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For all enquiries relating to this agenda please contact Sharon Hughes
(Tel: 01443 864281 Email: hughesj@caerphilly.gov.uk)

Date: 5th December 2023

To Whom It May Concern,

A multi-locational meeting of the **Planning Committee** will be held in the Council Chamber, Penallta House, and via Microsoft Teams on **Wednesday, 13th December, 2023** at **5.00 pm** to consider the matters contained in the following agenda. You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so. A simultaneous translation will be provided on request.

Members of the public or Press may attend in person at Penallta House or may view the meeting live via the following link: <https://civico.net/caerphilly>.

This meeting will be live-streamed and a recording made available to view via the Council's website, except for discussions involving confidential or exempt items. Therefore the images/audio of those individuals present and/or speaking at Planning Committee will be publicly available to all via the recording on the [Council website](#).

Interested parties may make a request to speak in regard to any item on this agenda. To obtain further details on this process please contact the Committee Clerk hughesj@caerphilly.gov.uk.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'CHARRY'.

Christina HARRY
CHIEF EXECUTIVE

AGENDA

A greener place Man gwyrddach

Correspondence may be in any language or format | Gallwch ohebu mewn unrhyw iaith neu fformat



1 To receive apologies for absence.

2 Declarations of Interest.

Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

To approve and sign the following minutes: -

3 Planning Committee held on 8th November 2023.

1 - 6

To receive and consider the following report(s): -

4 Application No. 23/0470/FULL - Land At Grid Ref 310441 193869, Craig-evan-leyshon Common Road, Llanfabon, Nelson.

7 - 36

Circulation:

Councillors M.A. Adams, Mrs E.M. Aldworth (Vice Chair), A. Angel, R. Chapman, N. Dix, G. Ead, J.E. Fussell, A. Hussey, B. Miles, M. Powell, R. Saralis (Chair), J. Simmonds, J. Taylor, S. Williams, A. Whitcombe and K. Woodland

And Appropriate Officers

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PLANNING COMMITTEE

MINUTES OF THE MULTI-LOCATIONAL MEETING HELD AT PENALLTA HOUSE AND VIA MICROSOFT TEAMS ON WEDNESDAY, 8TH NOVEMBER 2023 AT 5:00 PM

PRESENT:

Councillor Mrs E. M. Aldworth – Vice Chair (Presiding)

Councillors:

M. A. Adams, A. Angel, R. Chapman, N. Dix, G. Ead, J. Fussell, A. Hussey, B. Miles, M. Powell, J. Taylor, S. Williams, A. Whitcombe and K. Woodland.

Cabinet Member: Councillor P. Leonard (Planning and Public Protection).

Together with:

V. Julian (Senior Lawyer), R. Kyte (Head of Regeneration and Planning), R. Thomas (Planning Services Manager), C. Powell (Team Leader Development Management), A. Pyne (Principal Planner), H. Winsall (Principal Planner), L. Cooper (Assistant Engineer), J. Hobbs (Principal Engineer), M. Godfrey (Team Leader - Pollution Control) and S. Hughes (Committee Services Officer).

Also present to speak on applications:

Agenda Item 4 – Councillor A. Gair (Local Ward Member) and J. Ayoubkhani (Agent).
Agenda Item 6 – Councillor S. Kent (Local Ward Member) and J. Cocks (Applicant).

RECORDING, FILMING AND VOTING ARRANGEMENTS

The Chair reminded those present that the meeting was being live-streamed and recorded and would be made available following the meeting via the Council's website – [Click Here to View](#). Members were advised that voting on decisions would be taken via Microsoft Forms.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R. Saralis (Chair) and J. Simmonds.

2. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

3. **PLANNING COMMITTEE HELD ON 11TH OCTOBER 2023**

It was moved and seconded that the minutes of the Planning Committee meeting held on the 11th October 2023 be agreed as a correct record. By way of Microsoft Forms and verbal confirmation (and in noting there were 13 for, 0 against and 1 abstention) this was agreed by the majority present.

RESOLVED that the minutes of the Planning Committee meeting held on 11th October 2023 (minute nos. 1-6) be approved as a correct record.

