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23/2014/1440 - CLOCAENOG FOREST, SARON

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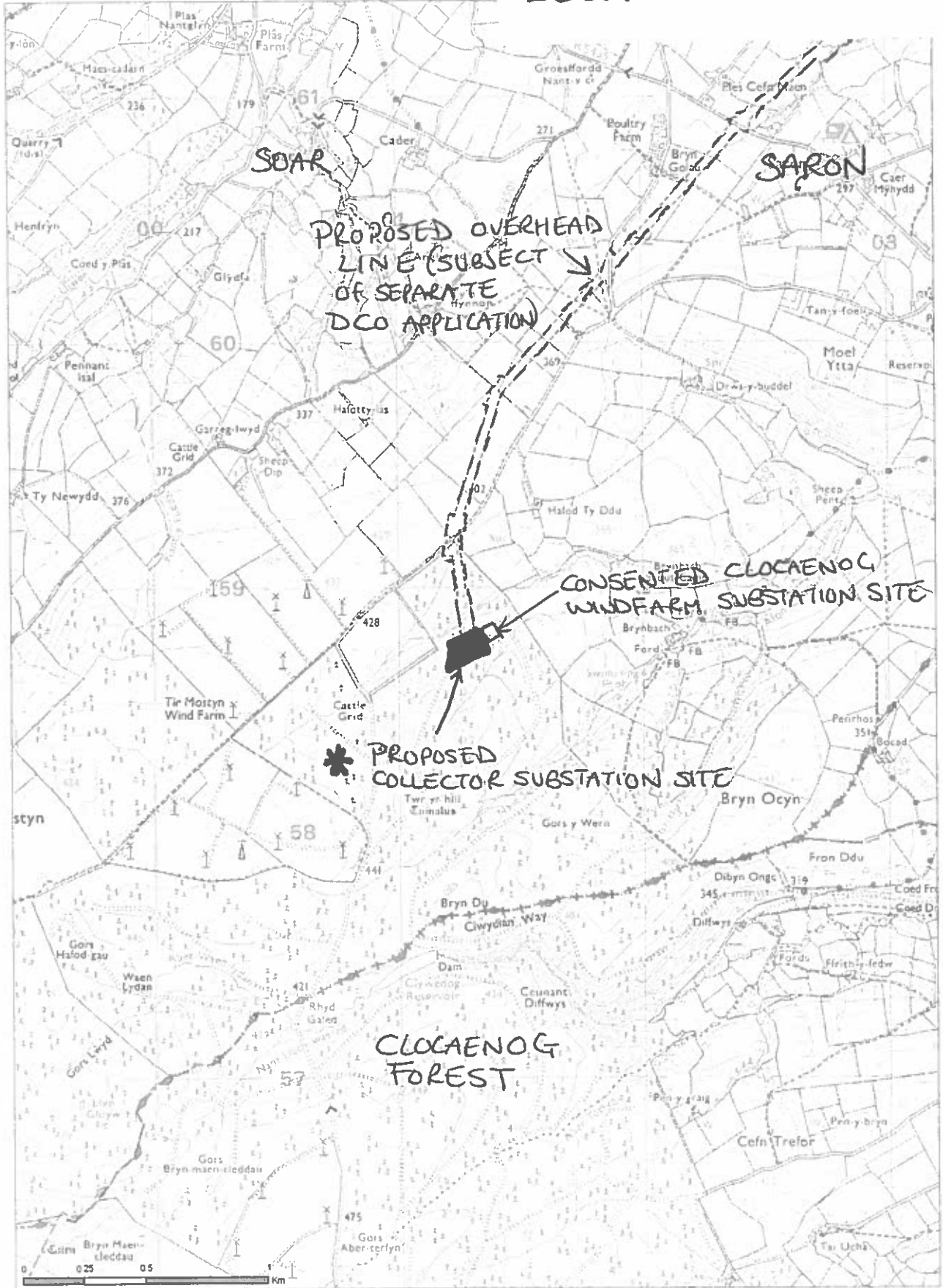
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Denbighshire Boundary
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LOCATION PLAN



KEY:
 Substation Location
 Proposed Order Limits

NORTH WALES WIND FARM CONNECTION
 CLOCAENOG COLLECTOR SUBSTATION



SP MANWEB

FIGURE 1.2
 SUBSTATION LOCATION
 AND PROPOSED ORDER LIMITS

GILLESPIES



BLOCK PLAN

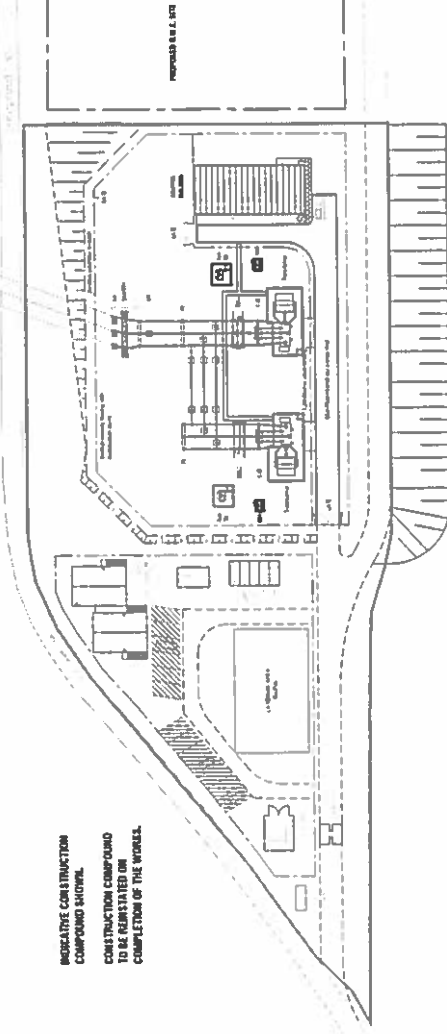
PLANNING NOTES

ALL TO BE INSTALLED IN ACCORDANCE TO LOCAL AUTHORITY APPROVALS.
ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE PUBLIC HEALTH ACT 1936 AND THE PUBLIC HEALTH (AMENDMENT) ACT 1967.
ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE ELECTRICITY ACT 1989 AND THE ELECTRICITY REGULATIONS 1989.
ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE WATER SUPPLY ACT 1910 AND THE WATER SUPPLY (AMENDMENT) ACT 1988.
ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE ROAD TRAFFIC ACT 1988 AND THE ROAD TRAFFIC REGULATIONS 1988.
ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE ENVIRONMENTAL PROTECTION ACT 1990 AND THE ENVIRONMENTAL PROTECTION REGULATIONS 1991.
ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE PLANNING ACT 1990 AND THE PLANNING REGULATIONS 1991.
ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE BUILDING ACT 1984 AND THE BUILDING REGULATIONS 1985.
ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE FIREWORKS ACT 2003 AND THE FIREWORKS REGULATIONS 2004.
ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT 1998 AND THE HUMAN RIGHTS REGULATIONS 1999.
ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE FREEDOM OF INFORMATION ACT 2000 AND THE FREEDOM OF INFORMATION REGULATIONS 2004.
ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE DATA PROTECTION ACT 1998 AND THE DATA PROTECTION REGULATIONS 2004.
ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE EQUALITY ACT 2010 AND THE EQUALITY REGULATIONS 2011.
ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE MODERN SLAVES ACT 2015 AND THE MODERN SLAVES REGULATIONS 2015.
ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE UK GENERAL DATA PROTECTION REGULATION 2018 AND THE UK GENERAL DATA PROTECTION REGULATIONS 2018.
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ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE UK PLANNING ACT 1990 AND THE UK PLANNING REGULATIONS 1991.

