

07/2021/0684

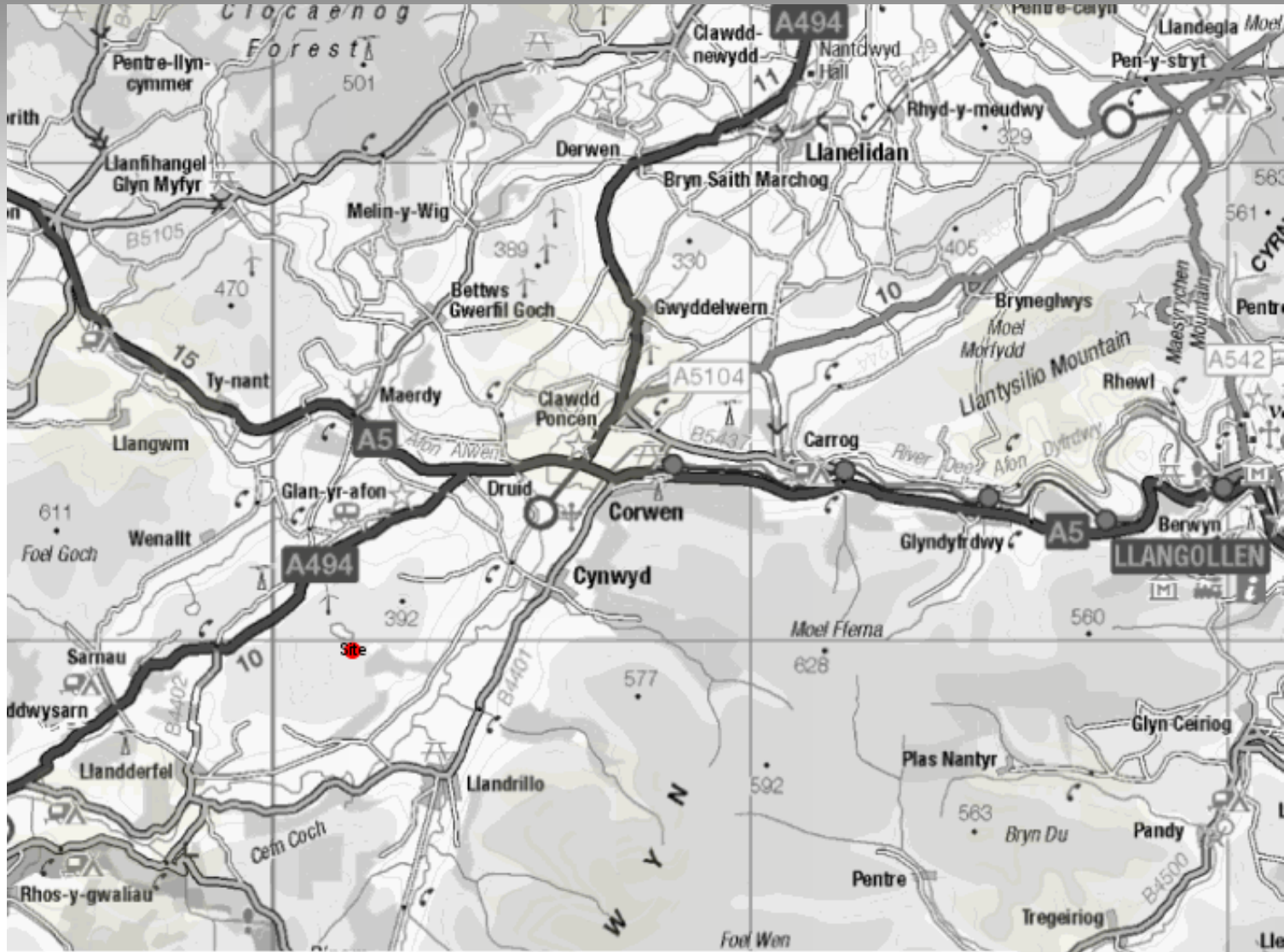


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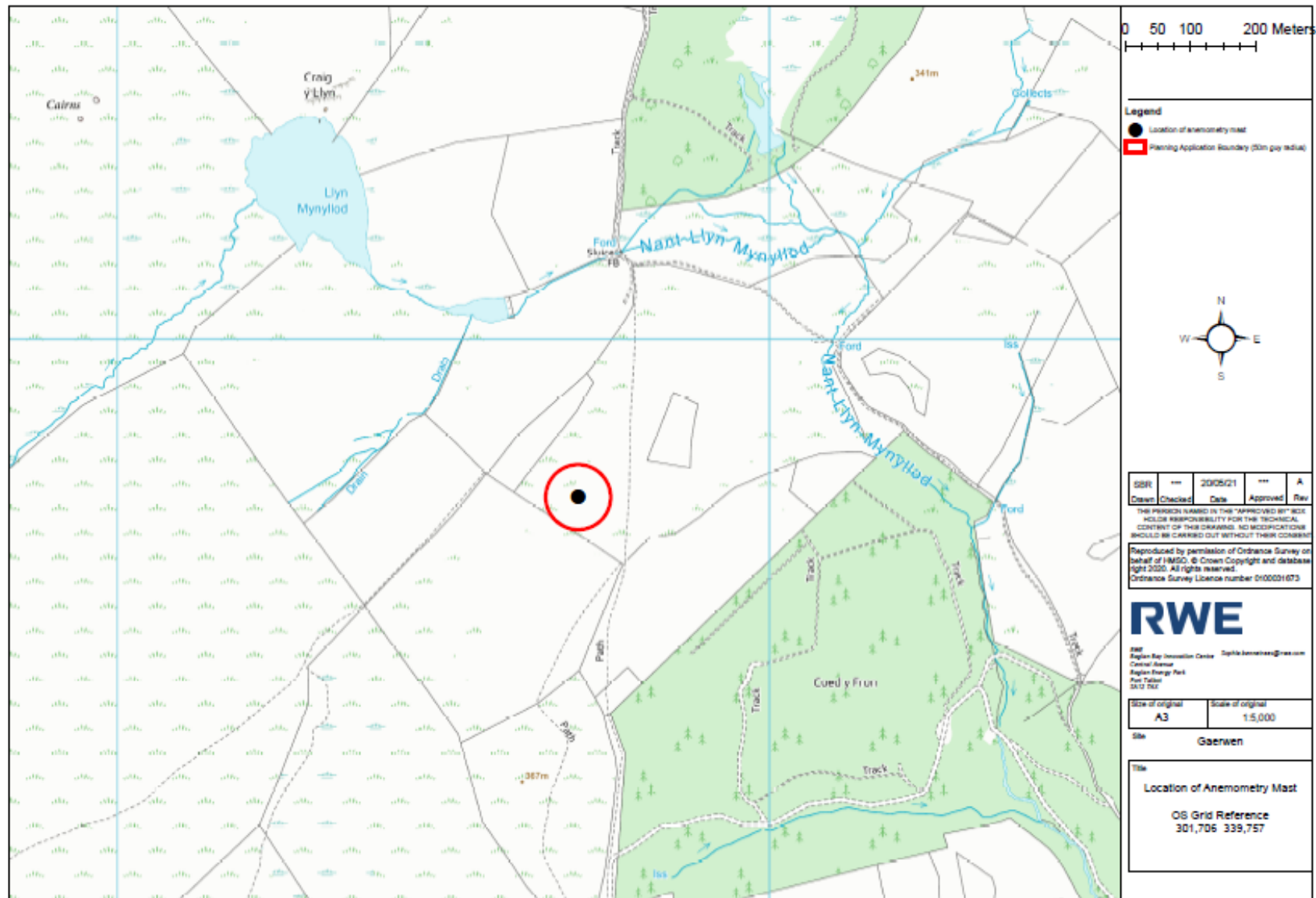
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