

From: [Ceri Thomas](#)
To: [North Wales Wind Farm Connection](#)
Subject: RE: North Wales Wind Farms Connection - EN020014
Date: 01 September 2015 13:18:26
Attachments: [Nant Bach decision.pdf](#)

Nicholas,

The Council has requested the following site visits in its response to the Written Questions:

- (a) Berain – to assess the impact of the proposal on the setting of a group of Grade II* and II listed buildings;
- (b) The proposed crossing over the A543 – to assess the impact of the proposal on the A543 including views towards the Elwy and Aled Valleys Special Landscape Area.

Please find attached the decision notice for the Mwdwl Eithin (Nant Bach) windfarm, which was requested by the examining authority.

Regards,

Ceri Thomas

Pen Swyddog Cynllunio, Cyngor Bwrdeistref Sirol Conwy

Gwasanaethau Rheoleiddio a Thai, Swyddfeydd Dinesig, Bae Colwyn, LL29 8AR

Principal Planning Officer, Conwy County Borough Council

Regulatory and Housing Services, Civic Offices, Colwyn Bay, LL29 8AR

From: North Wales Wind Farm Connection [mailto:NWWFConnection@pins.gsi.gov.uk]
Sent: 28 August 2015 16:57
To: Ceri Thomas
Subject: RE: North Wales Wind Farms Connection - EN020014

Dear Ceri,

Thank you for this submission, received in good time.

Your cover letters refers to a desire to attend the site visit. It would help the ExA in planning their visit if you could explain where you think should be included and why.

Thank you

Nicholas

Nicholas Coombes

Case Manager

Major Applications & Plans

The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol, BS1 6PN

Direct line: 0303 444 5518

Helpline: 0303 444 5000

Email: nicholas.coombes@pins.gsi.gov.uk

Web: <http://infrastructure.planninginspectorate.gov.uk> (National Infrastructure Planning)

Web: www.gov.uk/government/organisations/planning-inspectorate (The Planning Inspectorate)

Twitter: [@PINSGov](https://twitter.com/PINSGov)

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From: Ceri Thomas [<mailto:Ceri.Thomas@conwy.gov.uk>]

Sent: 28 August 2015 16:34

To: North Wales Wind Farm Connection

Cc: Cllr Peter Lewis; Cllr Ifor G. Lloyd; Huw Davies; Duffy, Claire (Power Systems)

Subject: RE: North Wales Wind Farms Connection - EN020014

Dear Sirs,

Please see attached the documents which the Council submits in connection with the above proposal.

I would be grateful if you could confirm receipt of this email.

Yours sincerely,

Ceri Thomas

Pen Swyddog Cynllunio, Cyngor Bwrdeistref Sirol Conwy

Gwasanaethau Rheoleiddio a Thai, Swyddfeydd Dinesig, Bae Colwyn, LL29 8AR

Principal Planning Officer, Conwy County Borough Council

Regulatory and Housing Services, Civic Offices, Colwyn Bay, LL29 8AR

From: North Wales Wind Farm Connection [<mailto:NWWFConnection@pins.gsi.gov.uk>]

Sent: 04 August 2015 16:23

To: Ceri Thomas

Subject: North Wales Wind Farms Connection - EN020014

Dear Sir/Madam,

**Planning Act 2008 (as amended) – Section 89 and the
Infrastructure Planning (Examination Procedure) Rules 2010 – Rule
8 (as amended)**

**Application by SP MANWEB for an Order Granting Development
Consent for the North Wales Wind Farms Connection**

Examination timetable and procedure

Your reference: NWWFC-SPO24

Please follow the link below to view the Rule 8 issued by the Examining Authority on 4 August 2015

<http://infrastructure.planningportal.gov.uk/document/3286017>

If this link does not open automatically, please cut and paste it into your browser.

