

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0385/FULL 20.05.2016	Aber Valley Community Turbine Ltd Mr D Brunton The Old Caretakers House Gwern Avenue Senghenydd Caerphilly CF83 4HA	Erect a single wind turbine of up to 77m tip height and associated infrastructure Land At Graig-yr-hufen Road Senghenydd Caerphilly

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: Graig y Hufen Farm to the north of Senghenydd and Abertridwr. The site is to the east of the road leading to Eglwysilan Common.

Site description: The immediate setting of the turbine at Graig-y-Hufen Farm is one of open pastoral fields enclosed by stone walls, with some tree copses nearby. These fields rise up to the crest of the horse shoe of hills to the north of Senghenydd, where a further stone wall marks an abrupt transition to open common land. In addition to Graig-y-Hufen there are a few scattered farmsteads on the hills including Parc Mawr, Caer-moel and Maes Diofal. Approximately 200m to the south of the proposed site the ground transforms from gently sloping to steeply sloping with the nearest houses being at a much lower ground level than the proposed turbine.

The settlement immediately to the south, at a minimum range of 0.8km from the turbine, is Senghenydd, which lies in the Aber Valley. Much of the valley floor is urban in character with Abertridwr occupying a wider part of the valley to the south as far as Caerphilly.

To the north is the small village of Llanfabon at a range of 1.8km and beyond that at just under 3km, the town of Nelson.

Development: The project comprises the installation of a single wind energy converter or wind turbine (WEC).

The key components of the wind development are as follows:

Cont....

Planning application 16/0385/FULL Continued

A single WEC mounted on a tapering circular steel tower up to 50m high. This will be delivered to the site in components comprising three blades up to 27m long, four tower sections, a nacelle (to which the blades are fixed and in which the generator is housed), and a 'can' which is cast into the concrete foundation and provides the means of fixing the tower to the base. The latter may be substituted for several dozen holding down bolts depending on the WEC model finally selected.

A small substation building about 2.7m x 2.4m on plan enclosed within an enclosure will be located alongside the hardstand close to the turbine building.

A circular, octagonal, hexagonal or square reinforced concrete foundation which will be buried below the existing ground surface on completion.

A 4.0m wide gravel access track, widened at corners, will be constructed from the point where it leaves the public highway at OS grid reference ST110916 to the WEC site. This track will head west before forming a loop back to the east as it rises up the hill noting that it crosses the lane to the north of Graig y Hufen farm at right angles.

The grid connection route will be confirmed following a formal offer from Western Power Distribution, however it is anticipated that the electrical grid connection point will be an existing timber pole on the eastern boundary of the field in which the WEC is located. A buried cable of up to about 70m would carry the energy generated to this point.

A gravel hard standing, measuring about 20m by 30m, to facilitate the erection of the WEC. This will be substantially reinstated on completion.

A component lay down area of approximate 15m by 30m which may need to be partially stripped of soil and covered with a thin layer of gravel, and will be reinstated on completion.

A temporary construction compound to accommodate the contractor's office, welfare facilities, plant and materials is required with an area of about 550m². This may be located directly on the existing ground surface, but will in any case be completely reinstated on completion.

After commissioning of the WTG the temporary compound including the portacabins will be removed. The whole site area will be cleared of all contractor's materials, plant and equipment and waste materials associated with the wind turbine. Areas of ground affected during construction will be reinstated with topsoil.

Cont....

Planning application 16/0385/FULL Continued

The turbine base and hard standing area will be reduced in size to approximately 15m x 18m, by covering part of the area with topsoil stored from the excavation work and blending it to the level to that of the surrounding ground. The hard standing will remain in situ under the naturalised surface in the event that it is needed for crane access to replace turbine components. The retained hard standing will be used for parking maintenance vehicles, for small crane operations and for pedestrian access. During the operations and maintenance period, routine access to the site will be required via the lane running through Graig y Hufen Farm site entrance. On completion of the works the temporary route prepared for AIL deliveries from the west of Graig y Hufen to the road crossing north of Graig y Hufen will be topsoiled and vegetated thus returning it to pasture. The verges of the access track will be dressed with top-soil arising from the initial excavations to allow vegetation to regenerate.

The expected productive lifetime of the proposed wind turbine will be 25 - 30 years. At the end of this operational life, it will be necessary to decide whether to refurbish, replace or decommission the turbine. If the site is decommissioned, the turbine and the upper section of the foundation will be removed and backfilled. The electric cables may be left in the ground because it will be less disruptive to leave them than in place than to remove them.