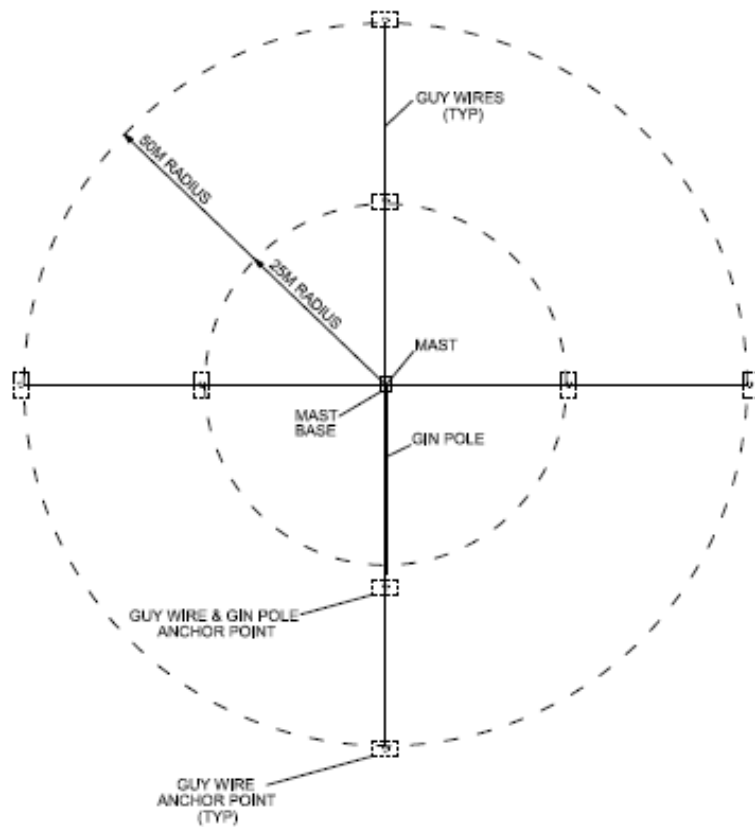
Site map



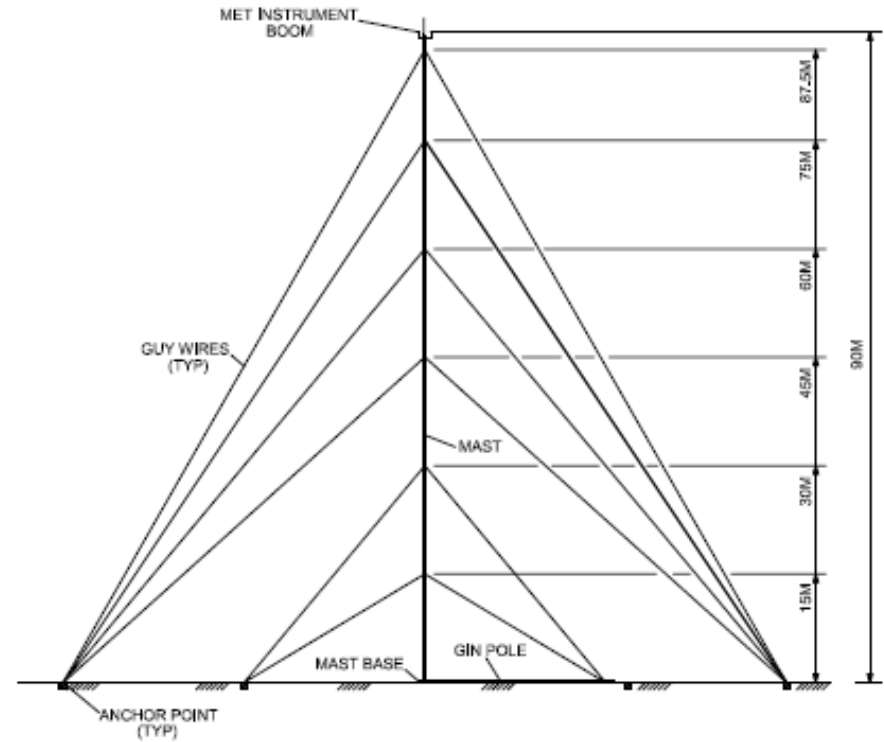
Aerial photo



Location plan



90M Mast 'PLAN'
Scale 1:600 (A3)