4. **APPLICATION NO. 22/0567/FULL - GELLIARGWELT UCHAF FARM, GELLIGAER ROAD, GELLIGAER, HENGOED, CF82 8FY**

The Planning Case Officer presented the application, verbally advised members of the response of the Transportation Engineering Manager, with it confirmed in the accompanying report that the recommendation in respect of the proposal had taken full account of, and was in conformity with, both Future Wales and Planning Policy Wales Edition 11.

Councillor A. Gair (Local Ward Member) spoke in objection to the application and J. Ayoubkhani (Agent) spoke in support of the application.

Following consideration of the application it was moved and seconded that subject to an additional Condition (09) and the conditions contained in the Officer's report, the recommendation be approved. By way of Microsoft Forms (and in noting there were 8 for, 3 against and 3 abstentions) this was agreed by the majority present.

RESOLVED that: -

- (i) Subject to an additional Condition (09) and the conditions contained in the Officer's report the application be GRANTED.
- (ii) **Additional Condition (09)**

Prior to the importation of any additional material to the site associated with the approved development or within 3 months of the date of this decision (whichever is the earlier) a Construction Traffic Management Plan (CTMP) shall be submitted for the written approval of the Local Planning Authority.

The Construction Traffic Management Plan (CTMP) at a minimum shall include the following:

- Type and number of anticipated vehicles entering/ leaving the site on a daily basis;
- Construction time frame;
- Details of banksman (if required);
- Temporary parking facilities (if required);
- Anticipated haul routes.

The approved Construction Traffic Management Plan (CTMP) shall be adhered to thereafter.

REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- (iii) The applicant be advised that Natural Resources Wales have confirmed that in the event a pollution incident occurs to the receiving watercourse, a water discharge consent will be required.
- (iv) The applicant be advised:
WARNING:
SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.

Please note from the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m² or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511

Email: drainage@caerphilly.gov.uk

Website: www.caerphilly.gov.uk/sab

- (v) The applicant be advised of the comments of Natural Resources Wales, Senior Engineer (Drainage), Rights of Way Officer, Chief Fire Officer and Glamorgan Gwent Archaeological Trust that are brought to the applicant's attention.
- (vi) The applicant be advised to consider the comments of the Chief Fire Officer and update their existing fire strategies as appropriate.

5. APPLICATION NO. 23/0503/FULL - LAND SOUTH OF ABINGDON FLOORING LTD., UNIT 1, PARKWAY, PEN-Y-FAN INDUSTRIAL ESTATE, PEN-Y-FAN, NEWPORT, NP11 3XG

The Planning Case Officer presented the application, with it confirmed in the accompanying report that the recommendation in respect of the proposal had taken full account of, and was in conformity with, both Future Wales and Planning Policy Wales Edition 11.

Following consideration of the application it was moved and seconded that subject to the conditions contained in the Officer's report, the recommendation be approved. By way of Microsoft Forms (and in noting there were 14 for, 0 against and 0 abstentions) this was unanimously agreed.

RESOLVED that: -

- (i) Subject to the conditions contained in the Officer's report the application be GRANTED.
- (ii) The applicant be advised:
NOTIFICATION OF INITIATION OF DEVELOPMENT AND DISPLAY OF NOTICE:

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties include:

Notice of initiation of development:

Before beginning any development to which this planning permission relates, notice must be given to the local planning authority in the form set out in Schedule 5A to the town and Country Planning (development Management procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details which must be given to the local planning authority to comply with this duty.

Display of Notice:

The person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B to the Town and country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details the person carrying out development must display to comply with this duty.

The person carrying out the development must ensure the notice is:

- (a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- (b) legible and easily visible to the public without having to enter the site; and
- (c) printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

- (iii) The applicant be advised:

WARNING:

SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.

Please note from the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m² or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511

Email: drainage@caerphilly.gov.uk

Website: www.caerphilly.gov.uk/sab

- (iv) The applicant be advised the first 1m in width of the grass verge area, which will need to be crossed in order to form the proposed junction, forms part of the adopted highway. It should be noted that there is a requirement

for the junction works to be undertaken under an appropriate highway agreement.

- (v) The applicant be advised that if the applicant requires a new electricity connection or service alteration, they will need to make a separate application to National Grid.

