



PLANNING & DEVELOPMENT COMMITTEE

21 OCTOBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO:	21/0864/15	(GH)
APPLICANT:	Infinite Renewables Group Ltd	
DEVELOPMENT:	Variation of condition 2 (plans) of planning permission 17/0321/10, to reduce hub and tip height of turbine. (Amended plan with new turbine type received 9th August 2021).	
LOCATION:	LAND ADJ. TO FORMER NANT-Y-GWYDDON LANDFILL SITE	
DATE REGISTERED:	09/08/2021	
ELECTORAL DIVISION:	Llwynypia	

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

REASONS:

The application site already benefits from an extant planning consent for the erection and operation of a single wind turbine. Furthermore, the revised turbine type, having a reduced hub and tip height, would result in a reduced visual impact.

Since the determination of the original application no new material planning issues have arisen and there have been no material changes in respect of planning policy or the context of the site that would justify a recommendation other than one for approval.

REASON APPLICATION REPORTED TO COMMITTEE

A request has been received from Councillors Lorraine Jones and Elyn Stephens for the matter to come to Committee due to concerns that the membrane lining the landfill and other pollution prevention infrastructure could be compromised if the development was to proceed.

APPLICATION DETAILS

This application is made under Section 73 of the 1990 Planning Act and seeks variation of condition 2 of an existing planning permission (reference 17/0321/10) which was granted on 22nd August 2017, for a wind turbine on land adjacent to the former Nant Y Gwyddon Landfill Site.

Condition 2 of the planning permission states:

The development hereby approved shall be carried out in accordance with the approved plans no's and documents received by the Local Planning Authority on:

- *Nant-y-Gwyddon Wind Turbine: Figure 2.1 – Site Context (dated 14.10.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.2 – Planning Application Boundary (dated 3.10.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.3 – Illustrative Site Layout (dated 14.10.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.4 – Indicative Grid Connection Cable Route (dated 6.3.2017).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.5 – Typical Wind Turbine Details (dated 28.9.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.6 – Typical Turbine Foundation Design and Construction Details (dated 28.11.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.7 – Typical Internal Access Track & Crane Pad Construction Details (dated 28.9.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.8 – Typical Transformer and Substation Typical Details (dated 28.9.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.9 – Indicative Construction Vehicle Access Route (dated 28.11.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 4.1 – Site Closure Plan and Turbine Site Layout Plan (dated 7.3.2017).*

unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

The current application seeks the variation to this condition, to reflect an amendment to the hub and tip height of the proposed wind turbine, by the substitution of the fifth bullet point above, with:

- *Nant-y-Gwyddon Wind Turbine: Indicative Proposed Elevations (drawing no. V-82 902)(dated 29 July 2021)*

The proposed *Vensys* 1.5MW turbine would now have a hub height of 58m, tip height of 99m and rotor diameter of 82m. This is shorter than the approved turbine which would have had a hub height of 85m and tip height of 121.5m.

In all other respects the proposed development is the same as per the previously approved details.

SITE APPRAISAL

The application site consists of a small parcel of land situated within the landholding of the former Nant-y-Gwyddon landfill site, located approximately 1km south of the main settlement of Gelli. Whilst the site is located within the former Nant-y-Gwyddon Landfill site, the turbine would not be sited within an area which has been historically landfilled. The site is located within an area previously excavated in preparation of engineering works for landfilling operations. However, this area of the site was never landfilled and the Nant-y-Gwyddon landfill ceased operations in 2002.

As noted above, the urban areas of Gelli and Clydach Vale lie approximately 1km to the north and approximately 880m to the south of the site respectively. The closest residential receptors are Oak Street located approximately 540m to the south and Rock Drive Farm which is located approximately 760m north west of the proposed turbine location. Beyond the extent of the former landfill site are areas of open countryside, with Bwlfa Farm being situated to the west of the site, a turbine of 77 metres in height has been erected on this holding. The urban area of Llwynypia lies approximately 1.7km east of the site.