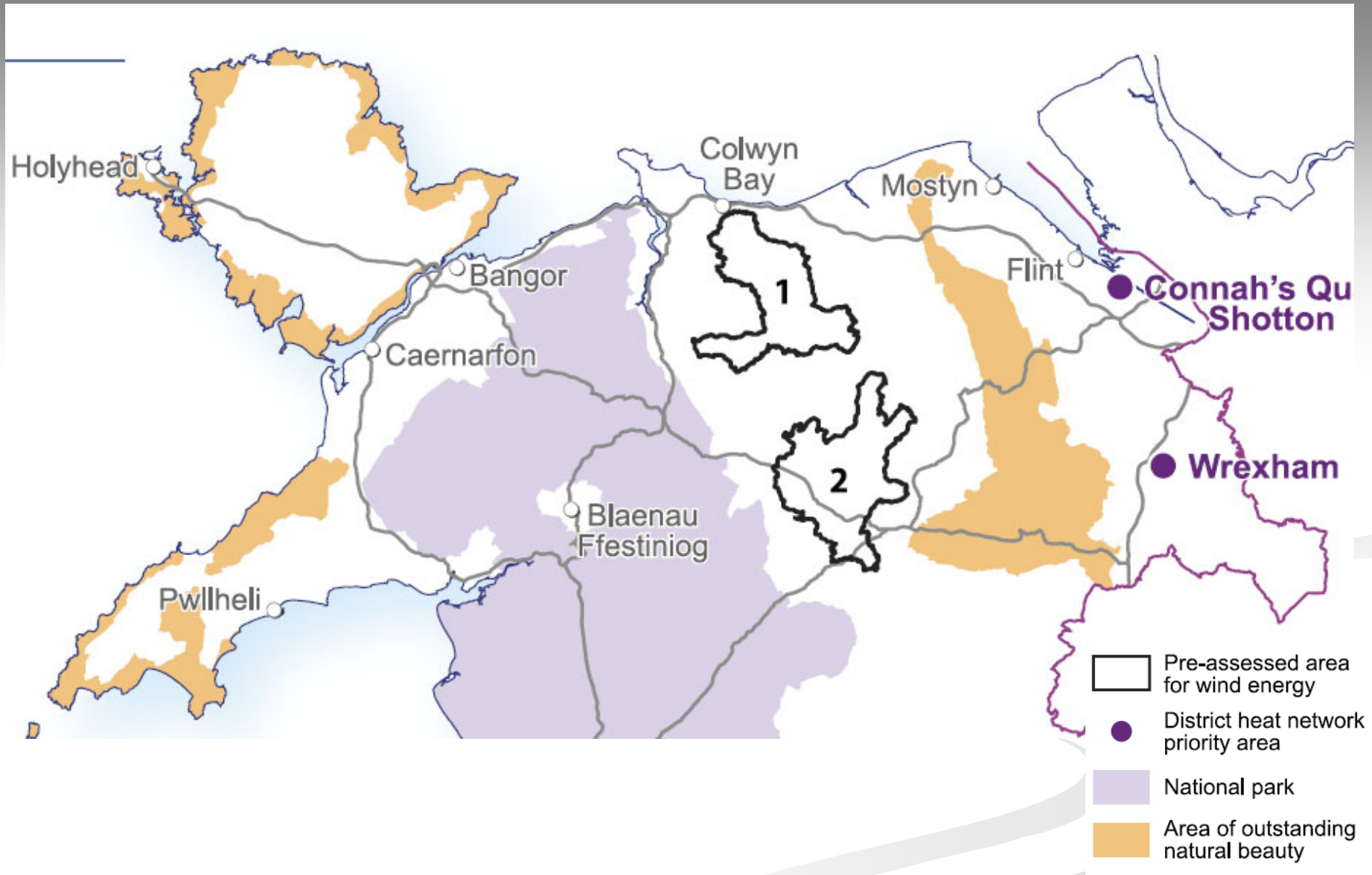


90M Mast 'ELEVATION'
Scale 1:600 (A3)

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		Drawn By: Graham O'Leary Date: 19th Sept 2011 Job No: 11302				CHILLWIND LIMITED COMPANY CLERK REGISTRAR 14-15 14-15	
REVISION NOTES ISSUED FOR REVIEW AND COMMENTS GUY HEIGHT AT T REVISION		DRAWN GO	CHECKED SM	REV. 0 1	DATE 20/09/2011 28/09/2011	TITLE: 90M MET MAST GENERAL ARRANGEMENT	
DRAWING No: HC-CW-90M-001-002						SHEET 1 of 1	

Elevation Plan



Future Wales – plan showing location of pre-assessed area for wind energy

View from site (north)



View from site (south)

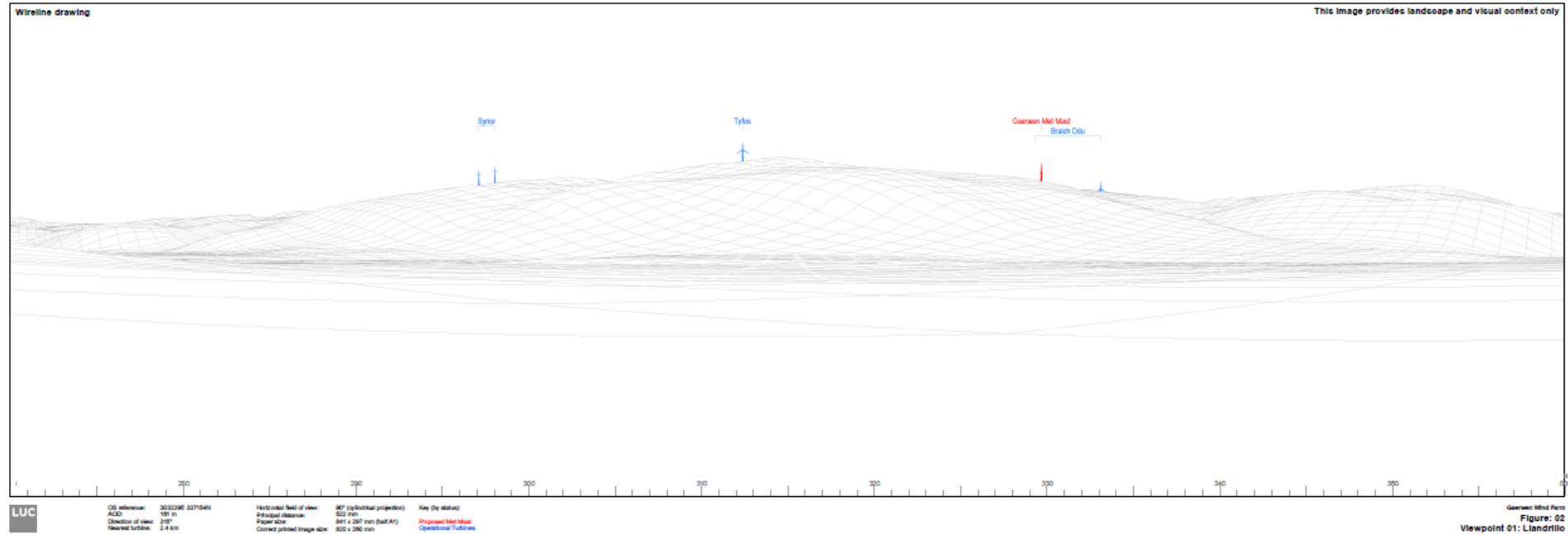


View from site (west)