6. APPLICATION NO. 23/0606/COU - 17 BROOMFIELD STREET, CAERPHILLY, CF83 1FY

The Planning Case Officer presented the application, with it confirmed in the accompanying report that the recommendation in respect of the proposal had taken full account of, and was in conformity with, both Future Wales and Planning Policy Wales Edition 11.

Councillor S. Kent (Local Ward Member) spoke in objection to the application and J. Cocks (Applicant) spoke in support of the application.

Following consideration of the application it was moved and seconded that subject to the conditions contained in the Officer's report, the recommendation be approved. By way of Microsoft Forms (and in noting there were 13 for, 0 against and 1 abstention) this was agreed by the majority present.

RESOLVED that: -

- (i) Subject to the conditions contained in the Officer's report the application be GRANTED.
- (ii) The applicant be advised of the comments of the Council's Environmental Health Manager that are brought to the applicant's attention.
- (iii) The applicant be advised that the proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the [Coal Authority Website](#).

The meeting closed at 6.50 pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 13th December 2023, they were signed by the Chair.

CHAIR

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Application Number: 23/0470/FULL

Date Received: 20.07.2023

Applicant: Cilfynydd Grid Services Ltd

Description and Location of Development: Erect a synchronous condenser with ancillary infrastructure and associated works including access and landscaping, and a cable connection to the adjacent existing substation for the purpose of supplying grid stability to the National Grid as part of their pathfinder 3 initiative - Land At Grid Ref 310441 193869 Craig-evan-leyshon Common Road Llanfabon

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: Land At Grid Ref 310441 193869, Craig-Evan-Leyshon Common Road, Llanfabon.

Site description: The application site is primarily formed of a field located to the east of the Cilfynydd Substation.

Development: Erect a synchronous condenser with ancillary infrastructure and associated works including access and landscaping, and a cable connection to the adjacent existing substation for the purpose of supplying grid stability to the National Grid as part of their pathfinder 3 initiative.

Dimensions: The main Building measures approximately 40m by 43m with a height of 13m.

Two sets of Coolers to the south of the main building measuring 15.56m by 6.75m by 3m high. These will be enclosed on the east and south by a 3.5m high noise barrier painted black.

A storage unit (located to the rear of the main building) measuring approximately 12m by 2.5m by 4.4m high.

Welfare unit (located to the north of the main building) measuring approximately 10.2m by 3.25m by 2.6m high.

Switchgear Control Room (located to the west of the main building) measuring approximately 12m by 5m by 3.5m high.

To the west of the building is an Extra High Voltage (EHV) compound fully enclosed by security fencing. It contains two Main Step-up transformers one associated with each fly wheel, both transformers are enclosed by a 7m high acoustic barrier and firewall painted black. Other infrastructure within this compound comprises high and low level disconnectors, circuit breakers and sealing end structures, where the electricity cables come out of the ground.

Materials: Main building - olive green corrugated metal cladding (RAL 6003).

Ancillary development, e.g. parking: Filter drains, drainage basin; Oil Separator and Oily Water Pit and an attenuation swale;

Timber Post and Rail fencing 1.2m high;

Paladin Fencing powdercoated green 2.5m high with electric fencing above 1m high (total height 3.5m);

Palisade Fencing galvanised 2.5m high with electric fencing above 1m high (total height 3.5m);

CCTV system, lighting (complying with International Darksky Association) (IDA) approval); and

Underground cable connection to existing Cilfynydd substation.

5 car parking spaces within main compound area.

PLANNING HISTORY 2010 TO PRESENT None.

POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Site Allocation: The site lies outside the defined settlement boundary.

Policies: CW2 (Amenity), CW3 (Highways), CW5 (Protection of the Water Environment), CW6 (Trees, Woodland and Hedgerow Protection), CW15 (General Locational Constraints), NH1 (Special Landscape Areas), (SP5 (Settlement Boundaries), SP6 (Place making) SP10 (Conservation of Natural Heritage).

NATIONAL POLICY Future Wales: the National Plan 2040, Planning Policy Wales (Edition 11), Technical Advice Note 12: Design, Technical Advice Note 24: The Historic Environment.

SUPPLEMENTARY PLANNING GUIDANCE

Supplementary Planning Guidance note LDP 6 (Better Places to Live).

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? This is a Low risk area, and so it is intended to attach an informative note about mining conditions in the area.

CONSULTATION

CADW - No response received.