The site is accessed via a long access track which connects to the B4223 Nantygwyddon Road. The proposed development will utilise the existing landfill access point off Nant-y-Gwyddon Road, however within the site it is proposed that a new section of access track be constructed to allow access directly to the location of the turbine. The wider site is crossed by a Public Right of Way YST/18/2.

PLANNING HISTORY

The most recent or relevant applications on record associated with this site are:

- 17/0321/10:** The erection, 25 year operation and subsequent decommissioning of a wind turbine with a maximum overall tip height of 121.5m, 20m micro-siting, new and upgraded access tracks, hard standing areas, control building/substation, transformer housing and cabling. Decision: 22/08/2017, Grant.
- 05/1011/15:** Variation of Condition No. 3 of 04/2394 to vary the operational hours at Nant-Y-Gwyddon Landfill site. Decision: 22/07/2005, Grant

- 04/2394/10:** Revision to the approved restoration landform at Nant Y Gwyddon. Decision: 01/04/2005, Grant
- 00/2647/10** Replacement 315mm diameter leachate pipe, Decision: 02/02/2001, Grant
- 96/6334/10** Landfill gas extraction pipe. Decision: 18/03/1997, Grant

PUBLICITY

The application, based on the amended plans received on 9th August 2021, has been advertised by direct notification to sixty-seven neighbouring properties and notices were displayed on site at seven locations.

No letters of objection or representation have been received.

CONSULTATION

Highways and Transportation

The change to the approved plans comprises an amendment to the hub and tip height of the proposed wind turbine. The proposed turbine would have a hub height of 58m and tip height of 82m, which is lower than the approved turbine with a hub height of 85m and tip height of 121.5m.

There is no objection to the proposal subject to the re-imposition of previous planning conditions.

Flood Risk Management

I have looked at the information provided for this application submitted for a variation of condition 2 to reduce hub and tip height of the turbine and from a flood risk perspective I no comments to offer.

Natural Resources Wales

We have no objection to the proposed development as submitted and provide the following advice:

It is proposed to amend condition 2 of 17/0321/10 such that the approved plan Nant-y-Gwyddon Wind Turbine: Figure 2.5 – Typical Wind Turbine Details (dated 28.9.2016) is substituted with the submitted Indicative Proposed Elevations Drawing, Drawing No.: V-82 902, prepared by Infinite Renewables, dated 29/07/2021. We understand the proposed change to the approved plans will result in a reduction in hub height and tip height of the proposed wind turbine. We have no adverse comments to make in relation to this.

Dwr Cymru Welsh Water

We have no objection to the variation of Condition 2 to reduce the hub and tip height of the turbine.

Cadw

Having carefully considered the information provided, we have no objection to the proposed development in regard to the scheduled monuments listed in our assessment of the application below:

GM099 Mynydd Maendy Hillfort
GM354 Mynydd y Gelli kerb cairn
GM540 Mynydd Ton Cairns
GM574 Mynydd Ty'n-tyle cairns
GM575 Tarren Maerdy cairn (E)
GM576 Tarren Maerdy cairn (W)

No other consultation responses have been received within the statutory period.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies outside of settlement limits.

Policy CS1 - outlines how the emphasis on building strong, sustainable communities will be achieved in the Northern Strategy Area.

Policy CS10 - defines safeguarding areas for mineral resources.

Policy AW5 - supports development proposals where amenity and accessibility matters are addressed.

Policy AW6 - supports development proposals where certain design and place making criteria are met.

Policy AW10 - does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity because of a number of matters including light and noise pollution.

Policy AW12 - permits renewable energy schemes including small/medium sized wind turbines where there is no unacceptable effect upon the interests of certain matters including agriculture, nature conservation, cultural heritage, landscape importance, public health and residential amenity. Minimisation of resource use should also be included. For this policy small clusters of no more than 3 larger wind turbines up to 1.5 MW and community based schemes of no more than 5MW capacity are treated as small wind turbine developments.

Policy AW14 - safeguards the resources of sandstone from any development which would unnecessarily sterilise or hinder their extraction.