Ancillary development, e.g. parking: None.

PLANNING HISTORY 2005 TO PRESENT

14/0236/FULL - Install 60m high meteorological mast for a period of two years to measure wind speed and direction. Granted 15.07.2014.

14/0575/FULL - Install a 60m high meteorological mast for a period of two years to measure wind speed and direction. Granted 30.10.2014.

POLICY

Site Allocation

Local Development Plan: The site lies in the open countryside beyond a settlement boundary, it is not allocated for any specific use. It is within a Special Landscape Area and a Sandstone Safeguarding Area.

Cont....

Planning application 16/0385/FULL Continued

Policies

Local Development Plan: SP1 (Development Strategy), SP5 (Settlement Boundaries), SP8 (Minerals Protection), SP10 (Conservation of Natural Heritage), CW2 (Amenity), CW3 (Highways), CW4 (Natural Heritage Protection), CW15 (General Locational Constraints), CW19 (Locational Constraints - Rural Development and Diversification), CW22 (Locational Constraints - Minerals), NH1.3 (Mynydd Eglwysilan).

National Policy: Technical Advice Note 8: Planning for Renewable Energy, July 2005. Planning Policy Wales.

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? - Yes.

Was an EIA required? - No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? - Yes.

CONSULTATION

Transportation Engineering Manager - No objection subject to the imposition of conditions with regard to the submission of a Traffic Management Plan and a highway condition survey.

Head Of Public Protection - No objection subject to conditions in respect of noise, hours of delivery to the site during construction and shadow flicker.

Senior Engineer (Land Drainage) - No objection subject to the imposition of a condition requiring the submission of a drainage scheme.

Countryside And Landscape Services - Raises objection to the application on the basis of the visual impact of the development on the landscape character of the area and on sensitive receptors in the locality.

The Coal Authority - No objection subject to the imposition of a condition requiring the submission of a site investigation report.

Rights Of Way Officer - Provides advice to be conveyed to the developer.

Principal Valuer - No objection.

Cont....

Planning application 16/0385/FULL Continued

National Air Traffic Services - No objection.

Ministry Of Defence - No objection.

Dwr Cymru - Provides advice to be conveyed to the developer.

Wales & West Utilities - No objection.

British Telecom - Provides advice to be conveyed to the developer.

Natural Resources Wales - No objection.

Glam/Gwent Archaeological Trust - No objection subject to the imposition of a condition requiring the submission of a scheme of historic environment mitigation.

Brecon Beacons National Park - No objection.

Welsh Government Trunk Road Manager - Raises no objection subject to the imposition of a condition requiring the submission of a traffic management plan.

South Wales Trunk Road Agency - No objection.

Joint Radio Company Limited - No objection.

OFCOM - No objection.

Public Health Wales - No objection.

ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a press notice, a site notice and neighbour letters.

Response: Six letters of objection were received together with twenty four letters in support of the application. The support letters included letters from both the AM and MP.

Summary of observations: The objections are summarised as follows:-

- 1 Noise disturbance.
- 2 Effect on the ecology of the area including birds and bats.
- 3 Damage to property during construction.
- 4 Visual impact.

Cont....

Planning application 16/0385/FULL Continued

- 5 Insufficient consultation has been carried out in the area.
- 6 Loss of property value.
- 7 How will the development help to fund the youth centre etc. Further information is required on the business plan for this.
- 8 Impact on highway safety.
- 9 The structure should be painted green to help it blend in with the background.
- 10 This could lead to more turbines in the area.

The comments in support are summarised as follows:-

- 1 The revenue will be a valuable contribution to the sustainability of the SYDIC.
- 2 The turbine would provide clean renewable energy.
- 3 The turbine could become a teaching resource for the community.
- 4 It could also be a tourist destination.
- 5 Supports the goals of the Well Being of Future Generations (Wales) Act 2015.

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?

None.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main point to consider in the determination of this application is the visual impact that the proposal will have on the area and how this is balanced against the need to provide renewable energy and the community benefits provided by this particular scheme.

The character of the Llanfabon Visual & Sensory Area has changed. The northern section, north of the Mynydd Eglwysilan range, has changed from a landscape that could be described as a "landscape character area with no turbines" to a "landscape area with occasional turbines in it and/or intervisible in another landscape character area".

