



## Geraint John Planning

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25<sup>th</sup> September 2020

### **F.A.O Steve Ball / Nicola Lake**

Neath Port Talbot County Borough Council  
The Quays  
Baglan Energy Park  
Neath  
SA11 2GG

Dear Steve / Nicola,

### **LAND SOUTH OF HEOL Y GLYN, GLYNNEATH, NEATH**

### **APPLICATION FOR VARIATION OF CONDITIONS 36 AND 37 PURSUANT OF PLANNING PERMISSION P2020/0195 – RESIDENTIAL DEVELOPMENT**

Please find enclosed, on behalf of Enzo's Homes Ltd (the Applicant) the necessary information required to make formal variation to Conditions 36 and 37 of the above application via a S73 as agreed with the LPA.

The proposed amendment to the conditions is sought to enable the associated commencement of site clearance and demolition of existing spoil heap, to then allow appropriate gas monitoring and contamination testing to take place, as requested by the NPTC Contamination Officer. We have of course discussed this prior to submission.

In this regard, Welsh Government Circular 016/2014 The Use of Planning Conditions for Development Management states:

*1.5 Conditions should encourage developers to commence development as soon as possible through phasing and should require information or works at the most appropriate time.*

Accordingly, the S73 proposes a variation to conditions 36 and 37 as follows:

#### Condition 36

*"Notwithstanding the submitted details, no further 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)....."*

The suggested change to 36 is as follows:

*"Notwithstanding the submitted details, no further development shall commence on site with the exception to the removal of the spoil heap as identified on plan ref. 'SK01-Existing Site Spoil Heap Volume' 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)....."*

*Condition 37*

*"No further 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."*

The suggested change to 37 is as follows:

*"No further development shall commence on site with the exception to the removal of the spoil heap as identified on plan ref. 'SK01-Existing Site Spoil Heap Volume' 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."*

A Site Location Plan is enclosed for reference, as is the proposed model plan prepared by CD Gray to confirm the extent and amount of material to be removed which comprises this 'spoil heap' to bring the site levels back to the 'original' level prior to the importation of infill material to successfully allow a thorough set of contamination tests to be completed for the LPA's assessment prior to further commencement of works on site.

We trust that the documentation submitted is sufficient. Should you require further information, please do not hesitate to contact me.

Yours sincerely,



**Luke Grattarola**  
Principal Planner  
Geraint John Planning Ltd.