



Planning Services
Neath Port Talbot County Borough Council
The Quay
Brunel Way
Baglan Energy Park
Neath
SA11 2GG

7th October 2025

Ref: SP22-1173

Dear Sir / Madam,

Town and Country Planning Act 1990 (as amended)
Sun Fields, Dream Fields, Llandarcy, Neath, SA10 6JU
Discharge of Planning Conditions 5, 9, 11, 12 and 13 of Planning Reference P2023/0356

Simply Planning Limited (SPL) are instructed on behalf of our client, Mr Jonathan Hale (*'the Applicant'*), to seek discharge of conditions 5, 9, 11, 12 and 13 pursuant to planning approval ref: P2023/0356, dated 22nd April 2025. The consent awarded planning permission for:

"Proposed ground mounted solar PV array with a generating capacity of up to 1.3MW, including development of ancillary structures, fencing and landscaping works"

The consent was subject to a total of 27no. planning conditions. This application seeks to discharge condition nos. 5, 9, 11, 12 and 13. The conditions, and the works undertaken to discharge them, are summarised below.

Condition 5

Condition 5 of the decision notice for planning reference P2023/0356 states:

"No development shall take place, including vegetation clearance, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:

- (i) Construction methods: details of the extent and phasing of development, details for the storage and management of plant and materials used in constructing the development, how waste generated will be managed;*
- (ii) General site management and drainage: details of the construction programme including timetable, specified hours for deliveries, hours of working, details of site clearance, details for erection and maintenance of security hoarding including decorative displays and facilities for public viewing, details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.*
- (iii) Biodiversity Management: details of tree and hedgerow protection, invasive species management, species and habitats protection, avoidance and mitigation measures.*

- (iv) *Soil/Peat Management: including protection and restoration methods, details of any topsoil strip, storage and amelioration for re-use;*
- (v) *CEMP Masterplan: details of the extent and phasing of development, location of landscape and environmental resources, design proposals and objectives for integration and mitigation measures;*
- (vi) *Detailed methodology on PV array installation: including cable installation and routeways, how generation of silt/suspended sediment will be minimised and associated pollution prevention measures;*
- (vii) *Control of Nuisances: details of restrictions to be applied during construction and decommissioning including timing, duration and frequency of works, details of measures to minimise noise and vibration from piling activities including acoustic barriers, details of dust control measures, wheel washing facilities, measures to control light spill and the conservation of dark skies;*
- (viii) *Resource management: details of fuel and chemical storage and containment, details of waste generation and its management, details of water consumption, wastewater and energy use;*
- (ix) *Traffic management: a) details of site deliveries including routes of vehicles, plus delivery and construction times, taking into account the proximity of residential dwellings, no deliveries in excess of 3.5 tonnes shall access or leave the site via any route during the hours of 8am to 9.30am and 2.30pm to 4pm during school term times; b) details for the loading and unloading of plant and materials; details for the parking of vehicles of site operatives and visitors; c) scheme for the erection of temporary/semi-temporary signage; d) The frequency and size of vehicles used to transport the waste material arising from the construction works;*
- (x) *Pollution Prevention: prepare a Pollution Prevention Plan to demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures, incident response plan and a pollution control system during construction and decommissioning;*
- (xi) *Responsible Persons: details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details, to include an ecological clerk of works ('ECOW'), the CEMP must be signed by the responsible person(s); and*
- (xii) *A construction, operational and decommissioning noise management plan, including identification of access operations to be carried out, mitigation measures and a scheme for the monitoring of noise for all phases of the development's lifespan.*

The CEMP shall be implemented as approved during site preparation, construction and decommissioning phases of the development.

To discharge this condition, a CEMP has been prepared by Hale Construction. The CEMP includes details of the construction and operational phases of the development, including the location of the site compound for the storage of materials and waste. Further, the CEMP includes details of the working times for the development, how nuisances and, resources and traffic will be controlled, how waste will be reduced and managed, and lists the persons responsible for overseeing these matters. Ecological and soil management details have been provided through input from Hawkeswood Ecology. The masterplan for the management of the site during the construction phase is located at Appendix 1 of the document. The Soft Landscaping Strategy Masterplan is located at Appendix 2.