Yours faithfully,

NWWF Connection Team
3/18 Eagle Wing
The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Email: NWWFConnection@pins.gsi.gov.uk

Helpline: 0303 444 5000

Web: www.planningportal.gov.uk/planninginspectorate (Planning Inspectorate casework and appeals)

Web: www.planningportal.gov.uk/infrastructure (Planning Inspectorate's National Infrastructure Planning portal)

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our [Information Charter](#) which you should view before sending information to the Planning Inspectorate.

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Nuon Renewables
Abbey Warehouse
Abbey Slip
Penzance
Cornwall
England
TR18 4AR

Gofynnwch am / Please ask for: **Bryn Kyffin**

 **01492 575292**

 **01492 512637**

 **bryn.kyffin@conwy.gov.uk**

Ein Cyf / Our Ref: **DC/0/35170**

Eich Cyf / Your Ref:

Dyddiad / Date: **03/05/2011**

Cais Rhif: 0/35170
Disgrifiad y Codi 11 Tyrbîn Gwynt ac
Datblygiad: Isadeiledd Cysylltiedig

Application No.: 0/35170
Development Erection Of 11 No. Wind
Description: Turbines And Associated
Infrastructure
Site / Location: Land at Mwdwl Eithin,
South of Llanfihangel Glyn
Myfyr, Corwen, Conwy

Safle / Lleoliad: Tir ym Mwdwl Eithin, i'r de o
Llanfihangel Glyn Myfyr,
Corwen, Conwy

Annwyl Nuon Renewables

Dear Nuon Renewables

Mae'r cais hwn wedi cael ei ystyried gan y
Cyngor. Tynnir eich sylw at y penderfyniad ar y
rhybudd ynghlun.

This application has now been considered by
the Council. Your attention is drawn to the
decision on the attached Notice.

**RHYBYDD - GWYRO ODDI WRTH GYNLLUNIAU A
GYMERADWYD**

Tynnir sylw pob datblygwyr at y ffaith na ddylid gwyro oddi
wrth gynllun a gymeradwyd hyd nes y bydd y Cyngor wedi
ystyried a phenderfynu ar unrhyw gynllun diwygiedig. Tynnir
eich sylw at y ffaith y gallai unrhyw wro oddi wrth gynllun a
gymeradwyd, heb gymeradwyaeth y Gyngor, arwain at
ddechrau camau gorfodi gyda'r posibilid o gosbau am
ddifyg cydymffurfio yn unol ag Adran 172 (1) Deddf Cynllunio
Gwlad a Thref 1990.

DALIER SYLW

Mae'r amgæedig yn cyfeirio at y gymeradwyaeth i'ch cais
cynllunio yn unig. Mae'n bosibl y bydd angen caniatâd o dan
y Rheoliadau Adeiladu i'r gwaith hwn ac os nad ydych eisioes
wedi cyflwyno Cais Rheoliadau Adeiladu, dylech wirio a oes
angen hynny trwy gysylltu â'r Prif Swyddog Rheoli Adeiladu.

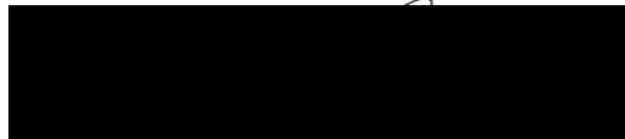
WARNING - DEVIATION FROM APPROVED PLANS

The attention of all developers is drawn to the fact that no
deviation from an approved plan should take place until the
Council has considered and decide upon any revised plan.
Your attention is drawn to the fact if any deviation from an
approved plan is carried out without the approval by the
Council, this may lead to enforcement action being instituted
with the possibility of penalties for non-compliance in
accordance with Section 172(1) of the Town and Country
Planning Act 1990.

ATTENTION

The enclosures refer to the approval of your planning
application only. The work may require consent under
Building Regulations and if you have not already submitted a
Building regulations Application, you should check whether
one is required by contacting the chief Building Control
Officer.