Supplementary Planning Guidance

- Design and Place-making
- Access, Circulation and Parking Requirements
- Nature Conservation

National Guidance

In the determination of planning applications regard should also be given to the requirements of national planning policy which are not duplicated in the Local Development Plan, particularly where national planning policy provides a more up to date and comprehensive policy on certain topics.

Planning Policy Wales Edition 11 (PPW) was issued on 24th February 2021 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WG's current position on planning policy at regional and national level.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

It is also considered the proposed development is compliant with the NDF, with the following policies being relevant to the development proposed:

- Policy 1 – Where Wales will grow – investment in infrastructure
- Policy 17 – Renewable and Low Carbon Energy and Associated Infrastructure

Other relevant national policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning

PPW Technical Advice Note 11: Noise

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

WG 'Dear CPO' letter MA-P/CS/1303/16 re: Green Growth (15th March 2016)

REASONS FOR REACHING THE RECOMMENDATION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

Main Issues:

Principle of the proposed development and material considerations

The previous planning application for the site ref: 17/0321/10, for which the variation of condition is now sought, was reported to the Council's Planning and Development Committee with an officer recommendation for approval.

The earlier Committee report noted that at UK and Welsh Government level there is strong support for renewable and low carbon energy, with specific targets set for the reduction in greenhouse gases and energy generation from on-shore wind development. The exploitation of wind power is promoted at all policy levels.

In the intervening years national planning policy has become more supportive of on-shore wind development. Paragraph 5.9.19 of PPW11 advises that planning authorities should take into account the benefits to renewable energy targets, the reduction of greenhouse gases, and the wider environmental, social, and economic benefits and opportunities from renewable and low carbon energy development.

Specific direction for planning authorities, regarding renewable energy projects, is set out within Policy 17 of FW2040, which states: "in determining planning applications for renewable and low carbon energy development, decision-makers must give significant weight to the need to meet Wales' international commitments and our target to generate 70% of consumed electricity by renewable means by 2030 in order to combat the climate emergency".

Although this site does not fall within the 'pre-assessed area' identified by Policy 17 where the landscape impact of large scale wind farm development has been identified as being acceptable in principle, FW2040 clearly states that a "positive policy framework still exists".

In light of the above and given the scope of the application, Members are advised that there have been no material local or national policy revisions, or changes to the context of the site, that would justify revisiting or reconsidering the principle of the development and that would warrant a different conclusion.

In addition, the reduction of the size of the turbine is welcomed in that its visual impact would be lessened; albeit it is recognised that the scale of such a structure is bound to have prominence. Nonetheless, in terms of the overall landscape impact, the fact that the turbine would be smaller than that already approved means that an argument to refuse consent would not be a sustainable one.

Lastly, there is a clear concern that the works to erect the turbine, and in particular the cabling and associated paraphernalia, could disturb the protective infrastructure on site that was installed for the purpose of managing leachate and landfill gas.

This matter was considered and addressed as part of the earlier application, the Committee report noting that the application was accompanied by a range of supporting material, including reports relating to hydrology, geology, hydrogeology and flood risk assessments. These concluded that although the proposed development would be within the landholding of a landfill site, the area where the turbine would be located has not been landfilled and therefore it is considered possible that the risks associated with contamination can be adequately managed.

At the time of determination of application 17/0321/10 NRW identified that landfill infrastructure exists on the site, both above and below ground. It was noted that the connection cable would lie within the access track but would cross the leachate pipework and travel close to a number of groundwater monitoring points. NRW also anticipated that there would be landfill gas and capping infrastructure to the south side of the access road.

Since the cabling associated with the turbine appears to terminate at the landfill gas compound NRW advised that excavation in this area and any overlap with landfill infrastructure should be undertaken with great care to ensure that the integrity of leachate and landfill gas pipework is not compromised during construction.

NRW recommended the use of conditions to control such matters and these conditions, specifically no's 19, 20 and 21 which will require the developer to demonstrate that the landfill infrastructure will not be compromised and for the submission of a site investigation, have been included below.

Whilst the concerns in respect of the past use status of the site are appreciated and understood, from a planning point of view and in light of NRW's original and current consultation response, no additional material issues have been raised. Therefore, this cannot be considered as a matter relevant to the scope and consideration of this application, which is whether or not the revised turbine type represents an acceptable substitution.