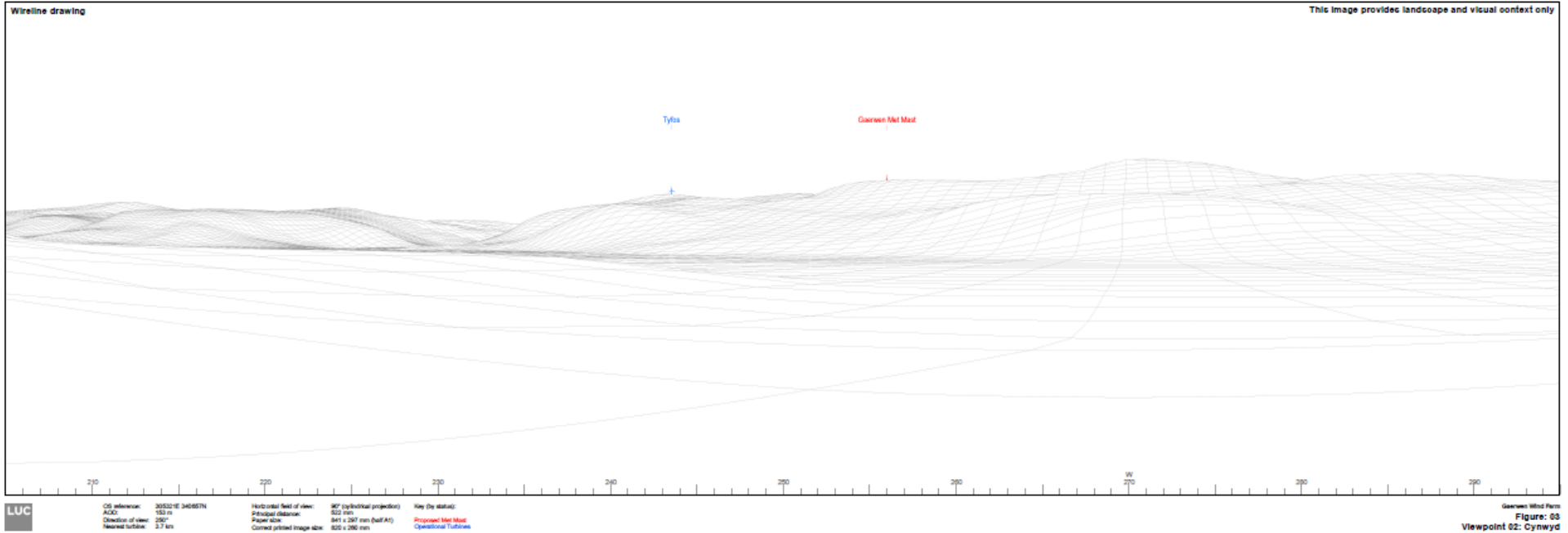


View from site (east)





LVIA wireframe image for view Llandrillo viewpoint



LVIA wireframe image for Cynwyd viewpoint

WARD : Llandrillo

WARD MEMBER(S): Cllr Gwyneth Ellis

APPLICATION NO: 07/2021/0684/ PF

PROPOSAL: Erection of a 90m meteorological mast for a temporary period of three years

LOCATION: Land at Mynydd Mynyllod, Llandrillo, Corwen

APPLICANT: Miss Sophie Bennet Rees, RWE Renewables

CONSTRAINTS: PROW
Phosphorus Sensitive SAC

PUBLICITY UNDERTAKEN: Site Notice - No
Press Notice - No
Neighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:
Scheme of Delegation Part 2

- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

LLANDRILLO COMMUNITY COUNCIL –

Original comments:

The CC are objecting to this proposal as it's detrimental to the landscape

Re-consultation comments:

Awaiting comments

CYNWYD COMMUNITY COUNCIL -

Original comments:

(Not initially consulted)

Re-consultation comments:

Awaiting comments

CORWEN COMMUNITY COUNCIL -

Original comments:

(Not initially consulted)

Re-consultation comments:

Awaiting comments

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

Original comments:

"The Joint Committee has no observations to make on this application subject to removal of the mast and reinstatement of the land after three years. Please note that this does not confer any support for future wind farm development at the site should the prospective DNS application for the Gaerwen Wind farm be progressed."

Re-consultation comments:

"The Joint Committee has no observations to make on this application subject to removal of the mast and reinstatement of the land after three years. Please note that this does not confer any

support for future wind farm development at the site should the prospective DNS application for the Gaerwen Wind farm be progressed.”

NATURAL RESOURCES WALES

Original consultation response:

Advised further information is required to address concerns regarding water quality. In the absence of additional information being provided, NRW would object to the proposal.

Re-consultation response:

Did not raise concerns with regards to Landscape matters in relation to this development, therefore previous response (dated 22/12/2021) remains valid. No further comments at this stage.

Water Quality

The erection of the mast will disturb the local land and will include excavation. The nature of heavy plant and potential impacts from the plant to the local environment including the potential for ground compressibility and disturbance of local ground materials have not been provided within the Method Statement (included within the Ecological Statement). The potential constraint of encountering groundwater within the excavation works has not been mentioned/discussed. Hydraulic control may be required, which depending on the method used, may result in dewatering effects away from the excavation area. Therefore, NRW advise that further information is sought from the applicant with regards to the above.

Ornithology

The site is located within 2.5km of the Berwyn Special Protection Area (SPA), where the site is characterised for supporting nationally important numbers of four breeding birds. Providing the works are carried out in accordance with the methods laid out within the Ecological Statement then NRW would have no concerns.