The CEMP provided is considered to include sufficient detail to discharge condition 5 of planning permission reference: P2023/0356.

Condition 9

The decision notice lists condition 9 as:

“The development shall be carried out strictly in accordance with the recommendations contained within the Mitigation and Biodiversity Enhancement and Green Infrastructure Statement documents hereby approved.

Notwithstanding any other details which may be given in the application hereby approved, no development shall commence on site, including any enablement works, until the following additional mitigation and compensation details have been submitted to and approved in writing by the Local Planning Authority:

- a) details of woodland planting species and numbers, these to equate to a minimum ratio of 3 new/additional trees for every 1 tree removed and to include enough standard trees to compensate for trees removed and not being replaced at all access points, including the main Dreamfields access off the B4290;*
- b) details of all new or reinstated hedgerows;*
- c) detailed landscape plans, planting schedules and maintenance/management for at least 10/15 years for all areas;*
- d) details of proposed grazing regime(s).*

During the first planting and seeding seasons following the construction of the development but prior to the First Export Date, the additional mitigation and compensation details as approved together with the recommendations contained within the approved Mitigation and Biodiversity Enhancement and Green Infrastructure Statement reports, shall be implemented in full.

The approved mitigation, compensation and enhancement measures shall be retained as part of the development in perpetuity and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.”

Submitted with this discharge of conditions application are Detailed Soft Landscape Proposals and a Landscape Specification & Management Plan, prepared by TDA Landscape Architects. These documents show details of the required cultivation, planting, reinstatement, and planting required to support the landscape proposals, in line with the recommendations within the Mitigation and Biodiversity Enhancement and Green Infrastructure Statement documents.

This includes all tree, hedgerow and shrub planting, with locations identified on the plan and their aftercare detailed within the Landscape Specification & Management Plan. As agreed at planning application stage, the soft landscape materials include details of planting across the wider land in the Applicant's ownership. Sheet 5 of the soft landscaping proposals show the masterplan for the entirety of the site.

The details provided within these documents are considered to comply with condition 9, which should be discharged as a result.

Condition 11

Condition 11 of the decision notice 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).*

Accompanying this discharge of conditions application is a Desk Study Report, prepared by Jackson Geo Services. This found limited potential geotechnical and geoenvironmental hazards identified from a search of the available data. However, further testing was proposed to ensure that there are no elevated levels present in the soil.

As such, ground testing was undertaken and a Factual and Interpretive Report also accompanies this application. These works included; machine excavated trial pitting, geoenvironmental testing, and interpretative reporting comprising a generic qualitative risk assessment ('GQRA').

The information provided is sufficient to discharge condition 11.

Conditions 12 & 13

Condition 12 of the decision notice for planning permission reference P2023/0356 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.”

Further to this, condition 13 states:

“Prior to beneficial use of the proposed development commencing, a verification report which demonstrates the effectiveness of the agreed remediation works carried out in accordance with condition 12 shall have been submitted to and approved in writing by the Local Planning Authority.”

The results of the GQRA undertaken suggests that the assessed determinants do not pose a risk to the identified receptors identified within the Conceptual Site Model and there are no viable source pathway-receptor linkages. No groundwater was encountered and no migration of contamination onto the site was observed during the phase 2 investigation. The Report concluded that the site can be developed without the need for remediation as it poses a negligible risk to the identified receptors.

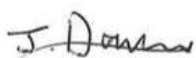
Given the findings of the intrusive investigation, it is considered that a separate report detailing the remediation strategy does not need to be prepared to discharge condition 12, and consequently, no verification report needs to be submitted for the development.

Conclusion

This covering letter provides a summary of the information provided, which is considered to be sufficient to discharge conditions 5, 9, 11, 12 and 13 of planning permission reference P2023/0356. For further information, please see the accompanying CEMP, Detailed Planting Proposals, Landscape Specification & Management Plan, Desk Study Report, and Factual and Interpretive Report.

I trust that the enclosed information can be duly registered, and I look forward to formal discharge of the conditions in due course.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'J. Downey'.

Josh Downey

Senior Planner

Encs.