Transportation Engineering Manager - CCBC - The Highway authority have no objection to the principle of the development recommend an updated Construction Traffic Management Plan should be conditioned.

Environmental Health Manager - Environmental Health have no objections in principle to the above application but would like consideration to be given to a condition that requires noise verification testing once all of the equipment is in place & running, to ensure that the noise produced is as the modelling suggests.

The verification testing must include 3rd octave band analysis to ensure there are no additional tones. If this verification monitoring reveals any issues, then further mitigation measures will be required.

Senior Engineer (Drainage) - Confirms that Sustainable Drainage Approval is required for the development.

Senior Arboricultural Officer (Trees) - I can confirm that I have been in discussion with the applicant's Arboricultural Consultant and they have come to a more favourable design that respects the root protection areas for the majority of the existing site trees and those on the boundary. Unless the design changes from this version of the layout, I can confirm that I have no adverse comments in relation to tree protection and retention.

I can confirm that a condition should be attached, requiring a Project Arboriculturist to be on site at critical moments. The Project Arboriculturist will need to be on site to agree the alignment and correct installation of tree protection fencing, and report to the Council's Tree Officer that this has been completed to the expected standard. The Project Arboriculturist will need to oversee any excavation or minor incursions into the root protection area of the younger trees affected by the attenuation pond, as detailed in their rebuttal. The Project Arboriculturist will also be required to determine when the fencing can be removed, agreeing this in writing with the Council's Tree Officer.

Strategic & Development Plans - No objection, the principle of development accords with relevant policies.

Ecologist - We note the surveys and submitted report follow nationally accepted standards for surveys and reports and that the report gives an indication of measures to be undertaken to secure and enhance biodiversity on site.

Some of these measures are stated, whilst others are recommended, therefore we suggest a condition for a biodiversity strategy to firm up and detail all proposals, this biodiversity strategy condition can also include the requirement for a Construction Environmental Management Plan as stated in the ecological report.

Heritage Officer - Peter Thomas - The Church of St Mabon was listed on 23 February 2001 and dates from 1847 although the site is thought to be medieval in origin. The Albion Colliery Disaster Memorial (Cadw ref. 82672) dates from 1907 and commemorates the eleven unidentified workmen who lost their lives at the Albion Colliery explosion of June 23rd 1894.

Part of the significance of the setting of the listed building is its relationship with the graveyard and the wider landscape. The graveyard associated with the church, unusually, is located across the road.

This setting has been compromised to some degree by the existing Cilfynydd Substation, however, the proposal will introduce a significant addition that will further compromise the setting of the listed building.

It will be located between the Albion memorial and the site of the former Albion Colliery, however, there is no functional or visual link between the two sites and so there will be no effect on the significance of the Memorial arising from the proposal.

Given the above, I am of the view that the proposal would fail to preserve the special interest of the listed building. Consequently, you should give this harm considerable importance and weight in the planning balance of this application.

Placemaking Officer - Douglas McGlyn - No objection with recommendation to impose condition(s) to control external materials in terms of details/colouring.

Chief Fire Officer - Advises that the Local Planning Authority should consider flood risk, impacts of climate change and wildfires.

The developer of such sites should ensure they have suitable safety measures to contain and restrict the spread of fire, using fire-resistant materials and adequate separation between locations where energy systems may be stored.

Active fire safety systems should be incorporated into the design if necessary and may include, automatic fire detection systems, automatic fire suppression and smoke control systems.

This advice will be provided to the developer.

Glamorgan-Gwent Archaeological Trust - The supporting documentation includes an archaeological desk based assessment (Archaeology Wales, July 2023, referenced 2209). This work was undertaken to an agreed methodology and the assessment and

reporting meet current professional standards. The assessment has examined appropriate sources and considered any likely impact on archaeological deposits, and potential for unknown archaeological deposits.

The report concludes there is a low potential and consequently, therefore, it is unlikely that significant archaeological remains will be encountered during the course of the proposal, and it is our opinion that no further archaeological mitigation would be necessary.

Consequently, as the archaeological advisors to your Members, we have no objection to the positive determination of this application. The record is not definitive, however, and features may be disturbed during the course of the work. In this event, please contact this division of the Trust.

