

29th April 2024
Our Ref: S23.214

Planning Department
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Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TY MAWR, YNISDERW ROAD, PONTARDAWE, SWANSEA, SA8 4EG
DISCHARGE OF CONDITIONS 3 (CONTAMINATION RISK), 4 (REMEDIATION SCHEME) & 7(FOUNDATION DESIGN) OF PLANNING PERMISSION P2022/0515
PLANNING PORTAL REFERENCE: PP-13012945

Asbri Planning Ltd have been instructed by TAD Builders on behalf of Pobl Group to submit an application on their behalf seeking the discharge of conditions 3, 4 & 7 of planning permission P2022/0515. The permission allowed for the construction of a two-storey side extension and convert existing building to provide 12 no. self-contained flats (mix of 1 and 2 beds) including addition of solar panels on rear elevation, new access and parking arrangements.

Discharge of Condition Application

Condition 3 (Contamination Risk) states:

No development shall commence on site until an 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 assessment must be carried out by or under the direction of a suitably qualified competent person in accordance with BS10175 (2011) 'Investigation of Potentially Contaminated Sites Code of Practice' and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

(i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;

(ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;

(iii) an assessment of the potential risks to:

- human health,
- groundwater and surface waters
- adjoining land,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,- ecological systems,
- archaeological sites and ancient monuments; and
- any other receptors identified at (i)

(iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

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 compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

Condition 4 (Remediation Scheme) states:

No development shall commence on site until a remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, buildings, other property and the natural and historic environment shall be prepared and submitted to and approved in writing with the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives, remediation criteria and site management procedures. The measures proposed within the remediation scheme shall be implemented in accordance with an agreed programme of works.

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 ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

Condition 7 (Foundation Design) states:

No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Reason: Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.

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

- Proposed Residential Development Exploratory Investigation prepared by Earth Science Partnership
- Gas Monitoring Results (Visits 1-6)
- Ground Investigation Report prepared by Quantum Geotech
- General Arrangement on Foundations (ref: C2143-CB3-00-FN-DR-S-0001)

This application follows the previously refused planning application (ref: P2024/0126), and our response to the comments received are as follows:

Proposed Residential Development Exploratory Investigation

- Desk Top Study is included in the full report, approx. within the first third of the report.

Ground Investigation Report

- The additional groundwater testing yielded no risk to controlled waters
- The requirement by the Contamination Officer regarding the assessment criteria for a 'residential end use without plant uptake' be adopted has meant that import of soil will be required in garden/landscape areas
- A new section has been included in the report (Section 7.9) which discusses remedial options and highlights that mitigation measures are considered necessary.

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 (Scale 1:1250);
- 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,

A handwritten signature in black ink, appearing to read 'Glenn Lee', with a stylized flourish at the end.

Glenn Lee - Graduate Planner
Asbri Planning Ltd