 application has been submitted to vary and remove some of the conditions to allow all pre-commencement conditions to be resolved, and to allow conversation with the local authority on some of the conditions in the reserved matters application.

In the meantime a SAB application has been submitted and is ongoing with SAB to get approval for the drainage in line with condition 5 of the reserved matters application.

A topographical survey and a review document has been sent to the planning officer which evidences that the works completed by the previous contractor were generally in line with the approved planning drawings submitted. This has been submitted as part of this application.

The section 73 application submitted for the outline application only initially, to facilitate discussion with the local authority on the site. This application seeks to do the following:

Condition 5- "Requires the submission to be in accordance with the listed drawing (00) 01 A - Site location plan received 10.01.17". Following the outline planning permission this is no longer the latest drawing number so we want it to be swapped to the latest drawing (previously approved under reserved matters application P2020/0703)

-Plan 0346-A-PL-100-A-Proposed Site Plan has been submitted to supersede the old site plan- this new site plan retains the site layout/ house sizes and locations etc. but has been adjusted to incorporate the height discrepancies as outlined above and in the submitted document "0346-A-RP-001-Planning Comparison CD" and to show T1's removal and the planting of 2 new trees as explained in the submitted document "0346-A-RP-001-Tree Surveys Summary-REV A". As part of the section 73 Hickman and Smith have also re-submitted "APPROVED DRAWING- TMMDC02- Rev A Site Plan and Highways Details-HSA REVISION" which was previously approved under the reserved matters application 2020/0703. This has been submitted for clarity that all levels and information tie through together and shows the levels as corrected.

Proposed variation of the wording of this condition is "Requires the submission to be in accordance with the listed drawing 0346-A-PL-100-A-Proposed Site Plan".

Condition 6- "Requires the submission of a detailed construction method statement". Condition to be removed as construction method statement has now been submitted with this section 73 application.

-Construction method statement has been submitted for this to remove this condition or change the wording to "Requires the scheme to be built in accordance with the detailed construction method statement".

Condition 12- "Requires the scheme to be in accordance with BS5837:2012" (protection of root protection areas). Condition to be varied as a new tree report has now been completed following the change in ownership of the site. The tree report refers to the trees in the conditions they were found upon the new owner taking ownership and the condition is requested to be varied to refer to this report.

-New tree report and a summary document have been submitted for this 0346-A-RP-001-Tree Surveys Summary & NEW Ty Maes Marchog - Tree Survey (Hurst and Flynn Treecare)

In addition to the above a location plan and this planning statement have been submitted to accompany this application as requested by the planning officer.

Once SAB approval is received (pre-application is close to being resolved) a section 73 for the reserved matters application will also be submitted to deal with all pre-commencement conditions on that application. Following this, work will commence on site, in line with the approvals, to complete the project. All conditions will be discharged and complied with in the proper manner by the new contractors.

The new contractors wish to work with the local authority to ensure they are achieving a development which is going to be beneficial to the area, and they look to resolve the issues caused by the previous contractor.