Yn gywir / yours sincerely



P. A. Hardwick

Rheolwr Rheoli Datblygu/Adeiladu / Development/Building Control Manager

Cais Rhif / Application No. 0/35170**TOWN AND COUNTRY PLANNING ACT 1990****CERTIFICATE OF PLANNING PERMISSION****Disgrifiad y Datblygiad:**

Codi 11 Tyrbin Gwynt ac Isadeiledd
Cysylltiedig

Safle / Lleoliad:

Tir ym Mwdwl Eithin, i'r de o Llanfihangel Glyn
Myfyr, Corwen, Conwy

Development Description:

Erection Of 11 No. Wind Turbines And
Associated Infrastructure

Site / Location:

Land at Mwdwl Eithin, South of Llanfihangel
Glyn Myfyr, Corwen, Conwy

Derbyniad / Decision:

In pursuance of their powers under the above mentioned Act, their statutory powers as Local Planning Authority, and in accordance with the submitted application particulars and plans, Conwy County Borough Council hereby

PERMIT the above development, subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

REASON: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

- 2 Within two weeks of the commencement of the development written notification shall be given to the local planning authority of the date upon which the development commenced (the Commencement Date). The construction of the development including the erection of the wind turbines shall only take place during the period of two years following the Commencement Date and after that period no further construction shall occur but without prejudice to decommissioning and restoration requirements.

REASON: For the avoidance of doubt and in order that the Local Planning Authority retains control over the longer term uses of the land.

- 3 The wind farm hereby approved shall cease operation following the period of 25 years from either the date of the substantial completion of the last turbine or the end of the constructor period provided for in condition 2 whichever is the sooner. The date of the substantial completion of the last turbine shall be provided to the local planning authority no later than one calendar month after that event.

REASON: For the avoidance of doubt and in order that the Local Planning Authority retains control over the longer term uses of the land.

- 4 The development hereby permitted shall be carried out in accordance with the detailed plan received by Conwy County Borough Council on 21st July 2008 as supplemented or modified by the terms of conditions and details approved under conditions attached to this permission, unless otherwise previously approved in writing by the local planning authority.

Cais Rhif / Application No. 0/35170

REASON: For the avoidance of doubt as to which drawings have been approved.

- 5 The turbines to be erected under this permission shall comply with the following requirements:
- (i) All turbines shall be of the same type and shall be three bladed horizontal axis turbines with tubular steel towers and blades shall rotate in the same direction.
 - (ii) Transformers shall be internally located within the nacelle or the tower structure.
 - (iii) The height of each turbine shall not exceed 100 metres to the maximum tip height measured from ground level at the tower base prior to construction.
 - (iv) The colour finish shall be a semi-matt pale grey a sample of which has been approved by the Local Planning Authority prior to the erection of towers commencing.

REASON: For the avoidance of doubt and in the interests of the visual and general amenity of the locality.

- 6 The precise type and specification of turbine shall be submitted to and approved by the local planning authority prior to the commencement of tower erection which submission shall contain:
- (i) The manufacturer's warranted operational specifications of the turbine model to be used including but without prejudice to the generality of this condition the noise emission characteristics of the turbine.
 - (ii) The blade width and materials to be used.

REASON: For the avoidance of doubt and in the interests of the visual and general amenity of the locality.

- 7 No part of any turbine shall show any illumination, name, sign symbol or logo on any external surfaces unless previously approved in writing by the Local Planning Authority other than in accordance with a scheme that has been previously approved in writing by the local planning authority for the provision of illumination or signage that is essential to meet health and safety requirements.

REASON: For the avoidance of doubt and in the interests of the visual and general amenity of the locality.

- 8 The electricity sub-station for the development hereby approved shall be contained within a substation building sited in accordance with the submitted plans and for which the details of the design, external appearance, materials, colours and surface finishes have been submitted to and approved in writing by the local planning authority before the construction of the building is commenced. The electricity sub-station shall be constructed in accordance with the approved details and shall be retained in that form and appearance.

REASON: To ensure that such details are satisfactory in the interests of the visual amenity of the locality.

- 9 With the exception of the distribution network operator connections (within the substation and from the substation to any overhead transmission lines) all electricity wires and cables comprised in the development shall be laid underground.