Cont....

Planning application 16/0385/FULL Continued

However, to the south of the Mynydd Eglwysilan range and east of Mynydd Meio, the Llanfabon aspect area has not changed significantly since the Landmap evaluation and still remains a "character area with no wind turbines" as the mountain range and ridges create a defined visual envelope, creating an internally focused, tranquil and still landscape. This area has "high scenic quality and integrity." The Castell Llwyd turbine is outside this visual envelope, being screened for the most part by Mynydd Eglwysilan.

From the Abertridwr Valley, the subtle differentiation between Landmap areas is negligible, and this is reflected in the inclusion of both Landmap areas within the Special Landscape Area Designation. The farmed mountain-sides with open common land above are read as one enveloping rural landscape, and the High Landmap evaluation should be given priority for this area. Any change to this part of the Llanfabon area will have an impact on the Mynydd Eglwysilan and Meio area beyond as they are seen within the same visual context.

The policy for the Special Landscape Area, within which the proposed turbine sits, is to "prevent the area becoming too cluttered with incongruous vertical elements, including pylons and turbines."

Technical Advice Note 8, paragraph 2.13 states . . . "there is a balance to be struck between the desirability of renewable energy and landscape protection. Whilst that balance should not result in severe restriction on the development of wind power capacity, there is a case for avoiding a situation where wind turbines are spread across the whole of a county."

Planning permission was refused on Appeal in 2014 and 2015 for one and two turbines respectively at Pen yr Heol Las Farm which is on the eastern side of the Rhymney Valley above Llanbradach. In the first case the Inspector expressed concern about the impact on the SLA and the setting of Caerphilly Basin. The second Inspector was concerned about the impacts on the landscape character and visual impact. Since then permission was granted in 2015 for a 77m high wind turbine at Castell Llwyd Farm which overlooks Ystrad Mynach. Also, three wind turbines of up to 110m in height were allowed on Appeal in 2015 at Pen Bryn Oer, Rhymney.

It is acknowledged that the cumulative and standalone visual impact of this turbine and others in the area is a significant factor to be considered. However, because of the topography of the area and as a result of existing screening features (i.e. trees, buildings etc) from the relevant viewpoints the views of the turbines would be limited to glimpsed views. The closest settlement to the proposed turbine is Senghenydd, which is some 800m to the south of the site. However, the topography of the area is such that the nearest dwellings are some 70m lower than the application site with a steep slope between the two such that it will not be possible to see the turbine from those dwellings. It is also considered that not all of the turbines would be visible at any one time and from any one viewpoint within a 180 degree vista.

Cont.....

Planning application 16/0385/FULL Continued

Moreover, given the existing gaps between the turbines in the area the cumulative impact is considered to be such that it is considered to be carefully balanced in terms of acceptability.

It is accepted that wind turbine developments have a significant impact on the landscape character and visual amenity of an area by the very nature of their height and prominence. The role of the Local Planning Authority is to consider whether that impact is significant enough to justify a refusal of any planning application. In this instance that impact only has to be addressed against the wider national need to provide renewable energy.

Need for Renewable Energy in the Area

In this respect the UK is subject to the requirements of the EU Renewable Energy Directive which includes a UK target of 15% of energy from renewable sources by 2020. This includes both heat and electricity, and is seen as a minimum and a starting point from which the proportion should rise. At present in terms of electricity, there are 9 wind turbines and 3 solar farms in the county borough. These make a significant contribution. The 2 turbines at Oakdale for example generate as much electricity as the 1,834 domestic PV systems in the county borough. The amount of electricity generated in the county borough is around 12% of the predicted amount likely to be used in 2020. In terms of heat however, the figure is less than 1%. It is envisaged that a further target above the 15% aim is likely to be set soon as it is an initial target on the road to the 80% reduction in carbon emissions required by the EU. Even if Caerphilly borough exceeds the target of 15% before 2020 it will be expected to push on further and provide more. Consequently the landscape impacts of this turbine have to be assessed against this backdrop of a shortfall in the energy production within the county borough to meet predicted needs. On balance it is considered that the need to provide renewable energy outweighs the harm that the proposal would have on the landscape character and visual amenity of the historic landscape and as such the proposal is acceptable in this regard.

The applicant states that the proposed turbine will also supplement the income of SYDIC - a youth drop in centre - thereby making it financially sustainable moving forward. The Well Being of Future Generations (Wales) Act came into force in 2015. The Act places a duty on public bodies to carry out sustainable development (Welsh Government, 2015).

