

Our Ref: 332310590/JH/JC/ASm

4th August 2022

Mr C Davies
Development Management
Neath Port Talbot County Borough Council
Civic Centre
Port Talbot
SA13 1PJ

For the Attention of Chris Davis

Dear Chris

**RE: Land at Pen Y Bryn, Croeserw Cymmer, Port Talbot
NMA pursuant to permission LPA ref. P2018/0493
Planning Portal ref: PP - 11416842**

We have prepared a Section 96A (non-material amendment) submission, on behalf of our client, Wildfox Resorts, in respect of the above-mentioned site. The submission proposes a non-material amendment to amend the approved Parameters Plan (Drg No. 17023(90)210 Rev N), Concept Masterplan (Drg No. 170239(SK) 01 Rev O) and Site Technical Constraints Plan (Drg No. 170239(90)200 Rev C).

In doing so, it is also necessary to amend the associated plan references referred to within conditions 5 and 23, although this is merely a plan substitution, which does not affect the reason for the conditions, nor does it result in any other element of those conditions being amended.

Background

Outline planning permission (LPA ref. P2018/0493) was granted on the 18th January 2022 for an adventure resort and associated infrastructure (including 600 lodges/apartments, a hotel, shops, restaurants etc.). The consent was obtained by previous owners, but the approved Concept Masterplan and Parameters Plan do not represent a feasible scheme, primarily because of physical site constraints relating to ground conditions on the site.

The development (as approved) fails to take account of the ground conditions. This was recognised by the local planning authority imposing conditions on the outline to progress the necessary investigations. These have now been completed to inform the detailed design of the adventure resort.

An appropriate arrangement in respect of delivery of the scheme has now been designed and it is therefore necessary to amend the approved Parameters Plan, Concept Masterplan and Site Constraints Plan accordingly to allow for a feasible scheme to come forward.

Parameters Plan

A copy of the approved Parameters Plan (Drg No. 17023(90)210 Rev N) is enclosed for reference.

The revised Parameters Plan (Drg No, 17023(90)210 **Rev O**) consists of the following amendments:

- Amendment of the land uses proposed in the parameter zones, these mostly maintaining the zone areas' footprints other than minor changes to the shape of the Central Plaza zones; and maintaining the consented building sizes and building height parameters for each of the zones, except for the hotel (see below). Lodges were originally proposed within the Forest Lodge zones (central and east) and the Trax & Trail Lodges zone (west); however now lodges are proposed only within the Trails & Lodges zone (west and central), and no lodges are proposed to be within the Wildfox Forest zone (east).
- Removal of the car park from the southwest of the Site due to challenges of the ground conditions in that location; that car park being relocated to beneath the proposed hotel
- Amendment of the proposed internal distributor road alignment, which now reflects the existing road alignment
- Amendment of the building dimension parameters in the Wildfox Hotel zone (formerly known as the X-Sports Village zone), in respect of the length and width parameters. The width parameter is proposed to be increased from 40 m to 47 m The length parameter is proposed to be amended from 115 m to 188 m length, which includes the length of the proposed hotel and the proposed relocated car park underneath it.

A revised Concept Masterplan (Drg No. 170239(SK) 01 **Rev P**) and Site Technical Constraints Plan (Drg No. 17239(90)200 **Rev D**) has also been prepared to correspond with the above.

A Landscape and Visual Impact Assessment (LVIA) Compliance Statement has been prepared which confirms that the above-mentioned amendments will not result in new or different likely significant landscape and visual effects compared to the parameters based (worst-case) assessment provided in the 2017 Environmental Statement (ES) and the 2019 ES Addendum of the consented scheme. A copy of the LVIA Compliance Statement is enclosed with this letter for information.

As a result of the above, the proposed NMA would not result in any change to the significance of environmental effect. Instead, the proposal would have a neutral impact on significance and therefore the proposals can be considered to be non-material in nature in accordance with s.96A.