Cais Rhif / Application No. 0/35170

REASON: In the interests of visual amenity.

- 10 If any of the turbines hereby permitted ceases to be operational for a continuous period of 9 months (which period may be extended by written approval granted by the local planning authority in any particular case where recommencement of operation is delayed by unavoidable external factors beyond the control of the operator) then all of its above ground elements and the supporting base to a depth of one (1) metre below adjacent ground level shall be removed from the site and the land shall be restored by re-grading to blend with adjacent land levels within 6 months of the 9 month cessation of operation coming into effect and all affected areas shall during the next usual planting season thereafter be re-soiled to a depth of 300mm and seeded with a mix previously approved by the local planning authority.

REASON: To ensure adequate arrangements are in place to reinstate the site.

- 11 No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the local planning authority which CMS shall apply best practice methodologies to the mitigation control and remediation of environmental impact including the following list of requirements. The approved statement shall be adhered to throughout the construction period.
- i) A Site Construction Environmental Management Plan (SCEMP) based on prior ecological investigation that provides for the use of best practice working methods and a monitoring scheme to ensure that construction works avoid damage to the environment and that any necessary licences have been obtained;
 - ii) Specification of details for the construction without detriment to water catchments and the environment of the crane pads, access tracks and/ or stream crossings (including necessary measures to provide cross drainage to allow surface water flows to pass beneath or through the tracks, gradients and materials);
 - iii) Where the use of cement products is proposed (particularly where associated with the stream crossings) the statement shall provide details of how environmental impact will be mitigated and controlled, such details to be prepared in consultation with the Environment Agency and the Countryside Council for Wales;
 - iv) Measures to control the emission of dust and dirt during construction;
 - v) Details of the method of construction for the turbine foundations;
 - vi) Parking arrangements for site personnel, contractors and visitors;
 - vii) Arrangements for the delivery of materials to the site, loading or unloading on the site, movements within the site and the removal of materials from the site;
 - viii) Arrangements for the storage and use of plant, machinery and materials used in construction of the development (including environmental protection and security/fencing measures);
 - ix) A scheme for the protection of water courses, drainage systems (including wetlands) and the water environment from impact from the development and related works (including but without prejudice to the generality of this requirement the provision of silt traps and methods for the containment of spillages);
 - x) A scheme for the provision of wheel washing facilities for construction traffic leaving the site and for the wash out of concrete delivery vehicles which ensures that no contaminants will enter the water environment and that any solid material will be re-used where appropriate;
 - xi) A detailed scheme for the re-use within the construction works of surplus material generated from ground excavation within the site;

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- xii) Measures to be taken during the construction of the development to safeguard the rights, interests and safety of users of public rights of way crossing the site and including any temporary restrictions or diversions;
- xiii) Measures to be adopted to ensure the health and safety of personnel on site including provision of a Health, Safety and Environment Risk Assessment;
- xiv) Details of the proposals and programme for the re-instatement of crane hard-standing areas and the reduction of access track widths following completion of construction activities (based on proposals contained at paragraph 3.5.2 of the Environmental Statement);
- xv) Details of sensitive habitat areas to be avoided or safeguarded during construction and proposals for demarcating and protecting such areas.

REASON: To ensure proper controls over the development to minimise the impact and in the interests of highway safety, visual and general amenity of the locality.

- 12 Construction activities (including deliveries to the site other than the arrival of workers and the starting and warming up or movement of equipment on the site) shall not take place outside of the hours 07.00am to 19.00pm Monday to Friday and 07.00am to 13.00pm on Saturday, unless otherwise previously approved in writing by the local planning authority.

REASON: In the interests of the amenity of occupiers of properties in the locality.