Advised the Ecological Statement should be listed as an approved document and they would encourage the construction works to be carried outside of the breeding season.

Landscape

The site lies approximately 4.5km from the boundary of Clwydian Range and Dee Valley AONB, and 5.5km from Snowdonia National Park.

NRW consider the new structure would not cause significant visual effect upon views from these designated landscapes or introduce intrusive/inharmonious development which could erode the setting of these valued landscapes.

Therefore have no objection, subject to a planning condition requiring the removal of temporary mast at the end of the approved period and making good of any disturbed ground.

Re-consultation response:

NRW note the submission of supplementary information, but remain of the opinion that insufficient information has been provided water quality

NRW note that, according to Soilscales, the soils where excavations will take place are freely draining acid loamy soils over rock and drains to local groundwater and the river network.

From the proposed groundworks, NRW consider the following is unclear:

- The number of excavations required for the *deadman* anchors
- The exact depth of excavation. The supplementary information states it will be 2m below ground level, but it is assumed that this depth may be increased depending on the ground conditions encountered. The ground conditions that could be encountered may include superficial sediment thicknesses (till) that are less than the required excavation depth, i.e. bedrock is shallow.
- The depth to groundwater which may be shallow.

The proposed work area is underlain by the Penstrowed Grits Formation which is designated as a Secondary Undifferentiated Aquifer of medium to high vulnerability. A review of the BGS online viewer shows that two springs are located to the NE of the proposed mast location. Although the springs are a few kilometres from the mast, they are operating from the same bedrock and are therefore relevant. The springs may for example be fracture or contact springs.

The Groundwater Protection Guidance, which has been adopted by Wales presents useful principles with respect to the protection of groundwater including Sections A4 and A6.

NRW advises confirmation if there are any private water supplies, notably those relied on by farmers within close proximity of the proposed excavations.

NRW clarification response:

Officers clarified if NRW concerns could be addressed through the imposition of conditions, and NRW have confirmed this approach is acceptable.

Re-consultation response (March 2022):

Awaiting comments

CADW - advises there are seven scheduled monuments located inside 3km of the proposed mast but none of them is closer than 1.2km from its location. At this distance, given the thin nature of the proposed mast, it will not have a significant impact on the setting of any of these scheduled monuments. CADW therefore have no objections.

CLWYD POWYS ARCHAEOLOGICAL TRUST

Advised there are no known archaeological sites within the red boundary area of this temporary mast proposal. The ground here has been improved in recent years and there are no surface archaeological features present within the mast footprint or along the access route. The foundation disturbance for the mast is minimal and CPAT would anticipate a negligible impact potential on any unrecorded sub-surface archaeology here.

MINISTRY OF DEFENCE 774(MOD) - MOD has no safeguarding objections to this proposal. However, in the interests of air safety, the MOD requests that the structure is fitted with aviation warning lighting. (minimum intensity 25 candela omni directional flashing red light or equivalent infra-red light fitted at the highest practicable point of the structure).

MOD also advise the height of the development will necessitate that aeronautical charts and mapping records be amended. Therefore request a condition is imposed requiring the developer to notify UK DVOF & Powerlines at the Defence Geographic Centre with the stated information about the development:

Precise location of development.

Date of commencement of construction.

Date of completion of construction.

The height above ground level of the tallest structure.

The maximum extension height of any construction equipment.

Details of aviation warning lighting fitted to the structure(s)

NATIONAL AIR TRAFFIC SERVICES SAFEGUARDING – no objection.

GWYNEDD COUNTY COUNCIL

Original comments:

Given the temporary nature of the proposal do not have any comments on the proposal.

Re-consultation comments:

Gwynedd Council has no observations to make on the proposal.

SNOWDONIA NATIONAL PARK AUTHORITY

Original comments:

(Not initially consulted)

Re-consultation comments:

Awaiting comments

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Traffic, Parking and Road Safety

- Highways Officer – No comments received

- Footpaths Officer – No comments received

Public Protection Officer – No comments received

County Ecologist – No comments received

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Martin Murray, Ty'n Y Fron, Llandderfel, Bala

Susan Linder, Ty Cilan, Cilan Caravan Park, Llandrillo

Richard Siney, Talwrn Uchaf, Cynwyd

Leonard Harrison, Siamber Wen Farm, Cynwyd

Iolo McGregor, Ty Isaf, Cynwyd, Corwen

Myfry Wyn & Edna Ruth Jones, Bronguddio, Cynwyd, Corwen

Annabel Gravestock, Oak House, Cynwyd

Summary of planning based representations in objection:

Principle:

- The proposed mast is a piece of equipment required to facilitate windfarm development, and that it should not be granted without public consultation on, and full details of the impact of, the windfarm.
- Thin end of wedge / precursor to windfarm development.

Economic / amenity impacts

- Adverse impact on local tourism business
- Adverse impact on homes and livelihoods

Landscape and visual impacts:

- Adverse impact on home
- Need better understanding of visual impact on surrounding area
- Previous met mast put up by Scottish Power was visually intrusive, this will be no different.
- 90m height would be a blight on unique corner of County.
- Harmful to landscape character and surrounding AONBs.

Water quality:

- NRW comments refer to possible effects on water.
- Properties in area all rely on private water supplies – groundworks have potential to adversely affect water quality which would impact on private water supplies.

Ecology:

- Duty to preserve precious biodiversity.
- Adverse impact on bat and birds.
- Potential to adversely impact water supply would impact on wildlife.

Archaeology:

- Site is importance ancient upland area close to archaeological assets.

EXPIRY DATE OF APPLICATION: 09/12/2021

EXTENSION OF TIME AGREED: Yes

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The proposal is for the erection of a 90 metre high meteorological mast points, for a temporary period of 3 years.
- 1.1.2 Members may recall Committee voted to defer the application at the January committee meeting in order for additional information to be requested from the applicant to enable committee to fully consider the landscape and visual impact of the proposal. A Landscape and Visual Appraisal has now been submitted in support of the application.
- 1.1.3 The purpose of the mast is to collect wind data to assess the feasibility of the site for a potential wind farm development.
- 1.1.4 The mast would be made from galvanised steel tubing and would be supported by a number of guys anchored to the ground. The guy radius is 50 metres, so the diameter of the area within the anchor points is 100 metres in total.
- 1.1.5 Excavation trenches for the anchors would measures 3 metres long, 0.75 metres wide and 2 metres deep.
- 1.1.6 The Design and Access Statement confirms access to the site will be along existing forestry and rough farm tracks from Tyfos Farm. A short final section of the access route to the mast location itself will be across open grazing land. For the installation it is anticipated that a farm vehicle, for example a tractor, will be utilised to transport the equipment from the farm. Ongoing maintenance visits will be undertaken in a pick-up or similar vehicle.

