

PLANNING COMMITTEE

28TH JULY 2020

AMENDMENT SHEET

ITEM 4

<u>APPLICATION NO:</u> P2020/0362	<u>DATE:</u> 22/05/2020
PROPOSAL:	Construction of complementary restoration earthworks to create 2 looped landform platforms (part in cutting and part on embankment) with associated drainage infrastructure and areas of landscaping and habitat creation to create a flexible and adaptable area of land that could be used for a variety of uses including agriculture, nature conservation, leisure, tourism and industrial, research and development/business uses (potentially including a proposed rail testing, research and development and storage facility). (Cross-boundary application - see Powys CC Application ref. 20/0738/FUL)
LOCATION:	Land at and surrounding the Nant Helen Open Cast Coal Site, Powys, and Onllwyn Distribution Centre, Neath Port Talbot
APPLICANT:	Mr Rob Thompson, Celtic Energy Ltd,
TYPE:	Full Plans
WARD:	Onllwyn (also affecting Seven Sisters)

Clarification (page 31)

The text in bold below is added to page 31 for clarification: -

While BBNPA has recommended that the proposed Ecological Management and Monitoring Plan (EMMP) and landscape strategy should be combined into one Landscape Ecological Management Plan (LEMP) to ensure consistency in delivering the mitigation objectives, Officers consider that these should be retained as two separate documents albeit they would work together to deliver on the required ecological and landscape objectives. **Therefore a Landscape Ecological Management Plan is not required to be conditioned.**

Additional Consultee Response

Although NPT's drainage officer has raised no objections, a further co-ordinated response has been received from the NPT and Powys drainage officers (as Lead Local Flood Authority (LLFA) and SuDS Approval Body (SAB)) informed by the preliminary discussions over the required Sustainable Drainage scheme approval. This response has provided significant and detailed feedback on the initial drainage strategy, all of which will be dealt with through the SuDS application. Nevertheless, they request an additional pre-commencement condition to require the detailed design of the surface water drainage scheme to be approved by the Local Planning Authority.

The new condition will be inserted as condition 17 (with all subsequent conditions re-numbered) as follows: -

17. No development shall commence until full engineering details, relevant assessments and drawings of the implementation, maintenance and management of the surface water drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- A timetable for its implementation, and
- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.
- The detailed geotechnical design must be approved prior to commencement.

Reason: To ensure that the proposed surface water drainage systems for the site are fully compliant with regulations and are of robust design in compliance with Policy DM6 of the LDP

Councillor Questions

To assist the smooth running of the remote Planning Committee meeting, Cllr. Arwyn Woolcock has submitted the following questions in advance, with an officer response provided below each in turn.

Q1. The Report outlines possible future use of the land for leisure, tourism and industrial opportunities and, in particular, proposed rail testing – this matter being highlighted on page 26 “While this largely considers the specific impacts of the works themselves, the reasoned justification behind submissions of the application at this stage (relating to the potential for a rail centre of excellence at the site)...” Notwithstanding the full explanation provided within the report on geotechnical and land stability, in the event of the future provision of a rail centre, would it be necessary to carry out Dynamic Impacting of the restored land at this stage?

Response:

The agent has been requested to provide a response to the question, and has advised as follows: -

As discussed in the Ground Conditions section of the environmental statement and covered in more detail within the geotechnical and geo-environmental desk study report presented in Appendix 6A loosely backfilled historical opencast workings may settle over time. Based on our preliminary assessment it is not considered that dynamic compaction of the opencast backfill is required to facilitate the rail development. We propose to monitor the ongoing settlements of the opencast backfill to verify our understanding of ongoing settlements established as part of the desk study assessment. We would adopt a design approach for the rail development that will accommodate these ongoing movements within the opencast backfill.

It is proposed to, as far as possible, reuse material derived from the opencast excavations for the construction of earthwork embankments. Material will be placed and compacted in layers to achieve the required stability of the embankment. To adequately compact the site won fill materials it may be necessary, as part of the complementary restoration earthworks, to use a high energy impact compaction roller. This would be used to compact individual layers as the embankment is constructed, so needs to be undertaken at the earthworks stage of the development, rather than as part of the final rail development. Dynamic compaction of the sub formations beneath embankments may also be considered, as may dynamic compaction of at grade sections to achieve the required track bed requirements. We could envisage high energy impact compaction would be used in these instances. The final requirements for compaction will be determined based on detailed design and site trials.

Q2. Page 31 of the report mentions the need for a condition relating to landscaping, and should cover a period of 20 years (5 years establishment plus 15). Should this condition also include replacement of any planting that has failed during the 20 year period?

Response:

Condition 17 requires submission of a 'Landscape Strategy and associated scheme of Landscape Mitigation Planting', which is required to cover a period of no less than 20 years. Although the condition itself does not refer to re-planting (as a standard landscaping condition would do), it will be expected that the landscape strategy includes details of the monitoring of the planting during that period, and the replacement of any failures.

ITEM 5

<u>APPLICATION NO:</u> P2020/0486	<u>DATE:</u> 05/06/2020
PROPOSAL:	Leisure Centre, incorporating Swimming pool, health suite and gym with ancillary cafe, 6 commercial units (A1, D1 uses) plus first floor public library. Together with associated service yard, public realm and landscaping improvements.
LOCATION:	Land At Water Street, Neath
APPLICANT:	Neath Port Talbot Council
TYPE:	Regulation 3 (Council Development)
WARD:	Neath North

The agent has requested that condition 26 (which requires that all ground floor windows and doors fronting onto the public highway shall only open inwards) is removed, stating that this conflicts with Building Regulations for premises with over 60 occupiers.

The Building Control Officer has advised that any proposed windows may open inwards or outwards. As the ground floor windows are predominantly shopfronts and as such are unlikely to be opened at street level and the door openings include protective barriers it is considered that the removal of this condition would be acceptable as pedestrian safety will not be compromised. All subsequent conditions will be re-numbered.