LEGEND

PLANNING APPLICATIONS TO BE CANCELLED AND ALL WORK TO BE REINSTATED IN ACCORDANCE WITH THE PROVISIONS OF THE PLANNING ACT 1990 AND THE PLANNING REGULATIONS 1991.

INDICATIVE CONSTRUCTION COMPOUND SHOWN.
CONSTRUCTION COMPOUND TO BE REINSTATED ON COMPLETION OF THE WORKS.



SP ENERGY NETWORKS
SP Power Systems Ltd
System Design, Drawing Office
Gateway House 2nd Floor Old Hall Road, Bromborough C
Wirral, Merseyside, CH11 1JY

Rev	1	Date	10/05/2018	By	J.P.
Rev	2	Date	10/05/2018	By	J.P.
Rev	3	Date	10/05/2018	By	J.P.
Rev	4	Date	10/05/2018	By	J.P.
Rev	5	Date	10/05/2018	By	J.P.
Rev	6	Date	10/05/2018	By	J.P.

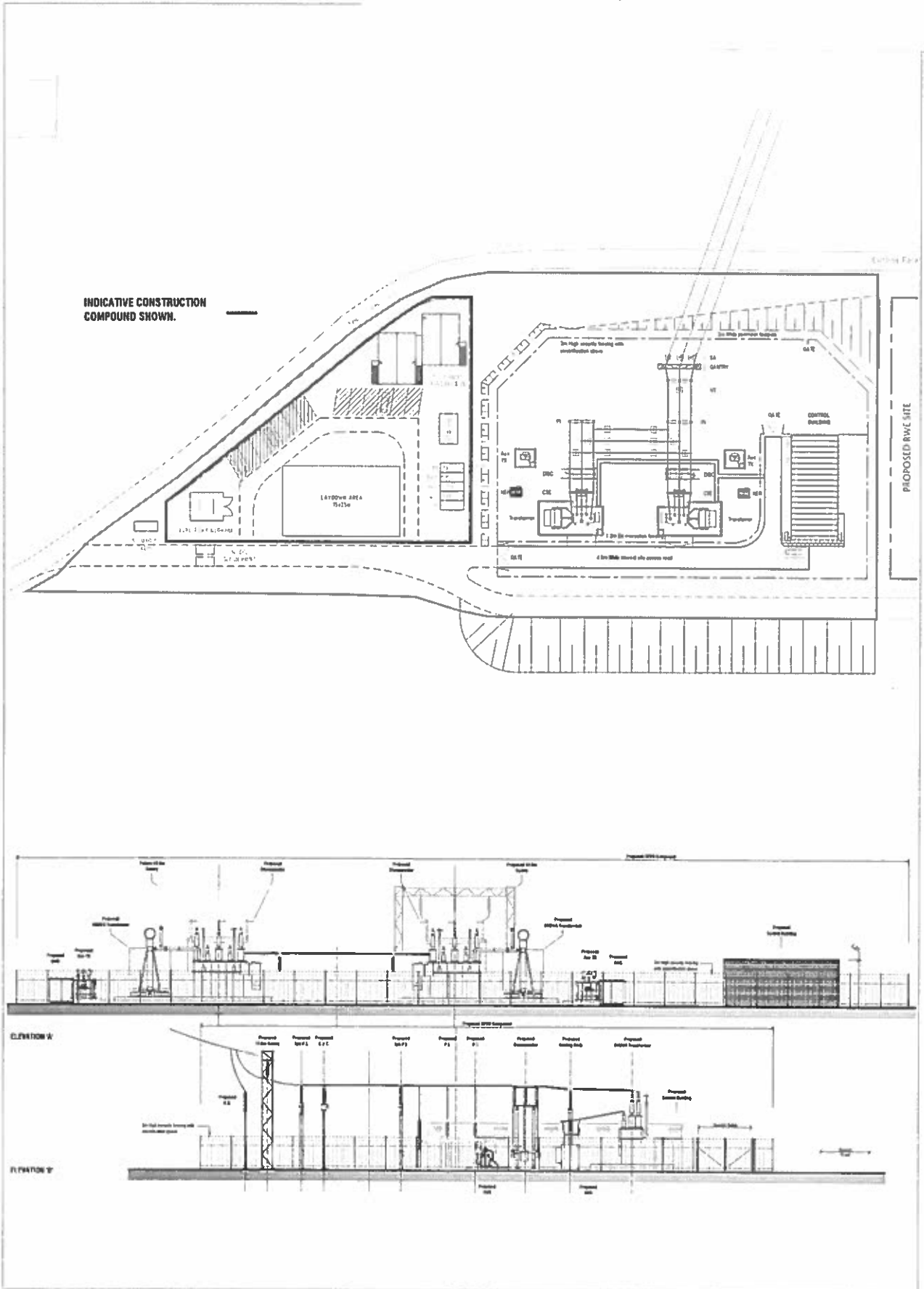
PROPOSED 132KV SUB-STATION AT CLOC
PLANNING APPLICATION
BLOCK PLAN

Drawn	Checked	Issue	Prepared
10/05/2018	10/05/2018	10/05/2018	10/05/2018

For Issue **SP4113462**

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LAYOUT & ELEVATIONS



NOT TO SCALE

NORTH WALES WIND FARM CONNECTION
 CLOCAENOG COLLECTOR SUBSTATION
 FIGURE 2.2
 PROPOSED 132KV SUBSTATION SITE LAYOUT
 AND ELEVATIONS



WARD : Llanrhaeadr Yng Nghinmeirch

WARD MEMBER(S): Cllr Joe Welch (c)

APPLICATION NO: 23/2014/1440/ PF

PROPOSAL: Erection of a 132kV electrical substation and associated works

LOCATION: Clocaenog Forest Saron Denbigh

APPLICANT: S P Manweb Plc

CONSTRAINTS: None

PUBLICITY UNDERTAKEN: Site Notice – Yes
Press Notice – Yes
Neighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:

Scheme of Delegation Part 2

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

NANTGLYN COMMUNITY COUNCIL

“The Community Council met at the beginning of February, and despite not having any formal objection to the application, we would like to raise concerns regarding the design of the building as it is not very in-keeping with the surrounding landscape. Would it be possible for more consideration to be given to the visual aesthetics of the building, and for it to have a less industrial look. It will as they say 'stick out like a sore thumb”.

LLANRHAEADR COMMUNITY COUNCIL

“Llanrhaeadr Community Council objects to the above planning application and plans which are set out on the attachment [below]:

Llanrhaeadr Community Council Response to Saron substation application

Objection 1: Cumulative effects

1. The cumulative effects of the collector substation, combined with other elements of the North Wales Wind Farms Project such as the connection and wind turbines are significant in Llanrhaeadr yng Nghinmeirch parish. In particular the Saron and Peniel areas. These cumulative effects are in addition to the existing wind farms of Foel Goch and Tir Mostyn.

The substation planning applications gives no regard to the overall cumulative impacts of the proposed substation, in light of all other aspects of the North Wales Windfarm project, on the following:

- The local environmental landscape;
- The significant increase in heavy transport required for all these developments – which will pass many local properties (10,000 – 14,000 vehicles).
- The socio-economic effects on the local areas affected by these developments. We have grave concerns with regard to the cumulative impact all these developments will have on local tourism, local property prices, health and water quality.

Objection 2: Misleading information

2. The scale of the location plans leads to misleading representation which doesn't reflect the true impact of the substation. Moreover, a nearby property, Hafod Olygfa, has been completed omitted from the map.

3. The viewpoints used in Appendix B are misleading as they do not point in the direction of the substation and the angles used do not reflect the true residential impact of this scheme.

4. Figure 6.1 'study area for LVIA' does not include highly affected areas on elevated ground especially towards the ridge near Tan yr Allt, Bron Haul, Bron Heulog and Bwlch.