- 13 All areas used for the temporary storage of oils, fuels and chemicals during the construction period shall be sited on impervious bases and such areas shall be surrounded by an impervious bund wall. The size of the bunded compound shall be of a storage volume at least equivalent to its capacity plus 10%. Where there are multiple tankages, the compound shall be at least equivalent to the capacity of the largest tank or the combined capacity of the interconnected tanks plus 10%. All filling points, vents and sight glasses shall be located within the bund and there shall be no drain through the bund floor or walls. The storage compound shall be kept clear of water build up that would prejudice adequate storage capacity and all liquid needing disposal shall be taken off site and not discharged into the environment. Either within 6 months of the completion of the construction of the last turbine or in the event that condition 2 comes into effect within 6 months thereof, whichever is the sooner, to demolish all such storage areas and bases and remove all materials from the site and to fully re-instated the land by re-grading to blend with adjacent land levels, re-soiling to a depth of 300mm and seeding with a mix previously approved by the local planning authority.

REASON: To prevent pollution of the water environment.

- 14 Prior to the commencement of development, a pollution prevention plan designed in accordance with best practice to prevent accidental spillages during construction and to minimise the impacts upon ground and surface water of any accidental spillage that do occur will be submitted to and approved in writing by the local planning authority. The details shall include an emergency plan to be carried out in the event of any spillage of fuels, oils, chemicals or other substances which could potentially pollute the environment. The approved pollution prevention plan shall be implemented during construction.

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REASON: To prevent pollution of the water environment.

- 15 No washing of machinery that would be likely to result in pollution to the aquatic environment, groundwater or surface water shall occur on site except in accordance with a scheme that has been previously approved in writing by the Local Planning Authority that provides for a best practice operation that safeguards against environmental impact.

REASON: To prevent pollution of the water environment.

- 16 No materials shall be tipped on the site except uncontaminated excavated natural materials used in the construction of roads and hard-standings essential for the construction of the wind turbines and in accordance with full details, specification and sections that have been previously approved in writing by the local planning authority. No such materials shall be sourced from off-site except where they have been approved in writing by the local planning authority as essential to meet a shortfall in material derived from on site roadway excavations and in any event no materials such as limestone that would affect local environmental conditions shall be used on site.

REASON: To prevent pollution of the water environment.

- 17 No development shall take place until full details of the following list of matters have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and works shall thereafter be retained in the approved form until such time as superseded by decommissioning and the implementation of approved restoration works. Other measures shall be implemented in accordance with approved details.
- . A surface water drainage scheme detailing works designed to avoid the diversion of flows from within their existing sub-catchment areas and to provide for the dispersal of diverted flows back into the water environment
 - . Provisions for the drainage and disposal of foul or contaminated water in respect of the construction period and facilities retained as part of the development
 - . A survey of all private water supplies relying on water sourced from the application site with baseline assessment of the quality and reliability of those supplies
 - . Proposals for the monitoring of private water supplies during construction and for the period of 5 years following the completion of the development or the cessation of development pursuant to condition.
 - . Proposals for the mitigation of impacts upon private water supplies and for the implementation of remediation of significant impacts where they occur.

REASON: To ensure that such details are satisfactory and to prevent pollution of the water environment.

- 18 To avoid disturbance to breeding birds, works that affect nesting habitats (including but without prejudice to the generality of this requirement: heather, heath, wetlands, scrub vegetation, hedgerows, and/or rough grass) shall not take place between 1st March and 31st July in any year. Works to any other areas (including disturbed ground such as that created by the previous construction of hard-standings) shall not commence until it has been verified by inspection by a qualified expert that there are no nesting species such as lapwing

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that would be disturbed. The developer shall keep a record of such events which will be provided to the Local Planning Authority upon request.

REASON: To ensure adequate steps are taken to protect and enhance the ecology of the area.

- 19 No development shall take place until a habitat baseline survey (comprising flora and fauna surveys that establish initial conditions within the Habitat Improvement Area designated in the Environmental Statement and the adjacent heathland habitats lying within the site of the planning application) has been submitted to and approved by the local planning authority to provide a reference point against which the impact of the development on habitat and the effects of habitat protection, mitigation, remediation and enhancement obligations (required pursuant to a Section 106 Agreement relating to the land) can be monitored and compared.

REASON: To ensure adequate steps are taken to protect and enhance the ecology of the area.