Consequently, this variation of condition application is considered to be acceptable, subject to the relevant conditions being carried forward from the existing consent.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

Conclusion

Having taken account of all of the issues outlined above and in light of the planning history of the site, the application proposal is considered acceptable.

Since planning consent was granted on 22nd August 2017, there have been no material changes in circumstances of significance to warrant a refusal of consent, and no new issues relating to the site have arisen.

Therefore, the proposal to vary condition 2 in order to substitute a smaller turbine type is recommended for approval, subject to the other conditions specified below being carried over from the existing planning consent.

RECOMMENDATION: Grant

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

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the following plans and details:

- *Nant-y-Gwyddon Wind Turbine: Figure 2.1 – Site Context (dated 14.10.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.2 – Planning Application Boundary (dated 3.10.2016).*
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- *Nant-y-Gwyddon Wind Turbine: Figure 2.6 – Typical Turbine Foundation Design and Construction Details (dated 28.11.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.7 – Typical Internal Access Track & Crane Pad Construction Details (dated 28.9.2016).*

- *Nant-y-Gwyddon Wind Turbine: Figure 2.8 – Typical Transformer and Substation Typical Details (dated 28.9.2016).*
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- *Nant-y-Gwyddon Wind Turbine: Figure 4.1 – Site Closure Plan and Turbine Site Layout Plan (dated 7.3.2017).*

and documents received by the Local Planning Authority, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

3. The permission hereby granted shall endure for a period of 25 years from the date when electricity is first exported from a wind turbine within the site to the electricity grid network ('First Export Date'). Written confirmation of the First Export date shall be notified in writing by the developer to the Local Planning Authority within one month of the First Export Date.

Not later than 12 months before the expiry date of the permission, a decommissioning and site restoration scheme shall be submitted for the written approval of the Local Planning Authority. Such a scheme will include for:

- the removal of all surface elements, plus one metre of the turbine bases below ground level, of the wind farm;
- confirmation of the management and timing of works;
- a traffic management plan to fully address highway issues during the period of the decommissioning works;
- any other works of restoration and aftercare, following consultation with other parties, as the Local Planning Authority deem to be reasonable and necessary.

The approved decommissioning schemes shall be implemented and completed within 24 months of the expiry date of this permission.

Reason: To ensure derelict or obsolete structures do not adversely affect the environment in accordance with Policies CS1, AW5, AW7, AW8, AW13 and NSA25 of the Rhondda Cynon Taf Local Development Plan.

4. Operations shall not be commenced until details of the colour and external finish of the turbine and associated structures, proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the samples so approved.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. The turbine shall not display any prominent name, logo, symbol, sign or advertisement on any external surface unless otherwise agreed in writing by the Local Planning Authority. The turbine shall not be illuminated and there shall be no permanent illumination on the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity in accordance with Policies AW12 and NSA25 of the Rhondda Cynon Taf Local Development Plan.

6. In the event that the turbine does not function (i.e. does not supply electricity to the grid) for a continuous period of 12 months and if so instructed by the Local Planning Authority; the wind turbine and its associated ancillary equipment shall be dismantled, and its base removed to a depth of one metre below ground level, and removed from the site within a period of 6 months from the end of that 12 month period, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure that the turbine is not obsolete, produces electricity whilst in situ and is removed from the site if it ceases to function, in accordance with Policies CS1, AW5, AW7, AW8, AW12 and NSA25 of the Rhondda Cynon Taf Local Development Plan.

7. All electricity and control cables between the turbine and the switch room shall be laid underground, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To minimise environmental impact in the vicinity of the site in accordance with Policies AW12 and NSA25 of the Rhondda Cynon Taf Local Development Plan.

8. Construction work on the site, excluding the delivery of abnormal loads and actual erection of the wind turbine, shall be confined to the hours of 0700 - 1900 Mondays to Sundays unless otherwise agreed in writing with the Local Planning Authority.