5. The proposed 9m high terminal gantry which are said to be below the height of mature conifers, suggests they won't be visible, but the area surrounding the Collector Substation will be 'restored to typical heathland habitat', which means they will be highly visible to the surrounding area. This is very misleading.

Objection 3: Inadequate Environmental Report

6. The environmental report is unclear and deliberately misleading in places. For example, it is not clear whether a full environmental assessment has been carried out for all substations, and residential properties which will be affected are either not mentioned at all, or are only done so fleetingly.

7. The Environmental Report is inadequate. It states 'Much of the information obtained through incidental records, usually submitted by the general public or volunteers rather than any systematic survey, and the results may therefore be biased in favour of popular sites that are more frequently visited. Consequently, a desk study on its own cannot be expected to provide sufficient ecological information of a site in this case is used to help supplement the results of a suite of ecological surveys and compare the findings within the wider context.'

Objection 4: Lack of Public Consultation and Timing of the submission

8. We feel that the timing of this submission – over the Christmas period – an error in the Denbighshire CC planning website during this period and the lack of documents provided in the Welsh language (the first language for many people living in the area affected by this substation) is wholly inadequate and again reflects the arrogance and a lack of respect by SPManweb towards the local community, which will be severely impacted by this development.

9. The Saron substation was never mentioned, or presented as an option, during the Public Consultation events and documents which were held / provided by SP Manweb during 2013/14. During these consultation documents / events the substation which was consulted on was the 'Brenig site', which now appears not to be an option. This lack of consultation with the public re. the Saron substation site, we believe is wholly inadequate."

CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY JOINT ADVISORY COMMITTEE

"The IJAC has no observations to make on this application."

NATURAL RESOURCES WALES –

No objection to the proposed development. Specific comments are summarised below:

Protected Species – Ecological surveys have been carried out to an acceptable standard.

Bats – Survey concluded no roosting features identified in survey area. In order to ensure bats are not deterred from using surrounding habitats, care should be taken with external lighting within development to ensure trees and hedgerows are not illuminated. Light spillage scheme from the development should be agreed to the satisfaction of the local authority.

Dormice – Note that a precautionary approach to dormice will be followed and presence of dormice will be assumed. Licence will be required from NRW, and therefore note to applicant advised.

Red squirrel – Condition requiring a method statement for red squirrel mitigation should be agreed with the local planning authority pre-commencement.

Ecological Compliance Audit – Condition should be applied to require an ecological compliance audit scheme to be submitted to and approved in writing by the local planning authority.

Landscapes – Proposal is near a landscape of Special Historic Interest, due consideration should be given to this.

Biosecurity – invasive non-native species and diseases are considered to be a concern due to the nature and location of the proposed site. A Biosecurity Risk Assessment should therefore be secured by way of a planning condition.

Flood Risk and Surface Water – Site is within a Zone A flood risk zone. Chapter 8 of Environmental Report refers to flood risks arising from the development. 620sq.m of impermeable area is proposed which will be directed to designated soakaways. Part H of Building Regulations establishes a hierarchy for surface water disposal and a condition is advised to ensure a scheme to dispose of surface water is submitted to and approved in writing.

Environmental Management – notes to applicant advised to ensure Pollution Prevention Guidelines are followed.

CLWYD POWYS ARCHAEOLOGICAL TRUST –

Pleased to see that an appropriate walkover and desktop study has already been completed. With regard to the demarcation of the scheduled monument by condition the applicant should make sure than any demarcation (eg. temporary fencing) does not extend into the scheduled area as this would need scheduled monument consent from Cadw. Assuming the exclusion zone is marked outside the scheduled area has no objections to this application.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer – No objection subject to planning conditions being imposed:
 - o requiring facilities for loading, unloading, parking and turning to be brought into use before development is brought into use.
 - o Details of Abnormal indivisible Loads (AILs) to be submitted prior to commencement, and any works to highway to facilitate movement of AIL should be carried out prior to construction – this should be made clear.
 - o Traffic Management Plan, and additional passing places.
 - o Note temporary laydown areas are outside of red line boundary – it should be made clear to applicant that permission relates solely to substation site, and any other operational development would need separate consent.

- Footpaths Officer – No response received

Public Protection Officer –

Following submission of cumulative noise assessment, comments are as follows: Do not necessarily agree with all the calculations applied in the assessment, but do accept the conclusions of the report and would therefore request that the conditions be applied in order to restrict the noise levels at the four nearest dwellings, and to require investigations to be carried out in response to any complaints of noise.

Archaeologist –

The Environmental report includes recommendations for mitigation for the archaeology affected. This includes the fencing out/demarcation of the nearby scheduled monument and an archaeological watching brief to take place during ground works. Provided that this takes place, has no objection to the application.

Biodiversity Officer –

Concur with the conclusions and recommendations of the the Ecological Surveys Report by Peak Ecology and is satisfied that the appropriate surveys have been undertaken to a good standard. The proposal will therefore be acceptable providing a condition is imposed to ensure that all the recommendations of the report are followed.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

D. Roberts, Hazwelwood, Saron (O)S. Harman, Corner Cottage, Ford Heath, Shropshire (O)D. Hughes, Llys Hedydd, Ffordd Llansannan, Henllan (O) PtPGD. Parry, College Farm, Peniel, Denbigh (O)J. Fleet, Pen Parc Llwyd, Henllan (O)D. Tyrer, Cefn Maen Isaf, Saron, Denbigh (O)J. Tyrer, Cefn Maen Isaf, Saron (O)G. Jones, Cefn y Marial, Saron (O)D. Hotham, Plas Newydd, Cefn Meiriadog (O)Antoinette Sandbach AM (O)Dyfrig Hughes - Pylon The Pressure GroupCommunity Councillor Iona Edwards-JonesMr Paul Taylor, Glasfryn, Peniel, Denbigh (O)Simon P White, Eriviach Bach Isa, Henllan (O)Robin Barlow, Carreg Dafydd, Marli (O)

Summary of planning based representations in objection:

Need / Principle: Challenge the need for additional renewable energy generation, and therefore the need for new overhead lines to provide the grid connection / Object to overhead lines which would connect to substation, therefore cannot support substation application / Denbighshire and Conwy Councils both object to overhead lines, therefore should not support substation.

Site selection: TAN8 SSA boundary is fuzzy, and site should be considered to be outside of SSA boundary / not justified site selection / pre-application consultation never made reference to a Clocaenog substation, only a Brenig substation.

Ecology: Environmental Report not credible, full impact cannot be appreciated from a desk-based study – suite of ecological surveys should have been carried out /

Cumulative impacts: cumulative impact of construction not adequately addressed / adverse environmental cumulative effects / Tir Mostyn & Foel Goch windfarms not included in cumulative assessment / substation considered in isolation and underestimates impacts / adverse cumulative effect as it would be next to Clocaenog windfarm substation /

Landscape / visual amenity: unsightly / detracts from people's visual amenity / major industrial complex - substation materials & design of compound not inkeeping with nearby properties / industrialisation of local environment / disagree that it is only the windfarms that would have an adverse effect on landscape – pylons and substations would also have a detrimental impact / 9m high gantry would not be disguised by conifers as land would be restored to heathland habitat / LVIA has missed out a number of residential properties on elevated ground / highways should be classified as highly sensitive / viewpoints misleading – do not represent true impact / desecration of beautiful area of Upland Denbighshire / returning surrounding area to heathland would not provide screening

Residential amenity: location plan does not indicate all residential properties – misleading / does not fully consider impact of proposal on residential properties / adverse noise & audible hum from substation / health risks

Economy / Tourism: adverse impact on Wales Rally GB, which is one of biggest sporting events in North Wales / adverse impact on tourism / unsightliness would distract tourists to area / undermine efforts to attract tourism to Denbighshire /