- 20 No development shall commence until a traffic management plan has been prepared in consultation with the relevant highway authorities and the police authorities and has been submitted to and approved in writing by the local planning authority. The plan shall include details of the access routes for all vehicles carrying turbine components and details of advisory signs, together with details of the scheduling of the proposed delivery of turbine components to the site. The approved traffic management plan shall be adhered to at all times unless alternative arrangements have been previously approved in writing by the local planning authority.

REASON: To ensure that such details are satisfactory in the interests of highway safety.

- 21 Prior to construction of the temporary access to the site, full details and specifications for its construction that are in accordance with Drawing No. 5105244 02 Rev B (together with proposals for a reduced access width to a standard vehicular access layout following completion or cessation of all construction works) shall be prepared in consultation with the highway authority and shall be submitted to and approved by the local planning authority. The temporary access shall be constructed in accordance with the approved details before any other works are undertaken on the site and the access shall be reduced in accordance with the approved details within (six) months of the completion or cessation of all construction works.

REASON: To ensure that such details are satisfactory in the interests of highway safety.

- 22 No development shall take place until a programme for archaeological investigation and archaeological monitoring by a qualified archaeologist has been submitted to and approved in writing by the local planning authority. Such scheme shall include provision for a report on the investigation following completion of construction of the development and any post excavation analysis to be prepared and submitted to the local planning authority. The development shall only proceed in accordance with the approved archaeological programme.

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REASON: To ensure adequate arrangements for archaeological recording, observation and protection.

- 23 Any turbine producing shadow flicker effects at any dwelling shall be shut down and the blades shall remain stationary until the conditions causing such effects have passed. No development shall take place until a scheme has been submitted to and approved by the local planning authority specifying the mechanism that will be used to control, re-orientate or shut down any turbine and if photocells are proposed the measures that the operator will take to ensure that they remain clean and operational at all times. The wind farm shall not operate other than in accordance with the approved scheme.

REASON: In the interests of the amenity of occupiers of properties in the locality.

- 24 At least one month prior to the commencement of development, the operator shall provide written confirmation of the following details to the local planning authority:
- i. The proposed date for the commencement of development; and
 - ii. The maximum height of any construction equipment.

REASON: In the interests of air safety.

- 25 Within 14 days of the commissioning of each turbine, the operator shall provide written confirmation of the following details to the local planning authority:
- i. The date of completion of construction.
 - ii. The height above ground level of the turbine.
 - iii. The precise latitude and longitude of the turbine.

REASON: In the interests of air safety.

- 26 Prior to the commencement of the development, the name and contact details for the operator's nominated representative (who shall act as a point of contact for local residents and the local authority in the event of noise complaints relating to the construction, operation of de-commissioning of the wind farm development) shall be notified in writing to the local planning authority. Any change in the name or details of the operator's representative shall be notified in writing to the local planning authority prior to the change occurring.

REASON: To minimise disturbance to and in the interests of the amenity of occupiers of properties in the locality.

- 27 At all times from the first generation of electricity until the cessation of the generation of electricity at the wind farm approved by this permission, the following shall be continually monitored at ten (10) minute intervals commencing on the hour and recorded in a log:
- (i) nacelle wind speed in metres per second for each turbine corrected to free stream values.
 - (ii) turbine yaw data in degrees from north.
 - (iii) periods when any/each turbine was not in operation.
- All data shall be recorded in an electronic format within 7 days together with a record of the calculated mean wind speed for all nacelle results extrapolated to 10 metres above ground level (in accordance with a methodology previously approved in writing by the Local

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Planning Authority). All data shall be retained until written approval is given by the Local Planning Authority for records to be deleted. Upon request from the Local Planning Authority all data relating to a specified period or set of circumstances shall be provided to the Local Planning Authority within 14 days of the request being made.

REASON: To minimise disturbance to and in the interests of the amenity of occupiers of properties in the locality.