Variation to Conditions

Conditions 5 and 23 refer to the approved versions of the Parameters Plan (Drg No. 17023(90)210 Rev N), Concept Masterplan (Drg No. 170239(SK) 01 Rev O) and Site Technical Constraints Plan (Drg No. 170239(90)200 Rev C). It is therefore necessary to amend the associated plan references referred to within these conditions to ensure they reflect the latest plan revisions.

It is therefore proposed to amend the conditions as follows (changes highlighted in bold):

Condition 5

The development hereby approved shall be restricted to a maximum of 600 holiday lodges; and a 100 bed hotel (with 200 seat banqueting / conference centre, 3,000 sq.m Spa, 40 sq.m. business centre), uses within Class A1 and A3, and associated activities and buildings, all as identified on and restricted to those parameters on the following approved application drawings:

Drawing No 17023(05)100 Rev F - Site Location Plan

Drawing No 17023(90)210 **Rev O** - Parameters Plan

Drawing No 170239SK) 01 **Rev P** - Concept Masterplan

Drawing No 17023(90)200 **Rev D** - Site Technical Constraints

Drawing No 16179.TOPO.14 - Visibility Splay proposed staff/servicing access

Drawing 16170 TOPO 10710a - Junction Layout western public access

Afan section through access

Planning Statement - June 2018

Design and Access Statement July 2018 (Rev A)

In respect of the proposed lodges (defined on Drg. No. 17023 (90) 210 Revision N, the approved maximum size includes the dimensions associated with the buildings and all external associated decked areas.

Condition 23

No development shall take place in any phase or sub-phase of development (as identified in condition 7) (including ground works, vegetation clearance) until a detailed landscaping plan for the phase which accords with the strategic landscaping plan approved under Condition 21 has been submitted to and approved in writing by the Local Planning Authority. The plans shall include the following:

- (a) Indications of all existing trees and hedgerows on the land, and details of any to be retained, taking into account potential growth, together with measures for their protection in the course of the construction.
- (b) Evergreen mitigation planting on the ridge top and southern fringes of the proposed development;
- (c) Incorporate the landscape features shown on Parameters Plan 17023(90) 210 **Revision O** and Golby and Luck Figure 11.32 Revision A;
- (d) 50% of the existing woodland set out in the Parameters Plan 17023(90) 210 **Revision O** and Golby and Luck Figure 11.32 Revision A shall be protected and retained in line with BS5837:2012
- (e) Plans showing the planting layout of proposed structural planting, trees, shrub, grass/wildflowers and natural regeneration areas;
- (f) The schedule of proposed planting indicating species, size at the time of planting, root type, numbers and densities of plants;
- (g) A specification of ground preparation, landscape operations, topsoil and subsoil standards and management, supply of plants and planting nursery stock standards, plant protection, staking mulch, grass and wildflower mixes, watering, replacements; and
- (h) Tree planting pit details in hard and soft areas. The approved scheme shall be carried out in the first planting season after completion of the phase of construction or its occupation, whichever is the sooner and any trees or plants which within a period of five years are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the local planning authority gives written consent to any variation.

The above-mentioned amendments to the conditions are required only to substitute the previously approved plans with the latest ones. Consequently, no other element of the conditions would change and the purpose and reason for these conditions is not affected.

Summary

The proposed NMA to amend the Parameters Plan, Concept Masterplan and Site Constraints Plan associated with the site would not result in any change to the significance of environmental effect. Instead, the proposal would have a neutral impact on significance in the context of the consent as a whole and are therefore non-material in nature.

Furthermore, the variations to conditions 5 and 23 merely represent a plan substitution. This does not affect the reason for the conditions, nor does it result in any other element of those conditions being amended.

We trust you have everything you require to validate and register the 96a submission and we look forward to receiving written confirmation of this.

Should you have any queries or require anything further, please do not hesitate to contact me.

Yours sincerely



Jane Hirst
Planning Director
on behalf of Stantec UK Ltd