Traffic / construction disturbance: cumulative traffic flow in combination with windfarm developments – underestimates impact / large volumes of heavy traffic on minor roads / disrupting local road users / does not consider impact of heavy machinery on houses and farms close to road / highways improvements to facilitate the construction vehicles will increase speeding on local roads and adversely affect local area / poor visibility on local road network

Cumulative noise assessment (re-consultation responses): number of errors & misleading statements in the applicant's calculations – LA90 significantly under estimates LAeq values and so two figures are not comparable / no measurements from existing windfarms provided – only considered the noise from the adjacent substation / applicant has selected minimum windspeeds for the purposes of the noise assessment – misrepresentative / 0.5dB increase is significant / does not consider noise from earthing / transformers or traffic noise / does not take into account SW prevailing winds / no screening through plantation trees due to felling/ infrasound and low frequency noise not considered / noise at neighbouring properties will exceed the 30dB threshold specified in the Clocaenog Forest Development Consent Order – no

scope for sound attenuation and would have detrimental impact on amenity / not compliant with ETSU-R-97

Summary of non-planning based representations:

Piecemeal / fragmented nature of consent: Object to substation application being submitted separately from overhead lines development consent order application.

Consultation: Comments with regards to the pre-application consultation process, and the Clocaenog substation option not being disclosed in the pre-application stages.

Prematurity: Application should not be determined until a decision has been made on the overhead lines (North Wales Wind Farms Connections Project which is subject to a separate consenting regime) / should not be considered until Clocaenog windfarm Judicial Review Ruling has been issued.

Application documents: difficult to view documents online due to size of files / consultation over Christmas period / no documents in Welsh language.

EXPIRY DATE OF APPLICATION: 17/02/2015

REASONS FOR DELAY IN DECISION (where applicable):

- timing of receipt of representations
- delay in receipt of key consultation response(s)
- additional information required from applicant
- re-consultations / further publicity necessary on amended plans and / or additional information

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The proposal is for the construction and operation of a 132 kilovolt (kV) electrical substation to act as the collector substation for four consented wind farms within the Clocaenog Forest Strategic Search Area (Clocaenog Forest windfarm, Brenig windfarm, Derwydd Bach windfarm and the Nant Bach windfarm).
- 1.1.2 The electricity generated by each of the consented windfarms would be transmitted from the respective windfarm substations to the collector substation, where the voltage of the electricity generated by the windfarms would be 'stepped up' to a level suitable for transmission to the electricity grid.
- 1.1.3 The proposals comprise:
 - A new compound approximately 0.3 hectares (ha) enclosed by a 3m high palisade security fence;
 - A 4.5m wide internal access road with parking for two vehicles;
 - A new single storey control building approximately 9m wide X 13m long X 3.5m high, which will house ancillary equipment, telecommunication and protection systems;
 - A 2m wide footpath around the building surfaced in grey limestone chippings;
 - A 2m wide perimeter footpath around the compound surfaced in grey limestone chippings;
 - Two 33kV/132kV 90MVA transformers as well as two smaller earthing/auxiliary transformers;
 - Four high voltage sealing ends where the four underground cables from the wind farms enter the substation;
 - A 9m high terminal gantry to support the conductors as they leave the overhead line terminal pole and connect to the substation busbars; and
 - Other external electrical equipment including support structures, post insulators, surge arrestors and busbars.

- 1.1.4 The components and layout of the substation are shown on the plans at the beginning of this Report.
- 1.1.5 The planning application is supported by a detailed Environmental Report which incorporates Ecological Surveys, Landscape Evaluation and a Traffic and Transport Assessment.
- 1.1.6 The site is within an area of managed conifer plantation on sloping ground and the site would be clear felled and levelled to create a flat site for access and construction.

1.2 Description of site and surroundings

- 1.2.1 The site is within the Clocaenog Forest approximately 2.4km to the south-west of Saron in an area of conifer plantation which is managed as upland rotational forest.
- 1.2.2 The nearest dwellings are Hafodty Du and Hafod Olyga, approximately 550m to the north-east.
- 1.2.3 The operational Tir Mostyn windfarm is approximately 1km to the west, the consented Brenig windfarm is approximately 2km to the southwest and the consented Clocaenog Forest windfarm is immediately to the south.
- 1.2.4 The proposed collector substation would be immediately adjacent to the consented Clocaenog Forest windfarm substation, which is also annotated on the plan at the front of the report.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is outside of any development boundaries as defined by the Local Development Plan but within the Clocaenog Forest Strategic Search Area, which is designated in TAN8 for large scale windfarm development.

1.4 Relevant planning history

- 1.4.1 The four consented windfarms within the Clocaenog Forest Strategic Search Area include the Brenig windfarm (planning permission granted by Denbighshire County Council in April 2009), Derwydd Bach windfarm (planning permission granted by Denbighshire county Council in July 2011), Nant Bach windfarm (planning permission granted by Conwy County Borough Council in August 2008) and the Clocaenog Forest windfarm (development consent granted by the Secretary of State in September 2014).
- 1.4.2 The Clocaenog Forest windfarm substation, which is immediately adjacent to the proposed site for the collector substation, was consented as part of the Clocaenog Forest windfarm Development Consent Order.

1.5 Developments/changes since the original submission

- 1.5.1 A cumulative noise assessment was submitted in May 2015 in response to the consultation response from the Council's Public Protection Officer. The assessment was the subject of a re-consultation exercise.

1.6 Other relevant background information

- 1.6.1 As stated above, the proposal is for the construction and operation of a 132 kilovolt (kV) electrical substation to act as the collector substation for four consented wind farms within the Clocaenog Forest Strategic Search Area.
- 1.6.2 A proposal for 132kilovolt (kW) overhead lines is also proposed to transmit the electricity from the proposed collector substation to an existing Scottish Power Manweb substation on the St. Asaph business park, where it will then be transmitted to the electricity grid. The proposed overhead lines are referred to as the 'North Wales Wind Farms Connections Project', which is a 'nationally significant infrastructure project' requiring development consent under the provisions of the Planning Act 2008. Applications for development consent are submitted for examination to the Planning Inspectorate and the Secretary for State for Energy and Climate Change will decide whether or not to grant development consent for that proposal. An application for development consent was submitted to the Planning Inspectorate on 20 March 2015 and was accepted for consideration on 17 April 2015. The Examination stage is likely to commence in late summer / early autumn 2015 and the Secretary of State decision on the development consent application is likely to be issued 12 months later in late summer / early autumn 2016.

- 1.6.3 The limitations of the Planning Act 2008 in Wales means that ancillary development, such as substations cannot be included within the application for development consent and therefore require separate consent under the Town and County Planning Act 1990. There is no statutory requirement for developers to carry out pre-application consultation prior to submitting a planning application under Town and County Planning Act regime.
- 1.6.4 The application documents confirm that the Collector Substation is required whether the connection is an overhead line or an underground cable.
- 1.6.5 A grid connection will be required between each of the consented windfarm substations and the proposed collector substation. It is anticipated that these connections will be by way of underground cables, however these connections do not form part of the current application. Scottish Power Manweb as statutory undertaker would have permitted development rights to lay underground cables, however should the windfarm operators wish to install the cables themselves, planning permission would be required.
- 1.6.6 The Secretary of State's decision to grant Development Consent for the Clocaenog Forest windfarm, one of the four windfarms which will connect to the proposed collector substation, is currently subject to Judicial Review. The Judicial Review Hearing was held in Mold Crown Court on 24th and 25th February 2015 and was heard by Mr Justice Lindblom. However, judgement has subsequently been handed down which concludes that the court has no jurisdiction to determine the Judicial Review claim on the premise it was lodged 1 day too late. On this basis, the judge did not express a view on the merits of the claim. It is understood the law was subsequently changed on 13th April 2015 to include the extra day for legal challenges to be lodged with the Courts, and on this basis the Claimant has lodged a request to appeal to Ruling. A decision on the request to appeal is yet to be handed down by the Courts.
- 1.6.7 The applicant has advised that, should the Clocaenog windfarm not go ahead, a Collector substation would still be required in this location to connect the other three consented windfarms to the electricity grid; the need for the proposed substation is not therefore dependent on the Clocaenog windfarm. On this basis, the applicant feels the application should be considered separately on its own merits, and the determination should not be delayed until after a final determination on the Clocaenog windfarm legal challenge has been made.
- 1.6.8 In light of the above, opinion has been sought from the Council's legal Officer. The advice is that: If the application was submitted on the correct form and it is one for the Council to determine under the Town and County Planning Act 1990, then the Council is obliged to validate the application and determine it once sufficient information has been received in accordance with administrative process. If the applicant argues that the development is needed irrespective of the outcome of the Judicial Review then that application needs to be put to Planning Committee for determination. The need for the development is one to be considered as part of the application, which ultimately is a matter for the applicant to justify and Planning Committee to consider in the balance.