1.2 Other relevant information/supporting documents in the application

- 1.2.1 The application is supported by a Design and Access Statement, Ecological Statement and a Water Quality Statement.
- 1.2.2 The Ecological Statement includes a method statement outlining the construction methodology, which confirms installation is likely to take one day.
- 1.2.3 The Water Quality Statement has been submitted in response to NRW's consultation response, and confirms excavations are limited to a depth of 2m and therefore unlikely to interact with the groundwater table in this location, and the site is over 300m from the nearest water features. Excavations are limited to trenches for anchors, which will be backfilled with soil immediately after anchor point is installed, and therefore water ingress during excavation works in not envisaged.
- 1.2.4 A Landscape and Visual Appraisal (LVA) has been submitted in support of the application following the Committee resolution to defer the application in January. The

LVA considers the impact of the proposal on landscape character and visual amenity. Viewpoints from Llandrillo and Cynwyd are provided as representative views from where majority of people who will view the met mast on a regular basis during its three-year operational period.

1.2.5 The LVA summarises the operational landscape and visual effects as follows:

Landscape receptors were judged to have medium sensitivity to the proposed development. Although the landscape at Mynydd Mynyllod has local importance and value, the landscape character and features are well represented regionally, and generally not considered rare. The site does not contain any designated landscapes, or protected habitats. Visual receptors include residents, visitors and recreational users, whose attention is likely to be focused on the landscape and who have extended opportunities for viewing, and were therefore judged to have high sensitivity to change.

The proposed anemometer mast has a visually permeable, narrow form, occupies a small area of rural, upland moorland, and is located within a visually expansive landscape, resulting in the development occupying a minimal proportion of views. The scale of the change to landscape and views will be small at most, across varying geographical extents. The effects from the anemometer mast will be short term, lasting only three years. The proposed design of the mast also ensures that effects will be reversible. The magnitude of change affecting all receptors is considered to be small at most.

In terms of landscape effect, given the small magnitude of change across the landscape, all residual effects were judged to have lesser importance. In summary, landscape and visual effects from the proposed development are judged to be minimal and localised. All adverse effects on receptors are temporary and entirely reversible at the end of the three-year operational period.

1.3 Description of site and surroundings

1.3.1 The site is upland grassland located at Mynydd Mynyllod, 6km south-west of Corwen, and is close to public rights of way and open access land across Mynydd Mynyllod.

1.4 Relevant planning constraints/considerations

1.4.1 Open countryside location outside of any development boundary defined by the Local Development Plan.

1.4.2 The site is within the River Dee SAC phosphate sensitive zone.

1.4.3 Close to public rights of way.

1.4.4 Close to Mynydd Mynyllod local wildlife site and open access land.

1.4.5 The site appears to fall within Future Wales pre-assessed wind area for wind energy No. 2.

1.5 Relevant planning history

1.5.1 Temporary planning permission was granted in 2010 for a 70m meteorological mast at the application site, which has since been taken down.

1.5.2 The Council has previously granted planning permission for two 50kW wind turbines at Sirior Farm, approx. 1.5km to the south east of the application site and one 50kW wind turbine at Tyfos Farm approx. 1km to the south of the application site.

1.6 Developments/changes since the original submission

- 1.6.1 A water quality statement has been submitted in response to concerns raised by NRW.
- 1.6.2 NRW have been re-consulted on the application.
- 1.6.3 Following Committee resolution to defer the application in January 2022, a Landscape and Visual Appraisal has been submitted in support the application.
- 1.6.4 Members of the January Committee also requested additional consultation on the application, including with neighbouring community councils. Following the submission of the LVA, the following consultees have been consulted / re-consulted:
 - All properties within 5km of the site (original consultees)
 - Llandrillo Community Council (original consultee)
 - Gwynedd County Council (original consultee)
 - NRW (original consultee)
 - AONB Advisory Committee (original consultee)
 - Cynywd Community Council (additional consultee)
 - Corwen Community Council (additional consultee)
 - Snowdonia National Park Authority (additional consultee)
 - Public Objectors (additional consultees)
 - Local Member – Cllr Gwyneth Ellis (additional consultee)

1.7 Other relevant background information

- 1.7.1 Members may remember a previous application for a meteorological mast at the application site was granted planning permission by the Council in 2010 for a temporary period of three years.
- 1.7.2 Members may also remember that a previous windfarm proposal on Mynydd Mynyllod which was being promoted by Scottish Power was abandoned before it reached the formal application stage.
- 1.7.3 Officers would advise Members that the Planning Inspectorate, on behalf of Welsh Government, consulted with Denbighshire County Council and other statutory consultees in July 2021 on an EIA Scoping Opinion Request which had been submitted to them for a new windfarm proposal on Mynydd Mynyllod, referred to as the 'Gaerwen windfarm'. Officers responded to the consultation on behalf of the Council and Welsh Government subsequently issued a detailed EIA Scoping Direction in September 2021 (Welsh Government ref: DNS/3276735).
- 1.7.4 Any subsequent windfarm proposal would be classed as a 'Development of National Significance' (DNS) which would be determined by Welsh Ministers. Officers would note that a DNS application for the Gaerwen windfarm is yet to be submitted to Welsh Government.
- 1.7.5 Members are advised that the current application is for a meteorological mast only, which should be assessed on its own merits. Whilst the Council should have regard to cumulative effects in the assessment of any planning application, as the Gaerwen windfarm development is in the early pre-application stages, Officers would advise that at this time weight should not be apportioned to future windfarm development in the assessment of this application.
- 1.7.6 In terms of Environmental Impact Assessment (EIA), in Officers opinion, a meteorological mast does not fall within any of the categories contained within Schedule 1 or Schedule 2 of the 2017 EIA Regulations and the site is not within a sensitive area. Consequently Officers have concluded the proposal is not a form of development that is subject to the 2017 EIA Regulations.

