

18th September 2024
Our Ref: S23.117

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Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GNOLL HOUSE AND CELLAR REMAINS, GNOLL ESTATE COUNTRY PARK, FAIRYLAND, NEATH, NEATH PORT TALBOT

PROPOSED NON-MATERIAL AMENDMENT APPLICATION TO VARY THE WORDING OF CONDITION 4 ATTACHED TO PLANNING PERMISSION P2023/0732

PLANNING PORTAL REFERENCE: PP-13331402

Asbri Planning Ltd have been instructed by The Head of Property and Regeneration at Neath Port Talbot County Borough Council (NPTCBC) to submit an application on their behalf for a Non-Material Amendment to vary the wording of condition 4 attached to planning permission P2023/0732. The permission allowed for the consolidation and repair works to Gnoll House ruins and creation of education interpretation centre in Gnoll House cellars at Gnoll House and Cellar Remains, Gnoll Estate Country Park, Fairyland, Neath, Neath Port Talbot that was approved by Neath Port Talbot County Borough Council on 23rd May 2024.

The application is submitted via the Planning Portal and is supported by the following documents:

- Covering Letter;
- Completed Application Forms;
- 2080-01-HIR-A-DR-00020-S2-P1 - Site Location Plan
- 2080-01-HIR-A-DR-01310-D1-P10 - Proposed Ground Floor Plan (1 of 2) Gnoll House Ruins;
- 2080-01-HIR-A-DR-01311-D1-P10 - Proposed Ground Floor Plan (2 of 2) Gnoll House Ruins; and
- Application fee of £115.

The proposed Non-Material Amendment is required to amend the trigger of when information is required to be approved in relation to Condition 4 (Intrusive Site Investigation). The initial works for this application have been significantly scaled back to essentially consist of some safety improvements and the re-roofing of the cellar area to provide a block and beam structure to replace the existing roofing structure. As such no excavations works to facilitate any new structures are intended to be involved at this stage of the project and the proposed works do not entail any on-site mechanical excavations to facilitate this initial phase of the development.

Condition 4 currently reads as follows:

"No development shall commence until a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity and the findings have been submitted to and approved in writing by the Local Planning Authority.

Furthermore, no part of the development shall be brought into use until any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be identified as necessary by the above investigations, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

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."

It is proposed to amend the condition as follows. The text that is ~~struck through~~ is proposed to be removed and replaced by the text in **bold**.

~~"No development shall commence~~ **With the exception of the works shown on drawing numbers (2080-01-HIR-A-DR-01310-D1-P10 and 2080-01-HIR-A-DR-01311-D1-P1))**, **no other part of the development shall commence, nor any mechanical excavations undertaken**, until a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity and the findings have been submitted to and approved in writing by the Local Planning Authority.

Furthermore, no part of the development shall be brought into use until any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be identified as necessary by the above investigations, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

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."

The above amendment safeguards the Local Planning Authority's view in terms of reviewing information pertinent to the element of the development which the condition is sought to relate and allows the works set out below to be carried out by the applicant:

- In terms of the proposed viewing/seating area this consists of nominal works with the existing ground to be carefully excavated by hand to a total depth of nom 160 - 250mm below the proposed FFL height to facilitate, the replacement floor build up consisting of New 20mm external grade paving, a 20mm bed of bedding mortar, 100mm of compacted Type 1 Sub-Base material, proposed beam and block floor or existing ground. The paving is to have a fall in the surface, to facilitate water drainage with the FFL to be set at original height of FFL to Gnoll House.
- Former walls of Gnoll House to be rebuilt to a nominal height of 500mm, using reclaimed stone from demolitions, supplemented by new stone to match the existing. The coursing of new work is to closely match that of the original stonework. Stones will be re-bedded, all joints being deep-pointed and finished, and the side walls rebuilt locally using a combination of salvaged and new stone. The walls will then be capped with a consistent depth of mortar, reflecting the existing profile.
- Installation of single 600mm filter drain channel.
- Supply and fix new convex, half round, black painted, cast-iron handrail to outside of steps. Handrail to be face fixed into mortar joints of existing stonework
- Supply and fix new convex, half round, black painted, cast-iron guardrail to either side of stairwell. Guardrail to be a min 1100mm above tops of walls and fixed into mortar joints on top of the of existing stonework. Supply and fix new convex, half round, black painted, cast-iron guardrail to either side of stairwell. Guardrail to be a min 1100mm above tops of walls and fixed into mortar joints on top of the of existing stonework.

It is clear that the proposal can be dealt with by way of a Non-Material Amendment. Notwithstanding, in the interests of completeness, Section 96A of the Act sets out the following criteria to confirm whether amendments to a scheme can be considered non-material. An assessment against the criteria is outlined below:

a) (i) is the proposed change significant in terms of its scale in relation to the original approved development scheme?

The proposed amendment does not alter the scale of the original approved development scheme as it relates to altering the trigger for condition 4. No alterations are proposed to the approved plans by way of an NMA. As such, the proposed change will therefore not be significant in terms of the scale of the development.

a) (ii) Would the proposed change result in a detrimental impact either visually or in term of local amenity?

There would be no detrimental visual impact caused by means of the proposed change to the conditions. The details as required by the condition would still be submitted and approved by the Local Planning Authority prior to undertaking any intrusive excavation works on site. As such, the proposed amendment would not result in a detrimental impact upon local amenity.

b) Would the interests of any third party or body who participated in or were informed of the original decision be disadvantaged in any way?

It is not considered that the amendment to the wording of the condition will have any adverse impact on the interest of any third parties and as such no parties would be disadvantaged in any way as a result of the proposed change. Overlooking and loss of privacy concerns are not relevant to the amendment requested.

c) Would the development change conflict with national or development plan policies?

The development proposed under the existing planning permission complies with national and development plan policy. It is not considered the changes proposed are of a scale to alter the developments accordance with policy.

As such it is considered that the existing scheme cannot be said to be materially impacted by the proposed amendment.

In light of the above, it is respectfully requested that Neath Port Talbot County Borough Council grant approval of the non-material amendment to vary Condition 4 (Intrusive Site Investigation) of planning permission P2023/0732 at Gnoll House And Cellar Remains, Gnoll Estate Country Park, Fairyland, Neath, Neath Port Talbot.

£115.00 will be paid via internal transfer to cover the application fee.

I trust this, and the enclosed is satisfactory in order to approve the application. If you require any further information please do not hesitate to contact me.

Yours Sincerely,



Iwan Rowlands
Planner
Asbri Planning Ltd