"The planning system is necessary and central to achieving sustainable development in Wales." The Minister for Natural Resources has made it clear in his recent letter to Planning Lead Members that "[when] taking decisions on local planning policies and individual development management decisions consideration should be given to the overall context of helping to tackle climate change and delivering the sustainable development duty placed on all public bodies by the Well-being of Future Generations (Wales) Act." Cont.....

Planning application 16/0385/FULL Continued

The Welsh Government's policy is "...to support community driven renewable energy projects where benefits from the projects are returned to the host community."

In respect of community benefits it is noted that TAN8 suggests that developers should consider these, but it is not a requirement that they should be in place in order to make a development acceptable in planning terms.

The Practice Guidance: Planning Implications of Renewable Energy and Low Carbon Technology (2011) explains the difference between community benefit, which can be described as "... a 'goodwill' contribution voluntarily donated by a developer for the benefit of communities affected by development ..." and community involvement, whereby a community establishes their own renewable energy developments. These two aspects should be considered differently with respect to assigning weight within the planning balance, with the Practice Guidance (PG) explaining that; "Any proposed benefits that are offered are not a material consideration unless they are directly relevant to planning and the proposed development."

With respect to the Aber Valley Community Turbine, the project reflects a scenario of community involvement. The primary driver behind the project is the need to provide a sustainable income to SYDIC to enable it to continue to provide much needed and valued services to the young people and wider community of the Aber Valley. This intention and desired outcome is directly relevant to the proposal and should therefore be considered material in the planning balance. In that regard it is considered that the community benefits of the development, which is to be owned by SYDIC with all profits being retained and utilised by it, makes a strong argument in that balance.

Impact on Ecology and Wildlife

A Baseline Ecological Survey and Bird Surveys were carried out on this site. The findings of those surveys have been considered by Natural Resources Wales and the Council's Ecologists and no objections have been raised. On that basis it is not felt that the proposal would have a detrimental impact on ecology or wildlife.

Distance to Nearest Dwelling.

Annex D to TAN 8 does suggest that a 500m separation distance between a turbine and any residential property should be used in order to avoid unacceptable noise impacts. However, it also suggests that when applied in a rigid manner this can lead to conservative results and as such flexibility is advised. In that regard a noise survey has been submitted with the application which indicates that the noise levels at the nearest properties are acceptable within established guidelines. In that regard it is not considered that a 500m separation distance is required in this instance.

Cont....

Planning application 16/0385/FULL Continued

Highways Impacts

The application has been accompanied by a number of documents that describe the route that is to be used to transport the turbine and its components to the application site and the highway safety implications of this. These documents have been assessed by the Transportation Engineering Manager who has raised no objection to the proposal subject to the imposition of conditions. Therefore the proposal is considered to be acceptable in highway safety terms.

Comments from consultees: Addressed above.

Comments from public:

- 1 The issue of noise has been considered above.
- 2 Ecology is addressed above.
- 3 Any damage caused to third party property during construction would be a private matter between those parties.
- 4 Visual impact is addressed above.
- 5 The application was advertised by means of a press notice , a site notice and neighbour letters. This is in line with legislative requirements and Council protocol. The proposed turbine was also extensively publicised by the developers over a prolonged period.
- 6 Loss of property value is not a material planning consideration.
- 7 The community aspect of this proposal is discussed above. It is not for the Local Planning Authority to consider the internal management structure of SYDIC or how it intends to distribute its profits from this proposal.
- 8 This is considered to be acceptable by the Council's Transportation Engineering Manager.
- 9 It is not felt that painting the turbine green would help it to blend in with its surroundings. Given the height of such structures it is considered more beneficial for them to be white in order to blend in with the sky.
- 10 Approval of this application would not set a precedent for further turbines in the future as each application has to be considered on its own merits.

Other material considerations: None.

In conclusion it is clear from the above discussion that the main point of concern with regard to this application is the visual impact of the development on the landscape character and visual amenity of the area. The comments from the Council's Countryside and Landscape Services suggest that the impact varies from localised to significant dependant on the viewpoint and the relevant topography and natural screening. However, the comments also suggest that the impact, whilst worse than suggested by the applicant, should be balanced against the need to provide renewable energy.

Cont....