2. DETAILS OF PLANNING HISTORY:

2.1 07/2010/0897. Erection of a 70m meteorological mast for a temporary period of three years. Granted 21/09/2010.

2.2 07/2012/0539. Installation of 2 no. 50kW micro-generation wind turbines with control box and access track. Granted 12/07/2013 (Sirior, 1.5km to the south east of the site).

2.3 07/2015/0414. Erection of one wind turbine with a hub height of 30.5m (48.01m to tip), control box and associated works. Granted 09/12/2015 (Tyfos, 1km to the south of the site).

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Local Policy/Guidance

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 VOE10 – Renewable energy technologies

Supplementary Planning Guidance:

Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity

Supplementary Planning Guidance Note: Renewable Energy

Government Policy / Guidance

Planning Policy Wales (Edition 11) February 2021

Development Control Manual May 2017

Future Wales – The National Plan 2040

Technical Advice Notes:

TAN 5 Nature Conservation and Planning (2009)

TAN24 The Historic Environment (2017)

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Section 9.1.2 of the Development Management Manual (DMM) confirms the requirement that planning applications 'must be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise'. It 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.

The DMM further states that material considerations 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 (Section 9.4).

The DMM has to be considered in conjunction with Planning Policy Wales, Edition 11 (February 2021) and other relevant legislation.

Denbighshire County Council declared a climate change and ecological emergency in July 2019. In October 2020 the Council approved an amendment of its Constitution so that all decisions of the Council now have regard to tackling climate and ecological change as well as having regard to the sustainable development principles and the well-being of future generations.

The Council aims to become a Net Carbon Zero Council and an Ecologically Positive Council by 31 March 2030. Its goal and priorities are set out in its Climate and Ecological Change Strategy 2021/22 to 2029/30. The actions, projects and priorities in the Strategy directly relate to council owned and controlled assets and services. One priority of the Strategy is to promote the existing policies within the Local Development Plan (LDP) 2006 to 2021 and Supplementary Planning

Guidance (SPG) which contribute to environmentally responsible development. In preparing these reports to determine planning applications we therefore highlight the LDP 2006 to 2021 and appropriate SPG. Applications that are determined in accordance with the LDP 2006 to 2021 are environmentally responsible developments.

Planning applications are assessed in accordance with statutory requirements including The Environment (Wales) Act 2016, national policy (Future Wales, PPW 11) and local policy (LDP 2006 to 2021) and therefore they are assessed with regard to tackling climate and ecological change which is a material consideration.

The following paragraphs in Section 4 of the report therefore refer to all statutory requirements, policies and 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 Visual amenity
- 4.1.3 Ecology
- 4.1.4 Drainage / water quality
- 4.1.5 Heritage assets

4.2 In relation to the main planning considerations:

4.2.1 Principle

The proposal is for the erection of a temporary meteorological mast which is proposed to collect wind data to assess the feasibility of the site for future wind farm development.

There are no planning policies which make specific reference to the erection of meteorological masts, however it could be considered to be ancillary infrastructure associated with windfarm development, and therefore renewable energy policy is a material consideration.

LDP Policy VOE9 and VOE10 are considered to be of some weight in terms of the impacts to be considered.

Future Wales forms part of the statutory development plan. Future Wales identifies pre-assessed areas for wind development, and whilst the plans are broad scale, the application site would appear to be within, or on the periphery of, pre-assessed area for wind development No. 2 as shown on page 94 of Future Wales.

Policy 17 (Renewable and Low Carbon Energy and Associated Infrastructure) and Policy 18 (Renewable and Low Carbon Energy Developments of National Significance) support the principle of renewable energy development and are material to the determination of the application.

PPW at 5.9.1 states local authorities should facilitate all forms of renewable and low carbon energy development and ... planning authorities should seek to ensure their area's full potential for renewable and low carbon energy generation is maximised and renewable energy targets are achieved.

Representations from members of the public have raised concerns with the principle of the development, and impacts associated with it.

Officers would also note that temporary planning permission has previously been granted for a mast in this location, and a 70m mast had been installed at the site, but has since been removed following the expiration of the temporary permission.

Having regard to the above, the proposal to install a temporary mast in this location is not in conflict with any specific planning policy or guidance, and the principle is

therefore considered to be acceptable, subject to assessment of impacts on the remainder of this report.

Officers would also stress the approval for a temporary mast would not convey the Authority's support for the principle of developing a windfarm in this location, which would involve a wholly separate application process and a completely different range of planning considerations.

4.2.2 Visual amenity

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The visual amenity and landscape impacts of development should therefore be regarded as a potential material consideration.

PPW 11 Section 6.3.3 states 'All the landscapes of Wales are valued for their intrinsic contribution to a sense of place, and local authorities should protect and enhance their special characteristics, whilst paying due regard to the social, economic, environmental and cultural benefits they provide, and to their role in creating valued places.'

The site is close to the Clwydian Range and Dee Valley AONB and Snowdonia National Park and owing to the height of the mast, would be visible from within the designated landscapes and therefore Policy VOE1 and VOE2 are also applicable, which together seek to protect key areas of importance, (including statutory designated sites and areas of landscape value and the AONB), from development which would adversely affect them.

The Community Council and representations from members of the public have raised an objection to the proposal on landscape grounds.

NRW have raised no objection to the proposal on landscape grounds subject to conditions being imposed to remove the mast after 3 years. The AONB Advisory Committee has not raised an objection and have also requested the mast be removed and the land reinstated at the end of three years. Gwynedd County Council have made no observations on the proposal.

A Landscape and Visual Appraisal has been submitted in support of the application.

The mast is a temporary structure, has minimal impact on the environment and there is no concrete involved in securing the foundations. The dimensions and appearance of the mast are shown on the accompanying figures.

Officers would note there are small turbine developments within 2km of the site, and larger windfarm development in the wider landscape.

The Landscape and Visual Appraisal concludes the landscape and visual effects from the proposed development are judged to be minimal and localised. Whilst the mast would be 90m in height, it is a very thin structure with only guy ropes anchoring it to the ground, and whilst it would be visible in the landscape, and there may be some intervisibility with wind turbine development, having regard to the conclusions of the Landscape and Visual Appraisal and owing to scale, form and temporary nature of the, Officers do not consider the visual impacts would justify a refusal on visual amenity grounds.

