

23 May 2025

Neath Port Talbot County Borough Council,
Development Control Section,
The Quays,
Brunel Way,
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SA11 2HZ

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Dear sir/madam,

Land At Fforch Dwm, North East Of Tonmawr, Neath

Section 73 – application for an amendment to planning condition 1 pursuant to permission ref. P2022/0274

On behalf of REG Power Management Ltd, Savills is submitting an application for an amendment under section 73 of the Town and Country Planning Act 1990 to planning permission ref. P2022/0274 for the 'Erection of a 90m meteorological mast and associated works for a temporary period of 3 years' ('the Proposed Development') for the 'Land at Fforch Dwm, North East of Tonmawr, Neath' ('the Site').

The application relates to condition 1, which relates to the operational period of the meteorological mast. This application comprises the following documents:

- Cover letter (this document);
- Application forms;
- Site location plan; and
- The decision notice.

A payment of £230 has been paid via Planning Applications Wales in relation to the application fee.

Context

On 23 March 2022, the Applicant submitted a planning application to Neath Port Talbot County Borough Council for the Proposed Development. The submitted application forms for the Proposed Development included a time limit of three years in the description of development, and in approving the Proposed Development, the Council also include a condition (number 1) which also sought to control this time limit.

The Applicant sought to remove the reference to the time period from the description of development via a Non-Material Amendment application to Neath Port Talbot County Borough Council.

The consented development obtains wind speed data and other information which the Applicant will utilise the detailed design stage of the approved Mynydd Fforch Dwm wind farm and solar array.

Condition 1

As per the submitted application and associated decision notice, condition 1 comprises of:

The development hereby permitted shall expire 3 years from the date of this permission. All equipment, buildings and structures associated with the operation of the mast shall be removed from the site within one month of the expiration of this permission and the site reinstated to its former condition within 3 months of the date of the cessation of the development.

Reason: In the interest of visual amenity and ecology and to ensure the development complies with Policy BE1 and EN7 of the Neath Port Talbot Local Development Plan.

Proposed changes

The Applicant is proposing to alter condition 1 of the Proposed Development, as per:

Amended condition 1 (proposed amendments underlined)

The development hereby permitted shall expire ~~3 years~~ 5 years from the date of this permission. All equipment, buildings and structures associated with the operation of the mast shall be removed from the site within one month of the expiration of this permission and the site reinstated to its former condition within 3 months of the date of the cessation of the development.

Reason: In the interest of visual amenity and ecology and to ensure the development complies with Policy BE1 and EN7 of the Neath Port Talbot Local Development Plan.

Changes since the original consent

The original application was assessed against the local development plan, which comprised of Future Wales and Neath Port Talbot's LDP and other material considerations, including Planning Policy Wales. The original application was assessed against the 11th edition of PPW, whereas the 12th edition was published in February 2024.

The main changes between the 11th and 12th editions were a renewed focus on distinctive and natural places, which are focussed on chapter 6 of the document. The aims and general context of PPW remains the same but with a sharper focus on green infrastructure; net benefit for biodiversity and the step-wise approach; protection for sites of special scientific interest; and trees and woodlands.

PPW12 also introduced a requirement for a Green Infrastructure Statement to be submitted with all planning applications, albeit they should be proportionate to the scale and nature of the development proposed. In the case of minor development, this will be a short description, and should not be an onerous requirement for applications. With regard to this application, a proportionate Green Infrastructure Statement is provided below.

Green Infrastructure Statement

This application seeks to amend a condition to extend the operational period of a temporary development. No changes are proposed to the consented and operational development. As such, the Applicant's ability to provide a net benefit for biodiversity is limited. The Applicant notes that policy 9 of Future Wales – Resilient ecological networks and green infrastructure was part of the development plan when the original application was approved, and this required a net benefit for biodiversity to be demonstrated in development proposals.

In determining the original application, the Applicant set out that the Site is not located within any ecological designations, with only a few heritage features on the periphery of the Site have been recorded. The original application identified that the Site comprised of an area of semi-improved pasture, dominated by semi-improved acid grassland and semi-improved neutral grassland, with only very limited ecological value. The original application included the submission of Habitats and Vegetations Report which confirmed no record of notable habitat types within the vicinity of the Site.

The Applicant is minded that in approving that scheme, the Applicant provided a proportionate approach to biodiversity, which the Council were minded to agree with. Extending the operational period of the proposed development is not considered to lead to any greater effects than already assessed and being experienced, both of which are considered acceptable.

Summary

The Applicant is seeking to extend the operational period of the proposed development. The proposed extension is considered to be de minimis in nature and the proposed development would still be temporary.



I trust that the above and enclosed is sufficient to allow the prompt registration and determination of the application. However, please let me know should you require any further information.

Yours sincerely,

A handwritten signature in purple ink that reads "Savills".

Jack Pugsley
Director