Planning application 16/0385/FULL Continued

Permission has been refused on Appeal for turbines in this locality some 2.5 km away from the application site, but more recently consent has been granted for a similar sized turbine some 2.4 km to the east. The approved and built turbine has similar visual impacts as the one currently proposed; both according to the submitted visibility zone plans can be seen from the west and north, whereas those that were refused were also visible from Caerphilly Basin.

Similar concerns were raised in Rhymney about the introduction of tall structures in an SLA but the Inspector gave considerable weight to the need to achieve renewable energy targets and the fact that the development is reversible after 25 years.

On balance it is considered that the need to provide renewable energy and the community benefits outweigh the harm that the proposal would have on the landscape character and visual amenity of the area and as such the proposal is acceptable in planning terms.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

- 02) The development shall be carried out in accordance with the following approved plans and documents: Design and Access Statement by QuadConsult Limited, Additional Planning Information by Seren Energy, Aber Valley Community Turbine and the Well-Being of Future Generations Act 2015 by SYDIC, SYDIC Case Study; Senior Youth Worker, Mia Hughes, Local Energy Oversight report by Energy Saving Trust, Extended Phase 1 Habitat Survey Report by Sylvan Ecology, Report of Bat Survey by Ecology Matters, Environmental Impact Assessment by Glamorgan and Gwent Archaeological Trust, Environmental Statement Update by Glamorgan and Gwent Archaeological Trust, Noise assessment by Ion Acoustics, Shadow Flicker Assessment by Seren Energy, Statement by Arboricultural Technician Services and Coal Mining Risk Assessment by Integral Geotechnique.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Cont.....

Planning application 16/0385/FULL Continued

- 03) The level of noise from the wind turbine (hereby approved) measured at the nearest noise sensitive properties shall not exceed 44dB(A) (LA90, 10 mins) up to wind speeds of 10m/s at 10m height when calculated in accordance with the attached Guidance Notes, or such other guidance as may be agreed in writing by the Local Planning Authority.
REASON: In the interest of the amenity of noise sensitive properties.
- 04) During the course of the investigation required by Condition 04, should the wind turbine or turbines be identified as operating above the parameters specified in Condition 02, the wind turbines will be modified, limited or shut down as required to ensure compliance with this condition. These measures shall be applied until such time as maintenance or repair is undertaken sufficient to reduce the absolute noise level of the operating turbines to within the parameters specified.
REASON: In the interest of the amenity of noise sensitive properties.
- 05) Within 21 days from the receipt of a written request from the Local Planning Authority and following a noise complaint to the Local Planning Authority from the occupant of a dwelling which lawfully exists or has planning permission at the date of this consent, the wind turbine operator shall, at the operator's expense, engage an independent consultant approved by the Local Planning Authority to assess the level of noise emissions from the wind turbines at the complainant's property following the procedures described in the attached Guidance Notes or such other guidance as may be agreed in writing by the Local Planning Authority. The independent consultant's assessment and conclusions regarding the said noise complaint, including all calculations, audio recordings and the raw data upon which those assessments and conclusions are based, shall be submitted for the approval of the Local Planning Authority within 2 months of the date of the written request, unless otherwise extended in writing by the Local Planning Authority. The assessment recommendations as may be approved in writing by the Local Planning Authority shall be implemented and carried out within a set timescale agreed in writing by the Local Planning Authority.
REASON: In the interest of the amenity of noise sensitive properties.
- 06) Following the commission of the wind turbine hereby approved, the power generation, the wind speed and direction data, shall be continuously logged in accordance with a method that shall have been agreed in writing by the Local Planning Authority and such data shall be retained for a period of not less than 24 months and it shall be provided to the Local Planning Authority at its written request within 14 days of such request.
REASON: To monitor the wind turbine use and provide information to the Local Planning Authority to retain effective control.

Cont.....