2. DETAILS OF PLANNING HISTORY:

- 2.1 Brenig windfarm (Denbighshire): 25/2007/0565. Construction and operation of a wind farm comprising of sixteen wind turbines with a maximum tip height not exceeding 100m, along with transformers, access tracks, on-site switchgear and metering building, two anemometry towers and associated construction and operational infrastructure (max capacity will not exceed 50MW). Brenig, Nantglyn. Granted 06/04/2009. Status: Under construction.
- 2.2 Derwydd Bach windfarm (Denbighshire):04/2007/0964. Construction of 10 wind turbine generators (up to 120.5 m in overall height) c/w electrical control room and compound area, new and improved access tracks, underground cabling, 80 m anemometry mast, ancillary works and equipment; temporary construction works; borrow pit and vehicular access from county road. 2.3MW turbines. Derwydd Bach, Melin-y-Wig. Granted 21/07/2011. Status: development not yet started.
- 2.3 Nant Bach windfarm (Conwy): 0/35170. Erection Of 11 No. Wind Turbines And Associated Infrastructure. South of Llanfihangel, Glyn Myfyr, Corwen, Conwy. Granted 08/08/2008. Status: development not yet started.

2.4 Clocaenog Forest windfarm (Denbighshire): Development Consent Order made by the Secretary of State, 11 September 2014. Status: development not yet started.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4th June 2013)

Policy VOE1 - Key areas of importance

Policy VOE5 – Conservation of natural resources

Policy VOE9 – On-shore wind energy

Policy VOE 10 – Renewable energy technologies

3.2 Supplementary Planning Guidance

None of direct relevance

3.3 Government Policy / Guidance

Planning Policy Wales Edition 7 July 2014

TAN 5 Nature Conservation and Planning (2009)

TAN 6 Planning for Sustainable Rural Communities (2010)

TAN 8 Planning for Renewable Energy (2005)

TAN 11 Noise (1997)

WELSH GOVERNMENT PRACTICE GUIDANCE

Planning Implications of Renewable and Low Carbon Energy (Practice Guidance 2011)

3.4 Other material considerations:

Denbighshire Landscape Strategy (2003) / LANDMAP

Conwy and Denbighshire Landscape Sensitivity and Capacity Assessment for Wind Energy Development, Final Report May 2013

ESTU R 97 and 'A good practice guide to the application of ETSU-R-97 for the assessment and rating of wind turbine noise' (IOAGPG)

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 7 2014 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

4.1.1 Principle

4.1.2 Landscape and visual amenity

4.1.3 Residential amenity

4.1.4 Ecology

4.1.5 Drainage (including flooding)

4.1.6 Highways (including access and parking)

4.1.7 Archaeology

4.2 In relation to the main planning considerations:

4.2.1 Principle

Planning Policy Wales (PPW) reaffirms UK and Welsh Government energy policy and recognises that wind energy generation remains the most commercially viable form of renewable energy in Wales. The principle of wind energy development is therefore set out in national planning policy. This application falls within the 'sub local authority' scale of development in PPW.

TAN 8 supplements PPW and provides technical advice and guidance on renewable energy projects. TAN 8 introduced the principle of spatial planning for the delivery of energy policy and identifies 7 Strategic Search Areas (SSAs) where large scale onshore wind developments should be concentrated.

Planning Policy Wales Chapter 12 sets out Welsh Government Policy with regards to infrastructure and service developments. With regards to grid connections required to connect windfarm development within Strategic Search Areas to the electricity grid, paragraph 12.8.14 states *"An integrated approach should be adopted towards planning renewable and low carbon energy developments and additional electricity grid network infrastructure. Additional electricity grid network infrastructure will be needed to support the SSAs and local planning authorities should facilitate grid developments when appropriate proposals come forward whether or not the wind farms are to be connected are located within their authorities. Within the SSAs, whilst cumulative impact can be a material consideration, it must be balanced against the need to meet the Welsh Government's aspirations for energy in Wales and the conclusions reached fully justified in any decisions taken. Developers will need to be sensitive to local circumstances, including siting in relation to local landform, proximity to dwellings and other planning considerations"*.

TAN 8 Paragraph 2.13 states *"There is currently very restricted capacity for further wind-power developments in North and Mid Wales (Scottish Power/Manweb network) and the re-enforcement of the network through the construction of new high voltage distribution and transmission lines is vital to the realisation of any significant additional generating capacity..."*

Members will see from the Consultation responses section that Llanrhaeadr Community Council and a number of individuals have objected to the proposal on the grounds of principle and need.

The applicant is the electricity distribution network operator (DNO) for the North Wales area under licence pursuant to the Electricity Act 1989. Under condition 16 of its distribution licence, DNOs are required to offer to provide a connection to the distribution network as and when it is asked to do so by any of its customers. Four consented windfarms in the Clocaenog Forest Strategic Search Area (SSA) are currently awaiting a grid connection and the proposed substation is required as part of a suite of new grid connection infrastructure proposals to connect the four consented windfarm developments to the electricity grid.

The application site is also within the Clocaenog Forest SSA boundary. The supporting information states a number of locations were considered in the site selection process, and the site proposed was selected as it balanced the environmental and technical considerations.

Whilst the development consent application for the proposed 132kilovolt overhead lines which would connect from the proposed Collector substation to an existing substation in St. Asaph has not yet been determined by the Secretary of State, the application documents state the proposed Collector Substation is required regardless of whether the connection is provided by way of an overhead line or an underground cable. The applicant as Statutory Undertaker could lay underground cables under permitted development rights and therefore it is reasonable to assume a grid connection would be provided, and therefore Officers consider the need for the substation is established.

Section 1.6 of the report explains that the Clocaenog windfarm is one of the four consented windfarms which require a grid connection, and that a legal challenge to the Secretary of State's decision to grant development consent for this windfarm was dismissed on procedural grounds but is subject to further challenge. However, the applicant has confirmed that, should for any reason the Clocaenog windfarm not be progressed, a Collector substation in this location would still be required to facilitate a grid connection for the three remaining consented windfarms.

Having regard to the information above and the advice of the Council's Legal Officer, Officers view is that the need for the proposed Collector substation is not dependent on either the outcome of the Clocaenog Forest legal challenge or on development consent being granted for the proposed overhead lines given that the Collector substation proposed would still be required should the grid connection be via an underground cable.

Based on the policy context above and the assessment of need, Officers consider the application is acceptable in principle. An assessment of localised impacts to be considered is set out below in the following sections of the report.

4.2.2 Landscape and visual amenity

PPW 3.1.4 refers to the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment as potentially material considerations. The impact of a development on landscape character and visual amenity is therefore a relevant test on planning applications.

