

Our Ref: DC/17C500105/25072025

Your Ref: P2024/0339 – PP-14139695

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25th July 2025

Neath Port Talbot County Borough Council
Development Management
The Quays
Brunel Way
Neath
SA11 2HZ
For the attention of: Ms Chantalle Lamnea

BY EMAIL: C.Lamnea@npt.gov.uk

Dear Chantalle,

Land at Burrows Yard, Afan Way, Aberavon, Port Talbot, SA12 6LL
**APPLICATION FOR DISCHARGE OF CONDITIONS NO. 4, 6, AND 7 ATTACHED TO
PLANNING PERMISSION P2024/0339**

We are pleased to submit an application on behalf of our client, Aldi Stores Ltd, to discharge pre-commencement conditions No. 4, 6, and 7 attached to the full planning permission (LPA Reference P2024/0339), granted on 11th June 2025, for the proposed mixed use development comprising of a food store (use class A1) and a separate coffee shop with drive thru (use class A3) together with associated access onto Afan Way and Water Street, car parking and servicing, external lighting, landscaping, drainage, and other associated site works on land at Burrows Yard, Afan Way, Aberavon, Port Talbot, SA12 6LL.

The application has been submitted electronically via the Planning Portal and has been given the Planning Portal Reference PP-14139695.

In line with national and local validation requirements, the following documentation has been enclosed in order to assist the Authority in determining this discharge of condition application:

- Completed and dated application form;
- Copy of the certificate of Planning Permission (LPA Reference P2024/0339);
- Site Location Plan, indicating the site's location in red (Drawing Number: 170466-1100 Rev P01), at a scale of 1:1250 @ A4;
- Proposed Enabling Works at Neighbouring ATS Site Plan (Drawing Number: sk0012 Rev D), at a scale of 1:20, 1:200, and 1:1000 @ A1, prepared by Craddys;
- Boundary Wall Operation & Maintenance Manual (Document Reference: 10985w0014), dated 30th June 2025, prepared by Craddys;
- Phase II Geo-Environmental Report (Document Reference: GRO-21252-3003), dated 8th December 2021, prepared by Groundtech Consulting Limited;
- Remedial Specification Report (Document Reference: GRO-21252-4313), dated 28th April 2023, prepared by Groundtech Consulting Limited;

- Supplementary Environmental Appraisal (Document Reference: GRO-21252-5257), dated 17th June 2024, prepared by Groundtech Consulting Limited;
- Letter Summarising Supplementary Ground Investigation Works (Document Reference: GRO-21252-5916), dated 17th July 2025, prepared by Groundtech Consulting Limited;
- Letter Responding to Consultation Responses from Natural Resources Wales (NRW) and the Council's Environmental Health Officer (Document Reference: GRO-21252-5916), dated 17th July 2025, prepared by Groundtech Consulting Limited; and
- Permanent Ground Gas Assessment (Document Reference: GRO-21252-3237), dated 28th April 2022, prepared by Groundtech Consulting Limited.

With respect to the fee for the application, the sum of £115.00 has been paid to Neath Port Talbot County Borough Council via the Planning Portal.

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Condition No. 4 states:

"No development shall take place on site until a scheme for the flood defence wall at ATS Euromaster (Afan Way Port Talbot SA12 6NR) has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include:

- i. **Construction details including materials and engineering calculations, including typical cross-sections and heights;**
- ii. **Full details of the future monitoring and maintenance of the proposed flood defence wall, including the details of the parties responsible for carrying out these duties, together with the professional qualification of the appointed person(s), and including full detail of the schedule of monitoring visits; and**
- iii. **Confirmation of access rights for construction and future monitoring, maintenance and repair.**

The flood defence wall shall be implemented on site in accordance with the approved construction scheme prior to the start of any construction works of the hereby approved development. The future monitoring, maintenance and repair plan shall also be carried out in accordance with the approved details and the flood defence wall shall be retained as such thereafter.

Reason: To ensure the provision of adequate flood defence and flood risk mitigation measures in accordance with Future Wales: The National Plan, Policy 8 and Technical Advice Note (TAN 15): Flood Risk and Development (2004)."

The submitted Proposed Enabling Works at Neighbouring ATS Site Plan (Drawing Number: sk0012 Rev D) and Boundary Wall Operation & Maintenance Manual (Document Reference: 10985w0014) have been prepared by Craddys and include all the details listed above for the proposed flood defence wall on the neighbouring ATS Euromaster site. We trust these details satisfy the requirement of pre-commencement Condition No. 4.