Planning application 16/0385/FULL Continued

- 07) Deliveries and construction works associated with the wind turbine hereby approve shall not take place outside the hours of 0700 and 1900 hours Mondays to Fridays, 0900 and 1600 hours Saturdays and not at all on Sundays and Public Holidays, unless otherwise agreed in writing with the Local Planning Authority.
REASON: In the interest of residential amenity.
- 08) Prior to the commissioning of the wind turbine hereby approved they shall have been fitted with a control system that automatically shuts down the turbines during times when shadow flicker occurs, in accordance with a scheme of control that shall have been agreed in writing with the Local Planning Authority and the turbines shall be operated in accordance with the agreed scheme unless otherwise agreed in writing with the Local Planning Authority.
REASON: To control flicker in the interest of amenity of nearby flicker sensitive properties.
- 09) Notwithstanding the submitted details there shall be no movements of Abnormal Indivisible Loads to or from the site until after a revised Traffic Management Plan (TMP) has been submitted to and agreed in writing by the Local Planning Authority. The TMP shall indicate full consultation and approval with neighbouring Authorities which the loads pass through and consultation and approval with the Welsh Government. The TMP shall provide evidence that the necessary permits have been given by the South Wales Police Liaison Transport Officer who co-ordinates the safe passage of abnormal vehicles and shall also include full details of the hauliers indemnity insurance for approval. Details of any highway improvements required to the highway network with Caerphilly County Borough Council shall also be provided for approval by the Local Planning Authority and be completed prior to the delivery of the loads. The development shall proceed in accordance with the TMP following approval in writing by the Local Planning Authority.
REASON: In the interests of highway safety.
- 10) Prior to the transportation of any turbine components; a highway condition survey along the proposed route within Caerphilly County Borough shall be carried out and agreed in writing with the Local Planning Authority, which includes a scheme and timetable for the repair of any damage caused by abnormal loads associated with this development. The development shall thereafter be carried out in accordance with those agreed details.
REASON: In the interests of highway safety.

Cont.....

Planning application 16/0385/FULL Continued

- 11) No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the Local Planning Authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.
REASON: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.
- 12) Prior to the commencement of works on site a scheme of intrusive site investigations shall be submitted for the approval of the Local Planning Authority. The site investigations shall thereafter be carried out in accordance with the approved details and a report on the findings together with any suggested mitigation measures shall be submitted for approval. The construction of the turbine hereby approved shall not commence until such time as a certificate, duly signed by a suitably qualified engineer has been submitted to testify that the works have been carried out in accordance with the approved scheme.
REASON: In order to ensure that the development has regard for past underground mining risk.
- 13) Prior to the commencement of works on site a scheme of land drainage shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 14) Prior to the commencement of works on site, details of the position and extent of the cable route together with an assessment of the ecological value of the habitats and species along the route together with any necessary mitigation measures shall be submitted for agreement of the Local Planning Authority. The agreed measures shall be strictly complied with.
REASON: To minimise impact on species rich habitats.
- 15) The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.

Cont.....

Planning application 16/0385/FULL Continued

- 16) Notwithstanding the approved details, the portion of the access track as shown hatched in red on drawing number ABERVLP-1C shall be removed from the site and the land restored to its former condition within one month of the date of the turbine coming into use.
REASON: In the interests of the landscape character of the area.
- 17) The wind turbine, tower and ancillary equipment shall be removed from the site and the land restored to its former condition upon cessation of the use of the turbine in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The cessation of the use shall be defined as the wind turbine becoming inoperative for a continuous period of six months.
REASON: In the interests of visual amenity.
- 18) The wind turbine and tower hereby approved together with the ground equipment and plant shall be removed from the application site, either before the end of 25 years from the date of commencement of the development hereby approved or within six months upon their becoming no longer operationally active in the generation of electricity, whichever is the earlier.
REASON: In order to define the extent of the permission hereby granted.
- 19) The transformer unit shall be painted in a colour to be agreed in writing by the Local Planning Authority prior to works commencing on site.
REASON: In the interests of visual amenity.
- 20) Prior to the commencement of works on site a scheme shall be submitted for the written approval of the Local Planning Authority for the blocking up of existing gateways and the reinstatement of any stone boundary walls. The development shall thereafter be carried out in accordance with the approved details.
REASON: In the interests of visual amenity.

Advisory Note(s)

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2, CW3 and CW4.

The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), (www.archaeologists.net/codes/ifa) and it is recommended that it is carried out either by a CIfA Registered Organisation (www.archaeologists.net/ro) or an accredited Member.

Comments from Dwr Cymru/Welsh Water, Wales and West Utilities, Senior Engineer (Land Drainage) and British Telecom.

Cont.....

Planning application 16/0385/FULL Continued

The proposed service track utilises part of Footpath 30 in the community of Caerphilly. The path must remain open for access at all times, unless the appropriate temporary closure order is in place. Measures must be taken for the safety of users, whether this be banksmen, separate tracks, or a temporary closure.