PPW Paragraph 12.8.14 states "*Within the SSAs, whilst cumulative impact can be a material consideration, it must be balanced against the need to meet the Welsh Government's aspirations for energy in Wales*". TAN 8 Annex D states "*within (and immediately adjacent) to the SSAs, the implicit objective is to accept landscape change i.e. a significant change in landscape character from wind turbine development.*"

There are no specific policies in the adopted Denbighshire LDP relating to the landscape and design of this type of proposal hence the general considerations outlined in PPW and TAN8 need to be applied.

Both Llanrhaeadr and Nantglyn Community Council have raised concerns regarding the visual impact of the proposed substation building, and a number of individuals have also noted on the impact of the proposal on landscape and visual amenity. Comments raised relate to the design and appearance of the substation, the impact of an industrial structure on the rural landscape, cumulative effects and the lack of screening due to the fact that the surrounding land will be restored to heathland as part of the Clocaenog Forest windfarm Habitat Management Plan.

The site is within the Clocaenog Forest SSA and PPW acknowledges that grid connection infrastructure is an integral component to bringing forward windfarm development within SSAs. The application site is close to the operational Tir Mostyn windfarm and the consented Clocaenog windfarm, and the proposed Collector substation would be sited immediately adjacent to the consented Clocaenog windfarm substation.

Chapter 6 of the Environmental Report assesses the potential landscape and visual effects of the proposed Collector substation. The site is within the northern edge of the plantation forestry at Clocaenog Forest, which falls within the Clocaenog Forest LANDMAP VSAA and the overall value of the landscape is considered to be low-medium. The Landscape and visual assessment considers the small magnitude of change combined with the low sensitivity of this landscape character area would result in the development having a minor effect on the landscape. The assessment also considers the visual effects of the proposal on local settlements, the travelling

public (i.e. impact on views from local highway), people engaged in outdoor recreation (i.e. impact on views from rights of way and permissive routes), promoted viewpoints, valued landscapes and on a selection of representative viewpoints, which are predominantly views from the local highway network. The assessment concludes that whilst some of the viewpoints have a high sensitivity to the proposed development, the overall significance of visual effect from these viewpoints is not considered to be significant.

As the site is within the Clocaenog Forest SSA, much of the existing forestry plantation surrounding the site will be felled to make way for windfarm developments so the existing tree cover would not provide screening and the assessment confirms the area surrounding the proposed Collector substation would be reinstated to typical heathland habitat, as part of the Clocaenog Forest windfarm Habitat Management Plan. However, as the assessment has concluded that there is unlikely to be any significant landscape or visual effects as a result of the proposed Collector substation development, no mitigation measures, such as landscaping around the site boundary, are proposed.

With respect to the objections and observations raised by the Community Councils and individuals who have responded to the consultation, whilst the proposal would have a visual impact and would be industrial in appearance, it is significant that the site is within the SSA and the proposed development is essential infrastructure to enable consented windfarms to connect to the electricity grid. PPW and TAN8 accept that significant landscape change will occur within SSAs as a result of windfarm and grid connection development. The site is not within a protected landscape and the visual effects of the proposal on visual receptors is not considered likely to be significant, and therefore Officers would conclude that the proposal would not result in an unacceptable impact on landscape character or visual amenity. In conclusion, the proposal is therefore considered to be in general compliance with Welsh Government guidance and the planning policies listed above.

4.2.3 Residential amenity

Planning Policy Wales 3.1.4 refers to the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment as potentially material considerations. The impact of a development on residential amenity is therefore a relevant test on planning applications. This is emphasised in Paragraph 3.1.7, which states that proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. As the Courts have ruled that the individual interest is an aspect of the public interest, it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties.

A number of concerns raised in consultation responses relate to the impact of the development on residential amenity, and in particular visual amenity, noise and construction disturbance. In particular, objections have been submitted with regards to the cumulative noise assessment, which raised concerns over the methodology applied and the conclusions of the report.

The nearest residential properties are Hafod Ty Ddu and Hafod Olygfa, approx. 550m from the proposed site. Brynbach and Brynbach bungalow that are approximately 730m away.

The proposed Collector substation would be immediately adjacent to the consented Clocaenog windfarm substation, and following the initial consultation response from the Council's Public Protection Officer, a cumulative noise assessment was submitted.

The noise from the Clocaenog windfarm substation is limited to 30dB at the nearest residential property. The submitted cumulative noise assessment assumes

Clocaenog substation will be generating noise at this level, and standard levels have been applied for the transformers coolers and other plant equipment that would be installed at the proposed Collector substation site.

The cumulative assessment concludes that the noise change at the nearest residential properties due to the proposed Collector Substation would be 0.5 dB, which the assessment considers to be insignificant.

The Council's Public Protection Officer has reviewed the cumulative noise assessment and has also reviewed the public objection received from the 'Pylon the Pressure Group' with respect to the assessment. Public Protection Officers also sought the opinion of the Council's specialist noise consultant prior to submitting the re-consultation response.

Whilst the Public Protection Officer does not necessarily agree with all the calculations applied in the assessment, the conclusions of the report are accepted and it is requested that conditions be attached to any permission given in order to safeguard the amenity of local residents. The most detailed conditions is as follows:

Noise from the substation hereby permitted when measured in free field conditions shall not exceed the following noise levels:-

Property	Noise level
Hafod Ty Ddu	23dB LAeq, 10min
Hafod Olygfa	23dB LAeq, 10min
Brynbach	20dB LAeq, 10min
Brynbach Bungalow	20dB LAeq, 10min

Further planning conditions are also suggested to ensure the development does not give rise to tones giving rise to audible noise at any of the noise sensitive receptors and also conditions requiring investigations to be carried out in response to noise complaints.

Public consultation responses have also been made regarding the impact on residential amenity during the construction phase. Officers would recommend a pre-commencement condition is applied requiring the submission of a construction method statement which should, amongst other things, set out the mitigation measures to be applied during construction to minimise impacts on local residents and the local community.

Whilst Officers acknowledge public concerns regarding the noise emissions from the proposed development, having regard to the consultation response from Public Protection, Officers are satisfied that residential amenity could adequately be protected through the application of necessary planning conditions, and therefore the proposed development would not have an unacceptable impact on amenity.

4.2.4 Ecology

The general requirements to consider the impact of development on biodiversity interests are set out in PPW Chapter 5, TAN5, and LDP policy VOE 5. VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2). Specific to wind turbine development is policy VOE 9 which requires specific assessment / explanation of impact on biodiversity and mitigation proposals.

Llanrhaeadr Community Council and individuals responding to the consultation have raised concerns regarding the adequacy of the ecological assessment submitted in support of the application.

Chapter 5 of the Environmental Report submitted with the application states a Desk Study and an Extended Phase 1 Habitat Survey and Arboricultural Survey have been carried out.

NRW have provided comments on ecological issues and a number of conditions regarding red squirrel mitigation, light spillage scheme, ecological compliance audit scheme and biosecurity management are advised to ensure the development would not adversely impact on ecological interests.

The Council's Biodiversity Officer concurs with the conclusions and recommendations of the Ecological Surveys Report by Peak Ecology and is satisfied that the appropriate surveys have been undertaken to a good standard.

Subject to planning conditions being applied to ensure the measures advised by NRW and the Council's Biodiversity Officer are applied, the development is not considered likely to have any adverse impacts on ecological interests.

4.2.5 Drainage (including flooding)

Planning Policy Wales Section 13.2 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, provides a detailed framework within which risks arising from different sources of flooding should be assessed.

The Environmental Report that has been submitted with the application includes an assessment of water quality and flood risk, which concludes that, during the construction phase, the adoption of good proactive mitigation measures would ensure the risk of flooding is negligible and there is no significant flood risk arising from the development during the operational phase from surface water or groundwater flood sources.