Reason: To minimise impact on the amenities of local residents in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. No abnormal load delivery shall take place between the hours of 0700 – 0900 and 1600 – 1800 Monday to Friday unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

10. The noise emission from the wind turbine shall not exceed a sound pressure level LA90,10min of 35Db(A) at the curtilage of any non-financially involved noise sensitive premises lawfully existing at the time of this consent at wind speeds up to and including 10 m/s at 10m height. For the purpose of this condition, curtilage is defined as “the boundary of a lawfully existing domestic garden area”.

Reason: To protect the amenity of residents in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

11. At the reasonable request of the Local Planning Authority (LPA), following a complaint to it about noise emissions from the wind turbine, the wind turbine operator shall, if required shut down the turbine and at their own expense, employ a suitably competent and qualified person, approved by the Local Planning Authority, to measure and assess, and report to the Local Planning Authority the level of noise emissions from the wind turbine at the property to which relates (‘the complainant’s property’) in a scheme to be agreed with the Local Planning Authority. The assessment shall be commenced within 21 days of the notification, or such longer time as approved by the Local Planning Authority.

Reason: To protect the amenity of residents in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

12. If the assessment (referred to in condition 11) requested by the Local Planning Authority demonstrates that the specified level is being exceeded, the operator of the turbine shall take immediate steps to ensure that the noise emissions from the turbine are reduced to, or below, the specified noise limit. The operator shall provide written confirmation of that reduction to the Local Planning Authority within a time period to be agreed with the Local Planning Authority. In the event that it is not possible to achieve the specified noise limit with mitigation within a reasonable time period, then the operation of the turbine shall cease.

The measurement time period shall be based on BWEA blade length calculation (para 3.4(1) $t=4 \times D$ seconds) where t = measurement time period in seconds (subject to a minimum period of 10 seconds) D = rotor diameter in metres.

Reason: To protect the amenity of residents in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

13. In the event of an alternative turbine to that contained in the submitted noise assessment (reference) being chosen for installation, then development shall not take place until a new desktop site specific noise assessment of the proposed turbine has been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenity of residents in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

14. Wind speed, wind direction and power generation data for the wind turbine shall be continuously logged and provided to the Local Planning Authority at its request and in accordance with the attached guidance notes within 28 days of any such request.

Reason: To protect the amenity of residents in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

15. At the reasonable request of the Local Planning Authority, following a complaint to it about shadow flicker from the wind turbine, the operator of the wind turbine shall, if required shut down the turbine and at its expense, employ a consultant approved by the Local Planning Authority, to measure, assess and report to the Local Planning Authority the level of shadow flicker generated by the operation of the wind turbine at the property to which relates ('the complainant's property') in a scheme to be agreed with the Local Planning Authority. The assessment shall be commenced within 21 days of the notification, or such longer time as approved by the Local Planning Authority.

If the assessment requested by the Local Planning Authority demonstrates unacceptable levels of shadow flicker, the operator of the turbine shall take immediate steps to provide mitigation to ensure that the impacts are reduced to an acceptable level. The operator shall provide written confirmation of that scheme of mitigation and timescale for its implementation, to the Local Planning Authority within a time period to be agreed with the Local Planning Authority..

Reason: To protect the amenity of residents in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

16. No development shall take place until a Species and Habitat Protection and Mitigation Plan for Construction has been submitted and approved in writing by the local planning authority. The plan shall include:

- a) An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- b) Details of protective measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
- c) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season, reptiles, etc.);
- d) Details of specific species and habitat mitigation measures;
- e) Persons responsible for:
 - i) Compliance with legal consents relating to nature conservation;
 - ii) Compliance with planning conditions relating to nature conservation;
 - iii) Installation of physical protection measures during construction;
 - iv) Implementation of sensitive working practices during construction;
 - v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
 - vi) Specific species and Habitat Mitigation measures
 - vii) Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the local planning authority.

Reason: To afford protection to animal and plant species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

17. Development shall be undertaken strictly in accordance with the requirements contained within the Great Crested Newt Working Method Statement, produced by Ecology Resources Ltd. Date March 2017.