- 28 i) For the purposes of this condition the following definitions and interpretations shall apply:
- . ETSU-R-97 means the assessment and rating of noise from wind farms published by the Energy Technology Support Unit for the Dept of Trade & Industry in 1996.
 - . Background Noise Level means the ambient noise level within the environment at a particular site or property (that is in the absence of noise generated by the development) and measured in relevant and comparable wind (direction and speed) and weather conditions to those pertaining at the time of the monitoring of wind farm noise and/or a noise complaint event as is appropriate.
 - . Tonal noise means noise containing a distinct frequency component assessed and rated in accordance with advice contained in sections 2.0 & 2.1 of the Supplementary Guidance Notes to the Planning Obligation contained in Chap 8 of the ETSU-R-97 report (p102 to 109).
 - . Quiet waking hours means 18-00 - 23-00hrs on all days plus 07-00 - 18-00hrs on Sundays & 13-00 - 18-00hrs on Saturdays.
 - . Night hours means 23-00 - 07-00hrs on all days.
 - . The Threshold of Audibility means the level at which the average listener will be just able to hear the tone calculated in accordance with section 2.1 of the Supplementary Guidance Notes to the Planning Obligation contained in Chap 8 of the ETSU-R-97 report.
- ii) The level of noise emissions from the combined effect of the turbines shall not exceed the following when measured (as a 10 minute LA90 in free field conditions at a height of between 1.2 & 1.5m above ground level in accordance with the guidance in ETSU-R-97) at any existing or approved dwelling that was lawful at the time of this permission (except as is otherwise provided for under part iii) of this condition).
- a) Between 07-00 - 23-00 either a rating level of 37dB LA90, 10 minutes or 5dB(A) above the Background Noise Level during quiet waking hours whichever is the greater.
 - b) Between 23-00 - 07-00hrs either a rating level of 43dB LA90, 10 minutes or 5dB(A) above the Background Noise Level during night hours whichever is the greater.
- Where the tonal noise from the combined effects of the wind turbines exceeds the Threshold of Audibility by between 2.0 & 6.5dB inclusive then a penalty of $((5/6.5) \times \text{audibility})\text{dB}$ shall be added to the noise level monitored for that property when assessing compliance with the above limits. Where the tonal noise from the combined effects of the wind turbines exceeds the Threshold of Audibility by more than 6.5dB then a penalty of 5dB shall be added to the noise level monitored for that property when assessing compliance with the above limits.
- iii) The level of noise emissions from the combined effect of the turbines shall not exceed the following when measured (as a 10 minute LA90 in free field conditions at a height of between 1.2 & 1.5m above ground level in accordance with the guidance in ETSU-R-97) at any of the dwellings known as Bryn Lllys, Maes Gwyn & Ty Gwyn (being dwellings that at the time of this permission were owned and occupied by persons having a financial interest in the development).
- a) Between 07-00 - 23-00 either a rating level of 43dB LA90, 10 minutes or 5dB(A) above the Background Noise Level during quiet waking hours whichever is the greater.

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b) Between 23-00 - 07-00hrs either a rating level of 43dB LA90, 10 minutes or 5dB(A) above the Background Noise Level during night hours whichever is the greater.

Where the tonal noise from the combined effects of the wind turbines exceeds the Threshold of Audibility by between 2.0 & 6.5dB inclusive then a penalty of $((5/6.5) \times \text{audibility})\text{dB}$ shall be added to the noise level monitored for that property when assessing compliance with the above limits. Where the tonal noise from the combined effects of the wind turbines exceeds the Threshold of Audibility by more than 6.5dB then a penalty of 5dB shall be added to the noise level monitored for that property when assessing compliance with the above limits.

REASON: To minimise disturbance to and in the interests of the amenity of occupiers of properties in the locality.

- 29 Upon the instruction of the Local Planning Authority, the operators of the development shall, as soon as is practicable, investigate residential property or properties where noise generation from the development in excess of the levels required by Condition 28 is alleged by measuring and assessing the level of noise from the wind turbine generators and (where appropriate information is not already available) Background Noise Level during quiet waking hours and night hours so as to establish data relevant to conditions pertaining at the time of the alleged occurrence.