There has been no specific objection in respect of drainage or Flood Risk issues, however Llanrhaeadr Community Council have raised concerns in general terms regarding the impact of the development on water quality. NRW have advised the site is within a Zone A flood risk zone, which is defined in Welsh Government Technical Advice Note (TAN) 15 as areas of land which is considered to be at little or no risk of fluvial or tidal / coastal flooding. Chapter 8 of the Environmental Report refers to flood risks arising from the development and 620sq.m of impermeable area is proposed which will be directed to designated soakaways. Part H of the Building Regulations establishes a hierarchy for surface water disposal and NRW have advised that a planning condition be applied to ensure a scheme to dispose of surface water is submitted and approved.

Subject to the imposition of planning conditions relating to surface water drainage, Officers would consider the proposal would not lead to adverse flood risk or drainage impact.

4.2.6 Highways (including access and parking)

Planning Policy Wales 3.1.4 refers to what may be regarded as material considerations and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment. The acceptability of the means of access is therefore a standard test on most planning applications.

Policy ASA 3 of the LDP requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

Public objections have raised concerns regarding the traffic movements during the construction phase, and in particular the suitability of the local highway network to accommodate the heavy goods vehicles. There is also reference to the cumulative impact of traffic in the construction phase when considered in combination with the consented windfarm developments.

Appendix C to the Environment Report assesses the impact of the proposal on traffic and transport for the entire project, including the construction of the proposed overhead line, which requires separate consent under the Planning Act 2008.

The construction phase is expected to last 16 months, and HGV and other traffic movements would be required on a daily basis throughout the construction phase. Construction vehicles would access the site via the local highway network and then via existing forestry tracks. However, due to some steep / sharp inclines, pinch points and narrow lanes, at some points construction vehicles would need to have full occupation of the road to safely access the site and police escorts would therefore be required. Some minor highways improvements may also be required.

A number of temporary construction compounds and laydown areas are referred to which are outside of the red line boundary, however these have been included within the application for development consent which has been submitted to the Planning Inspectorate for the overhead lines. A note to applicant would be required to make it clear that, should planning permission be granted for the proposed Collector substation, that separate formal consent would still be required for any operational development or change of use required to facilitate the development which falls outside of the red line boundary.

In respecting concerns expressed, it is to be noted that the Councils Highways Officers have not raised an objection to the proposal, but have advised a Traffic Management Plan is secured by way of a planning condition.

It is considered that the matters raised can be resolved by condition, including a construction management plan incorporating a Traffic Management Plan, and also a condition to ensure onsite facilities for turning and parking are retained during the operational phase.

4.2.7 Archaeology

Planning Policy Wales (Section 6.5) sets out a range of considerations to be given to the assessment of archaeological issues, including approaches to recording and investigating potential remains in conjunction with new development. Welsh Office Circular 60/96 provides basic advice on the handling of archaeological matters in the planning process.

CPAT and the County Archaeologist have not objected to the planning application subject to the application of planning conditions to ensure measures are put in place to protect the scheduled ancient monument and to ensure an archaeological watching brief is carried out. Therefore, subject to the application of necessary planning conditions, it is not considered the proposal would have an adverse impact on archaeological interests.

4.3 Other matters

- 4.3.1 Consultation responses from Community Councils and individuals have raised a number of non-planning related representations, including the piecemeal / fragmented nature for the consent process of the wider grid connection project, the pre-application consultation carried out by the applicant, the size of application documents and the lack of bilingual versions being provided and prematurity of the application, given that the development consent application for the overhead lines project is yet to be determined and the Clocaenog Forest windfarm Judicial Review Ruling is subject to appeal.

- 4.3.2 A number of these issues have already been addressed in sections 1.6 and 4.2.1 above.
- 4.3.3 With regards to the pre-application consultation, whilst the overhead line project has been the subject of extensive pre-application consultation, which is required for nationally significant infrastructure projects, the collector substation is the subject of a planning application submitted to Denbighshire County Council as local planning authority. Officers would note that the Town and County Planning Act 1990 places no obligation on applicants to carry out pre-application consultation with the local community prior to submitting a planning application, and therefore the adequacy of the pre-application consultation is not a material planning consideration.
- 4.3.4 With regards to the size of application documents and the absence of Welsh language documents being provided, whilst planning legislation does specify the type of supporting documents required in order to validate a planning application, it does not prescribe the size of supporting documents nor does it require submission documents are provided in the Welsh language, and therefore these issues cannot be considered to be material when planning applications are assessed.

5. SUMMARY AND CONCLUSIONS:

- 5.1 The application proposes a collector substation and associated works to serve windfarm developments in the Clocaenog Forest Strategic Search Area (SSA). The proposed collector substation would be immediately adjacent to the consented Clocaenog Forest windfarm substation.
- 5.2 Objections from the Community Council, local residents and the 'Pylon the Pressure Group' raise a number of concerns relating to the validity of the planning application, the principle of the development and topic specific concerns relating to a range of relevant planning considerations. These are revised in detail in the report.
- 5.3 Notwithstanding the concerns raised, Officers view is that the need for the proposed Collector substation is not dependent on the outcome of the Clocaenog Forest legal challenge or on development consent being granted for the proposed overhead lines given that the Collector substation proposed would be still be required should the grid connection be via an underground cable.
- 5.4 The site is within the Clocaenog Forest SSA and is essential infrastructure required to connect the consented windfarms to the electricity grid. The proposal is therefore considered to be acceptable in principle.
- 5.5 Welsh Government planning policy clearly states landscape change from windfarm development is accepted within SSAs and therefore unacceptable impact on landscape character or visual amenity is not considered to be a reasonable ground for opposing the scheme.
- 5.6 Officers consider the impact on ecology, residential amenity (specifically noise and construction disturbance), drainage, highways and archaeological interests can be adequately mitigated by way of planning condition.
- 5.7 The proposal is therefore considered to be acceptable and is recommended for grant.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than the expiration of five years beginning with the date of this permission.
2. Unless specified by other conditions attached to this permission, the development(s) / use(s) hereby permitted shall be carried out strictly in accordance with the following plans and documents:

- a) Environmental report (dated December 2014) received 23 December 2014
- b) Substation location (Figure 1.1) received 23 December 2014
- c) Substation location and proposed order limits (Figure 1.2) received 23 December 2014
- d) TAN8 area and consented wind farms (Figure 2.1) received 23 December 2014
- e) Proposed site layout and elevations (Figure 2.2) received 23 December 2014
- f) Project siting study area and areas of highest environmental value (Figure 3.1) received 23 December 2014
- g) Technical constraints (Figure 3.2) received 23 December 2014
- h) Landscape sensitivity map (Figure 3.3) received 23 December 2014
- i) Biodiversity and geology (Figure 3.4) received 23 December 2014
- j) Landscape and visual resource (Figure 3.5) received 23 December 2014
- k) Forestry and woodland (Figure 3.6) received 23 December 2014
- l) Potential sites (Figure 3.7) received 23 December 2014
- m) Study area for LVIA (Figure 6.1) received 23 December 2014
- n) Landscape (Figure 6.2) received 23 December 2014
- o) Landscape sensitivity (Figure 6.3) received 23 December 2014
- p) Visual (Figure 6.4) received 23 December 2014
- q) Viewpoints (Figure 6.5) received 23 December 2014
- r) Transport (Figure 10.1) received 23 December 2014
- s) Control building (Drawing No. SP4113637 Rev. 1.0) received 23 December 2014
- t) Site sections (Drawing No. SP4113463 Rev. 2.0) received 23 December 2014
- u) Block plan (Drawing No. SP4113462 Rev. 3.0) received 23 December 2014
- v) Location plan (Drawing No. SP4113641 Rev. 2.0) received 23 December 2014.