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Condition No. 6 states:

"Notwithstanding the details submitted, 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**
 - human health.**
 - groundwater and surface waters**
 - adjoining land,**
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pines,**
 - 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 County Borough Council Local Development Plan (2011-2026) Adopted January 2016."

The Phase II Geo-Environmental Report (Document Reference: GRO-2125-3003), dated 8th December 2021, submitted as part of the full planning application (LPA Reference P2024/0339) concluded that further work is considered necessary to progress the site to construction phase, including the completion of a gas monitoring programme and issue a gas assessment; design of remedial specification, and detailed foundation design. In response to the consultation response received from Natural Resources Wales (NRW), dated 23rd August 2023, a Supplementary Environmental Appraisal (Document Reference: GRO-21252-5257), dated 17th June 2024, was also submitted in support of the original planning application. This detailed the further investigation and testing requested by NRW, with findings consistent with the findings of Groundtech Consulting's initial phase of investigation.

Further supplementary ground investigation works on the site were undertaken on 2nd July 2025 and the findings are summarised in the submitted letter (Document Reference: GRO-21252-5916), dated 17th July 2025, prepared by Groundtech Consulting Limited. Trial trenches were undertaken over the locations of the historic Underground Storage Tanks (USTs) and no evidence of USTs or other substructures associated with the historic Petrol Filling Station (PFS) were encountered during the supplementary investigation nor during the original ground investigation. The investigations undertaken to date suggest that the USTs have been removed from the site; this is likely to have taken place during the site's historic decommissioning. The letter concludes that if USTs or associated substructures are encountered during the enabling or construction phase, they should be removed, remediated and testing of surrounding soils should be carried out to confirm the validation. The letter also confirms that the previous testing undertaken during the supplementary investigation has indicated that the impacted material does not exceed commercial screening values.

A letter (Document Reference: GRO-21252-5917, dated 17th July 2025) has also been prepared by Groundtech Consulting Limited to address the concerns previously raised by Natural Resources Wales (NRW) and the Council's Environmental Health Officer regarding the ground investigation at the site. We trust these details satisfy the requirements of Condition No.6.

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Condition No.7 states:

"If identified as being required by the desktop assessment completed in accordance with condition 6, and prior to the start of development at the site, 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 County Borough Council Local Development Plan (2011-2026) Adopted January 2016."

The Remedial Specification Report (Document Reference: GRO-21252-4313, dated 28th April 2023) that was submitted as part of the full planning application (LPA Reference P2024/0339) recommended a number of remediation measures as part of the site's remediation strategy, including site clearance, the removal of free-phase hydrocarbons and contaminated soils, asbestos control measures, vapour membrane installation in areas identified as CS2 (low but precautionary risk) for ground gas. It also recommended that an ongoing watching brief is undertaken for unexpected contamination.

The accompanying Permanent Ground Gas Risk Assessment (Document Reference: GRO-21252-3237, dated 28th April 2022), prepared by Groundtech Consulting Limited, identifies the former PFS area of the site to be classified as CS2 for ground gas risk, due to perched groundwater encountered within the made ground at this area of the site. The remainder of the site has been identified as CS1 (very low risk) for ground gas risk. Accordingly, mitigation measures for remediation are proposed within the eastern part of the site, in the form of vapour protection measures (passive sub floor dispersal layer), gas resistant membranes (meeting the criteria outlined in Table 7 of BS 8485:2015 – 2 points), and structural barrier/floor slabs (cast in situ monolithic reinforced ground bearing raft or reinforced cast in situ suspended floor slab). These have been identified as appropriate in removing identified risks to human health, buildings, and other property, and in securing the remediation of the site for the approved scheme, in particular at the east of the site. We trust these details satisfy the requirements of Condition No.7.

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Land at Burrows Yard, Afan Way, Aberavon, Port Talbot, SA12 6LL
25th July 2025

We trust you will agree that the information hereby submitted is considered sufficient to satisfy and discharge pre-commencement conditions 4, 6 and 7 attached to the planning permission (LPA Reference P2024/0339).

We look forward to receiving confirmation of the registered application shortly. In the meantime, should you require any further information and/or clarification with respect to the information submitted, please do not hesitate to contact me on 07949864823 or by email at George.milburn@avisonyoung.com.

Yours sincerely,



George Milburn MRTPI
Senior Planner
+44 7949 864 823
George.milburn@avisonyoung.com.
For and on behalf of Avison Young (UK) Limited

Enclosures

cc Mr Rob Jones – Aldi Stores Limited