

30th August 2023
Our Ref: S23.132

Development Control Section,
Neath Port Talbot County Borough Council,
The Quays, Brunel Way
Neath,
SA11 2HZ

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Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
LAND AT EDWARD WORKS, LLANDARCY, SA10 6JY
DISCHARGE OF CONDITIONS 5 & 6 OF PLANNING PERMISSION P2022/0397
PLANNING PORTAL REFERENCE: PP-12422657

Asbri Planning Ltd have been instructed by G D Harries and Sons Ltd to submit an application on their behalf seeking the discharge of condition 5 & 6 of planning permission P/2022/0397.

The permission allowed for the construction and operation of proposed Asphalt Plant together with aggregates storage area, weighbridge, offices and ancillary infrastructure works.

Discharge of Condition Application

Condition 5 (Contamination Risk) states:

No Development shall commence until a scheme which shall include the following components to deal with the risks associated with contamination of the site is undertaken by competent persons in accordance with the following document:- Development of Land Affected by Contamination: A Guide for Developers (WLGA & EAW, 2012) and shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment of the application site

a) all previous uses

b) potential contaminants associated with those uses

c) a conceptual model of the site indicating sources, pathways and receptors

d) potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment, and to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Natural Resources Wales considers that the controlled waters at this site are of high environmental sensitivity due to proximity to surface water and being situated on a Secondary A aquifer. Contamination is known/strongly suspected at site due to historical contaminative uses, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

Condition 6 (Verification Report) states:

No development shall commence until a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation is submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to demonstrate that the remediation criteria relating to controlled waters have been met, and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

In order to satisfy the requirements of the above conditions, the following information has been submitted for consideration:

- Geotechnical and Geoenvironmental Report

The Geotechnical and Geoenvironmental Report is considered sufficient to discharge Condition 5 as it does not recommend any further site investigation work. Consequently, Condition 6 should also be satisfied by virtue of no verification report is required.

In addition to the above, the planning application has been submitted via Planning Portal and is accompanied by the following:

- Covering Letter;
- Site Location Plan (ref: GDH-LLANDARCY-SITE DEVELOPMENT DRAWING);
- Planning Application Fee of £115.

It is considered the information comprehensively addresses the requirement of the conditions and therefore I look forward to confirmation of its discharge in the near future.

I trust you will find this application in order, however if I can be of any further assistance, please do not hesitate to contact me.

Yours faithfully,



Glenn Lee - Graduate Planner
Asbri Planning Ltd