REASON: To minimise disturbance to and in the interests of the amenity of occupiers of properties in the locality.

- 30 The development shall not be commenced until a Decommissioning Method Statement has been submitted to and approved in writing by the local planning authority. The Decommissioning Method Statement shall include:
- i A Decommissioning Environmental Management Plan (DEMP) to include details of best working practice and measures to be undertaken during the decommissioning works to ensure that any impacts on ecological interests are minimised, managed and remediated;
 - ii A method statement and timetable for the removal of all the above ground elements plus one metre of the turbine bases below the ground level of the turbines and the restoration of the site, all of which shall generally accord with the provisions defined in condition 10;
 - iii Measures to control the emission of dust and dirt during decommissioning;
 - iv Details of measures to be taken to protect groundwater beneath the site;
 - v A traffic management plan detailing parking arrangements for site personnel, contractors and visitors, arrangements for the delivery, loading, unloading and removal of materials from the site;
 - vi A scheme for the routing and transporting of material to be removed from the site;
 - vii Arrangements for the storage of plant, machinery and materials used in the decommissioning process, including environmental protection and security/protection measures;
 - viii A scheme for the protection of water courses, drainage systems (including wetlands) and the water environment from impact from the development and related works (including but without prejudice to the generality of this requirement the provision of silt traps and the methods for the containment of spillages);
 - ix The provision of wheel washing facilities for construction traffic leaving the site;
 - x Measures to be taken to safeguard the rights, interests and safety of users of public rights of way crossing the site during the decommissioning of the development;

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xi Details of sensitive habitat areas to be avoided or safeguarded during decommissioning and proposals for demarcating and protecting such areas.

REASON: To ensure that such details are satisfactory for the reinstatement of the site in the interests of the visual amenity and the ecology of the area.

- 31 The decommissioning of the wind farm shall be undertaken in accordance with the approved Decommissioning Method Statement (DMS) or in accordance with an updated DMS approved in writing by the Local Planning Authority. During the 12 months prior to the expiry of 10, 20 and 24 years from the Commencement Date an updated DMS shall be submitted to the Local Planning Authority for approval which Statement shall reflect improvements in best practice methodologies and decommissioning works shall be undertaken in accordance with the last approved DMS.

REASON: To ensure that such details are satisfactory for the reinstatement of the site in the interests of the visual amenity and the ecology of the area.

- 32 Notwithstanding the provisions of Parts 2, 4, 5, 9, 10, 17G of the Second Schedule to the Town and Country Planning (General Permitted Development) Order 1995 and any subsequent revisions or modifications of that Order, no development contained within those Parts shall be undertaken on or adjacent to the site pursuant to the development hereby approved and related activity unless permission has previously been obtained from the Local Planning Authority.

REASON: In order that the Local Planning Authority can maintain proper control over the development in the interests of the amenities of the locality.

Informatives (if applicable):

The applicant should contact the Rights of Way as soon as possible to discuss matters concerning the Right of Way network in connection with this application. The applicant should note that a public footpath runs along the proposed access from the A5 for approximately 180m and routes within the site cross or run along footpaths and unclassified road. Safety measures will need to be discussed and implemented prior to commencement of construction.

It is an offence to carry out work within the Highway without the consent of the Highway Authority (Planning Permission does not constitute any consent under the Highways Act). The applicant must apply in writing to the Highway Authority for the necessary consent, as required under Section 278 (or any other section) of the Highways Act, 1980, to carry out work within any adopted highway.

An Agreement pursuant to section 106 of the Town and Country Planning Act 1990 relates to land comprised within the application site.

This permission does not grant consent pursuant to any other legislative or other provisions including (without prejudice to the generality of this informative) habitat regulations and requirements of the Environment Agency Wales).

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Ymgeisydd / Applicant:

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TR18 4AR

Dyddiedig / Dated: 03 May 2011

Arwyddo / Signed:

P. A. Hardwick

Rheolwr Rheoli Datblygu/Adeiladu / Development/Building Control Manager