

Our Ref: 332310590/JH/RM

Date: 24 October 2022

Ms H Bowen
Development Management
Neath Port Talbot County Borough Council
Civic Centre
Port Talbot
SA13 1PJ

For the Attention of Helen Bowen

Dear Helen

**RE: LAND AT PEN Y BRYN, CROESERW CYMMER, PORT TALBOT
NMA PURSUANT TO PERMISSION LPA REF. P2018/0493
PLANNING PORTAL REF: PP - 11416842**

Further to recent discussions, 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 condition 24 of planning permission P2018/0493, dated 18th January 2022

Condition 24 on the decision notice states:

For each phase (or sub-phase) of development identified within condition 7 above, the Reserved Matters submission(s) shall be accompanied by an Ecological Statement identifying how the submission complies with the objectives of the Strategic Ecological Landscape Management Plan (SELMP) demonstrating how for that phase of the development, including engineering operations, has been designed to: - minimise habitat loss; maximise provision of replacement habitat; improve connectivity; and maximise opportunities for biodiversity enhancement. The statement shall also incorporate a detailed Phase Construction Environmental Management Plan (Phase CEMP) for that phase of the development, which shall address the issues set out in the Strategic Construction Environmental Management Plan (SCEMP) in detail and as relevant to the phase of works. No development shall take place in any phase or sub-phase of development (as identified in condition 1 above) (including demolition, ground works, vegetation clearance) other than in accordance with the approved CEMP for that phase, which shall be adhered to and implemented throughout the construction phase strictly in accordance with the approved details.

Reason:

In the interest of biodiversity, visual amenity and long term management and maintenance of all landscaped areas and to ensure the development complies with Policy BE1 and EN7 of the Neath Port Talbot Local Development Plan.

We would like to amend condition 24 as follows:

For each phase (or sub-phase) of development identified within condition 7 above, an Ecological Statement shall be submitted to and approved in writing by the Local Planning Authority. The submission(s) shall identify how the submission complies with the objectives of the Strategic Ecological Landscape Management Plan (SELMP) demonstrating how for that phase of the development, including engineering operations, has been designed to: - minimise habitat loss; maximise provision of replacement habitat; improve connectivity; and maximise opportunities for biodiversity enhancement. The statement shall also incorporate a detailed Phase Construction Environmental Management Plan (Phase CEMP) for that phase of the development, which shall address the issues set out in the Strategic Construction Environmental Management Plan (SCEMP) in detail and as relevant to the phase of works. No development shall take place in any phase or sub-phase of development (as identified in condition 1 above) (including demolition, ground works, vegetation clearance) other than in accordance with the approved CEMP for that phase, which shall be adhered to and implemented throughout the construction phase strictly in accordance with the approved details.

Reason:

In the interest of biodiversity, visual amenity and long term management and maintenance of all landscaped areas and to ensure the development complies with Policy BE1 and EN7 of the Neath Port Talbot Local Development Plan.

Reason for application

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.). This permission included a number of planning conditions, and this non-material amendment seeks to amend condition 24.

As currently worded this condition needs to be discharged as part of the RMA submission, but on the other hand cannot be discharged until Condition 21 relating to the SELMP has already been discharged.

To that end it does not currently meet the conditions tests as it cannot be practicably discharged. It is contradictory. It is therefore considered necessary to decouple Condition 24 from the RMA.

De-coupling it from the RMA will mean the RMA can be processed consistent with the proper planning of the area.

Fee

The application fee for this NMA is £115 which has been paid direct to the Council through the online payments system, the reference number provided is: 263032708224

Summary

The proposed NMA to amend the wording of condition 24 will not result in any material change to the planning consent as condition 24 will still need to be complied with but is not linked to a Reserved Matters submission (s) as currently worded it cannot practicably be discharged.

We trust you have everything you require to validate and register the application 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



Rebecca Miller
Associate Planner
on behalf of Stantec UK Ltd

c.c Chris Davies, NPT
Ceri Morris, NPT
Claire Pearce, Wildfox Resorts