With respect to the comments of the Community Council, Officers consider the proposal would not unacceptably impact on visual amenity of landscape character.

4.2.3 Ecology

Policy 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.

Policy VOE1 seek to protect key areas of importance, including statutory designated sites, from development which would adversely affect them.

NRW have raised no objection to the proposal, subject to the Ecological Statement being included in the list of approved documents.

The site is located within 2.5km of the Berwyn Special Protection Area (SPA), which supports nationally important numbers of four breeding birds and is adjacent to the Mynydd Mynyllod local wildlife site which is categorised as semi-upland area with acid grassland, semi-improved neutral grassland, acid dry heath, dry heath/acid grassland mosaic, wet heath, valley mire, swamp, acid flush, open water, which provides habitat for ground nesting birds, and other fauna.

The proposal is for a meteorological mast, which is an inert structure and ground excavations are limited to the anchor points only.

An Ecological Statement has been submitted which includes a method statement setting out the construction methodology to be followed to minimise disturbance to ecological interest.

Having regard to the nature and scale of the proposed development, Officers conclude the proposal would not give rise to any unacceptable impacts on ecological interest.

4.2.4 Drainage / water quality

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime.

The impact on groundwater and surface water quality should therefore be regarded as a potential material consideration.

NRW have advised insufficient information has been provided to assess the impact on water quality. A water quality statement has been submitted to address concerns raised by NRW, however NRW have maintained their opinion that insufficient information is provided.

Representations from members of the public have also raised concerns on water quality grounds.

The water quality statement confirms the anchor point excavations would be no deeper than 2m, and would not breach the groundwater table. Construction works would be completed within a day, and anchor trenches would be infilled with soil immediately after installation. It also states the site is also some 300m from any waterbody.

NRW have however advised there is still uncertainty in the application, which needs to be resolved before they can confirm the proposal does not present a risk of

groundwater contamination. NRW have however confirmed their concerns can be adequately addressed by imposition of a condition.

A pre-commence condition can be imposed to secure details of ground conditions and specific details of the trench excavations, which Officers consider would be sufficient to ensure adequate controls are in place to protect groundwater from potential contamination.

Therefore, following the submission of additional information and subject to the imposition of a pre-commencement condition, Officers are satisfied that the proposal would not adversely impact water quality at the site.

4.2.5 Heritage assets

Local Development Plan Policy VOE1 seeks to protect sites of built heritage from development which would adversely affect them, and requires that development proposals should maintain and wherever possible enhance them for their characteristics, local distinctiveness and value to local communities.

Planning Policy Wales (PPW 11), Section 6 'Distinctive and Natural Places' recognises the need to conserve archaeological remains. The consideration of archaeological remains and their setting is a material planning consideration in determining planning applications, whether those remains are a scheduled monument or not.

Section 4 of TAN 24 - The Historic Environment sets out similar considerations to be given by a Local Planning Authority to the determination of applications involving archaeological remains, and their settings. It outlines different scenarios obliging consideration of impacts and stresses the need for submissions to include relevant surveys, studies and assessments, and mitigation proposals.

There are a number of scheduled monuments within 3km of the site.

CADW have advised the proposal will not have a significant impact on the setting of any of these scheduled monuments and CPAT have advised there are no known archaeological sites within the site area and would anticipate a negligible impact potential on any unrecorded sub-surface archaeology here.

The proposal would not therefore have any adverse impacts on heritage assets in the vicinity of the site.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development principle through its contribution towards Welsh Governments well-being objective of supporting safe, cohesive and resilient communities. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

5.1 Subject to the imposition of conditions, the proposal is considered to be acceptable and is recommended for grant.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The mast hereby approved shall be removed from the site no later than 20th April 2025 and the land around the anchors and any tracks shall be reinstated within a 3 month period of its removal in accordance with such detailed proposals to be submitted to and approved in writing by the Local Planning Authority.
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:
 - (i) Location Plan (2 Drawings) - Received 1 July 2021
 - (ii) Block Plan - Received 1 July 2021
 - (iii) Access Route (Rev A) - Received 15 October 2021
 - (iv) 90M MET Mast General Arrangement (Drawing No. HC-CW-90M-001-002) - Received 1 July 2021
 - (v) Chillwind 90/80m Mast Specification - Received 1 July 2021
 - (vi) Chilwind Mast Deadman Anchors (Drawing No. HC-CW-ALL-DEADMAN ANCHORS) - Received 1 July 2021
 - (vii) Design and Access Statement - Received 1 July 2021
 - (viii) Ecological Statement - Received 15 October 2021
 - (ix) Water Quality Statement (Dated 9/12/21) - Received 13 December 2021
 - (x) Landscape and Visual Appraisal & Appendices (Dated 01/03/22) - Received 1 March 2022
3. The mast hereby approved shall be fitted with air safety lighting which shall have a minimum intensity 25 candela omni directional flashing red light or equivalent infra-red light and which shall be fitted at the highest practicable point of the structure and retained as such at all times whilst the mast is in situ.
4. Prior to the erection of the mast hereby approved, the developer shall notify the UK DVOF & Powerlines at the Defence Geographic Centre in writing of the following information:
 - i) Precise location of development.
 - ii) Date of commencement of construction.
 - iii) Date of completion of construction.
 - iv) The height above ground level of the tallest structure.
 - v) The maximum extension height of any construction equipment.
 - vi) Details of aviation warning lighting fitted to the structure(s)
5. **PRE-COMMENCEMENT CONDITION**
Prior to the commencement of development hereby approved, the following details shall be submitted to an approved in writing by the local planning authority:
 - i) confirmation of the exact location and number of excavation points for installation of anchors;
 - ii) confirmation of ground conditions at excavation points;
 - iii) confirmation of the excavation methods and depth of trenches;
 - iv) measures to prevent contamination of groundwater and sources of private water supplies.The development shall then proceed in accordance with the approved details.

The reasons for the conditions are:-

1. For the avoidance of doubt and in the interests of visual amenity,
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. In the interests of air safety.

4. In the interests of air safety.
5. In the interests of prevention of groundwater contamination.