Reason: To afford protection to protected species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

18. No development shall take place until the details of the process of reporting incidental bat and bird strikes to the Local Planning Authority has been agreed in writing with the Local Planning Authority. Thereafter, the required reports shall be provided to the Local Planning Authority in accordance with the agreed details.

Reason: To afford protection to animal and plant species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

19. Prior to the development commencing, component 1 below of a scheme to deal with the risks associated with pollution and or damage to landfill infrastructure at the site shall be submitted to and approved, in writing, by the

Local Planning Authority: Component 2 shall be submitted to and approved, in writing, by the local planning authority prior to the development being used for generating electricity other than for commissioning or trials.

1. The developer shall submit proposals for the excavation of the cable trench, construction of turbine and crane pads, when proximal to landfill infrastructure (landfill gas, leachate pipework and groundwater monitoring wells) to ensure that they are protected and effectively maintained/replaced. This should be in the form of a Maintenance and Care Plan (MCP) prepared by an independent CQA engineer (CQAE) familiar with landfill infrastructure.
2. The developer will engage an independent CQAE to ensure supervision of the excavation of the cable trench in areas identified in the MCP as at risk. A verification report demonstrating effective completion of the works set out in the approved MCP.

Reason: To ensure the landfill infrastructure (landfill gas, leachate pipework and groundwater monitoring wells) and the development are afforded adequate protection in accordance with Policy AW10 of the Rhondda Cynon Taf Local development Plan.

20. Prior to the development commencing, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified;
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The landfill and ground gas emissions should be assessed to ensure that the foundation, utility service entry points and enclosed spaces within the development are afforded adequate gas protection measures either directly from landfill gas or indirectly from leachate. Alternatively, protection measures should be included in the design in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

21. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk from landfill gas or to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Although a typical design is shown to be a reinforced concrete pad, the actual design is not confirmed. The condition is required to ensure the development and environment is afforded adequate protection from landfill gas and leachate in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

22. No development shall take place until a Traffic Management Plan (TMP) has been submitted to and approved in writing by the Local Planning Authority. Any temporary mitigation measures affecting public highway shall be implemented prior to transportation of the abnormal loads and reinstated upon completion of the development. The TMP shall include the following:-

- a) Swept Path Analysis (showing full route and mitigation measures);
- b) Component size (width, height, length, weight);
- c) Convoy Length (number of vehicles including emergency services and escorts);
- d) Traffic Management (during transportation of abnormal loads);
- e) Structures (over bridges height, width, weight restrictions);
- f) Highway works (including all temporary works to public highway to facilitate access and reinstatement works including timescales);
- g) Dry Run (to be witnessed by highway authority and police);
- h) Temporary Traffic Regulation Orders; and where residents displaced parking would take place without impacting on free flow of traffic and highway safety.
- i) Emergency Contingencies.

Reason: In the interests of highway safety / to ensure safe and satisfactory delivery of all components in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

23. Prior to the commencement of the development, a report indicating a methodology for undertaking a condition survey of local roads including the site access road to Nant-Y-Gwyddon Road B4223 to the A4058 shall be submitted to and approved in writing by the Local Planning Authority. The report should include: the timescales for undertaking the surveys and the method(s) of reporting the findings to the Local Planning Authority; comprehensive photographs; and potential compensation arrangements. The development shall not be brought into use until the final survey (on completion of the development hereby approved) and any compensation arrangements have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the extraordinary traffic use arising from the proposed development does not have an adverse impact on highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

24. Prior to the commencement of development, facilities for wheel washing shall be provided on site in accordance with details submitted to and approved in writing by the Local Planning Authority. Wheel washing shall be in operation during the duration of the development period.

Reason: To prevent debris and mud from being deposited onto the public highway, in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

25. In the interests of air safety, the turbine shall be fitted with aviation lighting. The turbine should be fitted with 25 candela omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point, unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of air safety in accordance with Policy AW12 of the Rhondda Cynon Taf Local Development Plan.

26. No development shall take place until full drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The turbine shall not be brought into use until drainage arrangements have been completed in accordance with the approved details.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.