3. PRE-COMMENCEMENT

Prior to the commencement of the development, the written approval of the local planning authority shall be obtained with respect to:

- a) Type, materials and finish of external wall and roofs.
- b) Proposed positions, design, materials and type of boundary treatments, including fencing and gates.
- c) Proposed materials to be used on access tracks and other hard surfaced areas.

The development shall then be carried out strictly in accordance with the approved details

4. PRE-COMMENCEMENT

No development shall be carried out until a written scheme setting out the methodology for an archaeological watching brief has been submitted to and approved in writing by the local planning authority. The development shall then be carried out strictly in accordance with the approved scheme.

5. Prior to the commencement of construction works, the Scheduled Ancient Monument (SAM DE088) and the monument shall be clearly demarcated on the ground using unique and readily visible materials, fencing around the monument and appropriate signage shall be erected prior to the commencement of construction so as to avoid accidental damage. The fencing, demarcation and signage shall then remain in-situ and the monument shall be regularly monitored throughout the construction phase and no works shall take place within the area enclosed by that fencing within the prior written consent of the local planning authority.

6. PRE-COMMENCEMENT

No development shall be carried out until an Ecological Management and Mitigation Scheme has been submitted to and approved in writing by the local planning authority. The Scheme shall incorporate:

- a) The Recommendations contained in Chapter 4 of the Ecological Surveys Report prepared by Peak Ecology contained in Appendix A of the Environmental Report;
- b) Mitigation measures referred to the Chapter 5 and 6 of the Environmental Report;
- c) Details of a light spillage scheme to minimise impact on bat habitat;
- d) Red squirrel mitigation;
- e) Ecological Compliance Audit; and
- f) A Biosecurity Risk Assessment to deal with the presence of invasive non-native species and diseases.

The development shall then be carried out strictly in accordance with the approved Scheme.

7. PRE-COMMENCEMENT

No development shall be carried out until a Construction Management Plan, incorporating a

Traffic Management Plan, has been submitted to and approved, in writing, by the local planning authority. The Statement shall include:

- (a) Programme of works;
- (b) Hours of operation;
- (c) Construction and re-instated methodologies;
- (d) Pollution, prevention and control measures, including measures to control the emission of dust and dirt;
- (e) Material and plant storage/deliveries (including construction traffic routes);
- (f) Parking arrangements for site delivery, site operatives and visitors vehicles;
- (g) Wheel washing facilities;
- (h) Loading and unloading areas;
- (i) The erection and maintenance of security/safety fencing;
- (j) Management including HGV routes;
- (k) the movement of abnormal indivisible loads to the site;
- (l) Signing along public roads; and
- (m) Water drainage and surface water run-off management.

For the avoidance of doubt the Traffic Management Plan shall also include a record of the existing state of the site and the condition of the local Public network, details of all access/egress arrangements, delivery routes and times, emergency vehicle routes, management of abnormal loads, routing, schedule of timing and movements, details of escorts for abnormal loads, temporary warning signing, banksman / escort details and mitigation measures.

The development shall be carried out strictly in accordance with the approved Construction Management Plan and Traffic Management Plan, unless otherwise approved in writing with the Local Planning Authority.

8. PRE-COMMENCEMENT

No works shall commence until details of temporary or permanent improvements to the public highway have been submitted to and approved in writing by the local planning authority. The improvement works shall be implemented in accordance with the approved details.

9. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles in accordance with the approved plan, and shall be completed prior to the proposed development being brought into use.

10. PRE-COMMENCEMENT

Prior to the commencement of works, a scheme to dispose of surface water during construction and operation of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be carried out strictly in accordance with the approved details.

11. Noise from the substation development hereby permitted when measured in free field conditions shall not exceed the noise levels set out in the table below at the following residential dwellings:-

Property:	Noise level:
Hafod Ty Ddu	23dBLAeq, 10min
Hafod Olygfa	23dBLAeq, 10min
Brynbach	20dBLAeq, 10min
Brynbach Bungalow	20dBLAeq, 10min

12. The development hereby permitted shall not generate any tones which would give rise to audible noise likely to cause complaint at the nearest residential noise receptors when assessed in accordance with BS4142:2014.

13. If complaints of noise nuisance are received by the Local Planning Authority, the developer shall be notified in writing and the developer shall employ a suitably qualified acoustic consultant to undertake a noise assessment within 1 month of notification to ensure that the above conditions are being complied with. A copy of the report shall be submitted to the Local Planning Authority within 14 days of its completion. Where the Applicant fails to undertake a noise assessment within 1 month of notification, the Local Planning Authority shall undertake

- an independent noise assessment and the Applicant shall be required to cover the cost incurred by the Local Planning Authority.
14. If the operation of the substation is found to exceed the noise limits specified in conditions 11 and 12, the substation shall be shut down and mitigation measures that will ensure compliance with the conditions shall be agreed in writing with the Local Planning Authority and implemented prior to the substation re-commencing operation.
 15. Prior to the development hereby permitted being first brought into use, a scheme for the reinstatement of the temporary construction compound and storage areas shall be submitted to and agreed in writing with the local planning authority. The approved detail shall then be implemented within 3 months of the date of written approval being obtained, unless otherwise agreed in writing with the local planning authority.

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
3. In the interests of visual amenity.
4. In the interests of protecting historic assets.
5. In the interests of protecting historic assets.
6. In the interests of protection of ecological interests.
7. To ensure proper controls over the matters referred to minimise the impact of the construction development.
8. In the interest of highway safety
9. To provide for the loading, unloading and parking of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
10. To ensure effective management of surface water run-off in the interests of flood risk management.
11. In the interests of the safeguarding the amenity of occupiers of residential property in the locality from cumulative noise.
12. In the interests of the safeguarding the amenity of occupiers of residential property in the locality from noise.
13. To ensure adequate measures are in place to monitor and assess noise from the turbine in the event of complaints and in the interests of the amenity of occupiers of residential property in the locality
14. To allow the Local Planning Authority to retain control over the development and in the interests of the amenity of occupiers of residential property in the locality.
15. To ensure the long term reinstatement of land in the interests of visual amenity.

NOTES TO APPLICANT:

Archaeology

With regard to the demarcation of the scheduled monument required by condition, you are advised to ensure that any demarcation (eg. temporary fencing) does not extend into the scheduled area as this would need scheduled monument consent from Cadw.

Temporary construction compounds, storage areas and laydown areas

Please note this planning permission does not convey planning consent for the temporary construction compounds, storage areas and laydown areas which are outside of the red line boundary referred to in the submission documents and plans. You are advised that formal separate planning consent may be required for any operational development or temporary or permanent change of use of land at these locations.

Highways

Environmental Report Appendix D indicates that minor improvements to the local highway network may be required to facilitate the construction of the development. You are advised that, separate

formal consent may be required for highways improvement works depending on the nature and scale of the proposed improvements.

Your attention is also brought to the following Advisory Notes.

- (i) Highway Supplementary Notes Nos. 1, 3, 4, 5 & 10.
- (ii) New Roads and Street Works Act 1991-Part N Form.

Environmental Management

You are advised to carry out construction works in accordance with the relevant Pollution Prevention Guidelines (PPGs) which are available on the UK gov website or using the following link:
<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

Protected species

A licence from NRW will be required to permit the displacement of dormice from the works area and vegetation cleared as the dormice are displaced. You are advised to contact:

Species Protection Team

Natural Resources Wales

Maes-y-Ffynnon

Penrhosgarnedd

Bangor

Gwynedd

LL57 2DW

Tel: 0300 065 3000

Email: specieslicence@naturalresourceswales.gov.uk