

Our Ref: 5277/SJH

26 June 2026

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

By email only: planning@npt.gov.uk

Dear Sir or Madam,

APPLICATION TO DISCHARGE CONDITIONS 12, 17 and 19 ATTACHED TO PLANNING PERMISSION REFERENCE: P2022/0517.

Axis, on behalf of our client Alerion UK Limited (hereafter referred to as 'Alerion'), apply to fully discharge Conditions 12, 17 and 19 attached to the planning permission referenced P2022/0517 as per the above.

This application has been submitted via e-mail and consists of the following:

- i. This Covering Letter;
- ii. Application Form;
- iii. Site Location Plan;
- iv. Site Plan;
- v. Public Rights of Way Management Plan (PRoWMP);
- vi. Phase 1 Geo-Environmental Assessment; and
- vii. Ecological Report.

The submitted documents as listed above, have been submitted electronically as separate items on the Planning Portal. Due to file size constraints on the Planning Portal, the Phase 1 Geo-Environmental Assessment has been submitted via email to the case officer, Gavin Sterio.

Background

Planning permission was granted by Neath Port Talbot County Borough Council on 4 April 2023 to Pennant Walters (FoelT) Limited under the reference P2022/0517 for:

“Amendment to the plans referred to in condition 3 of planning permission reference P2014/0825 to allow for approval of revised plans for the development. The revised plans include increases in rotor diameter of five turbines (T5, T6, T9, T10 and T11) up to 133m and increase in rotor diameter up to 117m of three turbines (T1, T2 and T8) with no increase in overall turbine height. The number of turbines to be constructed will be reduced from 11 to 8 (turbines T3, T4, and T7 removed)”.

A suite of conditions were attached to the Decision Notice, that are required to be discharged at varying stages of the development timeline. Alerion has purchased the right to implement the planning permission from the previous developer, and as such, is in the process of facilitating the discharge of all pre-commencement planning conditions.

For the avoidance of doubt, this application seeks to fully discharge Condition 12, Condition 17 and Condition 19, which is required prior to commencement of the development. The conditions sought to be discharged are outlined below.

Condition 12

For the avoidance of doubt, Condition 12 is replicated below:

“No development shall commence until a scheme for the protection of Public Rights of Way during the construction period within the site and including safety signage has been submitted to and approved in writing by the Local Planning Authority. During the construction period the development shall be carried out in accordance with the approved details”.

In order to discharge Condition 12, a Public Right of Way Management Plan (PRoWMP) has been submitted to the council. The PRoWMP identifies the temporary measures that would be implemented to ensure that the Public Rights of Way network is accessible in a safe manner during construction.

The Public Rights of Way Management Plan (PRoWMP) has been prepared having regard to comments received during a meeting held with Neath Port Talbot County Borough Council on 29 May 2026, at which the proposed approach to managing the interaction between the Development and the Public Rights of Way network was discussed.

Where reasonably practicable, the matters raised during that meeting have been addressed within this PRoWMP. In particular, the Plan includes additional information regarding the inspection, recording, reinstatement and repair of any Public Rights of Way affected by the construction of the Development, together with the procedures for identifying damage and agreeing any necessary remedial works following construction.

Whilst it has not been possible at this stage to identify the precise dates on which individual Public Rights of Way may be affected by construction activities, an indicative construction programme has been included within this PRoWMP to identify the anticipated construction phases and associated interactions with the Public Rights of Way network. Prior to and during construction, public information boards and temporary signage will be used to provide up-to-date information on the timing of works, any temporary management measures, and the routes affected, thereby enabling users to plan their journeys safely and minimise disruption wherever reasonably practicable..

Condition 17

For the avoidance of doubt, Condition 17 has been replicated below:

“No 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) 'Investigation of Potentially Contaminated Sites Code of Practice' and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

- a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;

ii. an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;

- iii. *an assessment of the potential risks to:*
- *human health,*
 - *groundwater and surface waters*
 - *adjoining land,*
 - *property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,*
 - *ecological systems,*
 - *archaeological sites and ancient monuments; and*
 - *any other receptors identified at (i)*
- iv. *an appraisal of remedial options, and justification for the preferred remedial option(s)".*

The Phase 1 Geo-Environmental Assessment has been prepared to support the discharge of Condition 17 and provides a desk-based assessment of the potential for contamination and other geo-environmental constraints associated with the Development. The assessment considers the historical and current use of the Site, previous ground investigations, environmental datasets, mining records and a site inspection to establish whether land contamination presents a constraint to the proposed development.

The assessment concludes that no significant sources of contamination have been identified that would preclude the proposed development and, consequently, no contamination remediation measures are required. As a precaution, the report recommends the implementation of an unexpected contamination protocol during construction should previously unidentified contamination be encountered. The findings therefore demonstrate that the Site is suitable for the proposed development from a contaminated land perspective and provide the necessary information to support the discharge of Condition 17.

Condition 19

For the avoidance of doubt, Condition 19 has been replicated below:

"In the event additional works are required to extend or widen existing forest tracks, such works shall not be undertaken until such time as botanical surveys identifying any priority species and detailing appropriate action taken to maintain such species, have been undertaken and the results submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the agreed details".

The Ecological Report has been prepared to support the discharge of Condition 19, which requires botanical surveys to be undertaken where works are proposed to extend or widen existing forest tracks. The surveys included a detailed assessment of vegetation associated with the proposed works and nearby pond habitats to identify any Priority Species or Priority Habitats that could be affected by the Development. As part of the assessment, and following discussions with Natural Resources Wales regarding the potential reconfiguration of a pond adjacent to the proposed access track, environmental DNA (eDNA) surveys were also undertaken to confirm the presence or likely absence of Great Crested Newts, thereby providing an updated ecological baseline for the affected ponds.

The surveys confirmed that no Priority Species of plant were recorded within the survey area and that the habitats associated with the forest tracks remain consistent with previous ecological surveys. The eDNA surveys also confirmed the absence of great crested newts from the surveyed ponds, with no

significant aquatic botanical interest identified that would be affected by the proposed works. Accordingly, the findings demonstrate that no additional botanical mitigation is required, and the information provided is considered sufficient to support the discharge of Condition 19..

We trust that the content of this letter and the application documents are self-explanatory and allow for the discharge of Condition 12, Condition 17 and Condition 19. However, please do not hesitate to contact the undersigned should you have any queries or require any further information.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Harding', with a stylized, cursive script.

Steve Harding

Associate Director on behalf of Axis