Nelson Community Council - The Council object to the application on the following grounds:

- There is a concern about the wider development in the Llanfabon area. The planning, for which is being considered by different regulatory bodies. Consideration of planning should be taken in the context of the recently submitted application to Planning and Environment Decisions Wales (PEDW) for a wind farm, solar farm developments and permitted planning for the National Grid substation.
- Visual pollution. There are concerns that this development will impact on local residents in this regard. It is understood that the development will be of a raised nature rather than something more discreet.
- The impact of this and wider developments on the sewerage and the water table. Residents feel that drainage is more problematic since neighbouring hillside developments commenced and that further development will create further problems for drainage. Furthermore, it is unclear that this development alongside wider developments will not affect the water table. Residents without access to mains water have cited concerns about developments in Llanfabon affecting their access to healthy water.
- There are concerns around the disruption that this development alongside other proposed developments will cause for residents in the construction process. This includes noise, traffic and other potential disruption to local infrastructure.
- There are concerns about the proximity of this development and other developments to local amenities such as the church and graveyard. Disruption to this land and surrounding areas will be disrespectful to relatives.

Transportation Engineering Manager - CCBC - The Highway authority have no objection to the principle of the development and advise that an updated Construction Traffic Management Plan should be conditioned and agreed prior to construction.

Landscape Architect - CCBC - Raised concerns particularly with the visual impact of the development in the early years prior to planting maturing, however following clarification received, advises that should the Local Planning Authority be minded to approve the

application this should be subject to agreement of a detailed planting scheme through a suitably worded planning condition.

Dwr Cymru - Advise that a watermain(s) crosses the site but have removed their objection based upon an understanding that the developer's intention is to divert the watermain(s). Request a planning condition be attached to the permission requiring details of the water main(s) diversion to be agreed in writing prior to the development commencing.

Natural Resources Wales - We have concerns with the application as submitted. However, we are satisfied these concerns can be overcome by attaching the following conditions to any planning permission granted:

Summary of Conditions

Condition 1: Construction Environment Management Plan;

Condition 2: European Protected Species.

National Grid - Can you make the applicant aware that if they require a new connection or a service alteration, they will need to make a separate application to National Grid.

ADVERTISEMENT

Extent of advertisement: The application was advertised via a press notice, site notices and neighbour notification letters were sent.

Response: 19 respondents have made comments in relation to the application some of whom have made several different representations. Representations have also been received from two ward councillors and Hefin David MS.

A petition with 176 signatories has also been received. The petition has included a title page with the following statement:

"We the people who live in Llanfabon do not want the proposed planning of this synchronous condenser which will be situated in a field belonging to the national grid. National grid as (sic) informed us that this proposed development by W P Grid Services LTD is nothing to do with them. We already have one of the largest transmission substations in Wales in the Parish of Llanfabon and has been expanding yearly. If this proposed development gets planning consent Equestrian activities in this area of Llanfabon will greatly suffer. This would also cause property blight to houses surrounding the proposed area. Please respect our rights as citizens to be heard. Our signatures on this petition represent our stance against any synchronised condenser and Battery units."

Members are advised that the proposal in this application does not contain separate battery units and some of the petition signatory sheets also contain references to other equipment not included within this proposal such as wind turbines and solar panels. The

signatories appear to comprise of a mix of people who both reside within the Parish of Llanfabon and outside of it.

Summary of observations: - Expresses a desire for planning committee to visit the site.

- Concerns regarding existing substation's permitted development rights and previous extensions to the facility.
- Concerns over health implications of magnetic fields from around the substation and overhead cables and attributes this to serious personal health matters.
- Electro magnet frequency increases and health concerns including stress of the application impacting mental health, impacts on well being and quality of life.
- Visual Impacts negative effect on character and appearance of the area.
- Existing visual amenity (clutter) issues associated with the number of existing pylons in the area.
- Won't be seen as part of the substation but another standalone development.
- Comments on alternative site assessment.
- Concerns with Local Visual Impact Assessment.
- Concerns over proximity to Listed Buildings (Church) and cemetery.
- Highway Safety concerns including road safety, narrow nature of existing road network in area, lanes with no footpath, proposed junction appears to be in a very dangerous position.
- Existing concerns with substation staff driving and this construction will mean more drivers driving fast and inconsiderately along the village lanes.
- Impact of noise from condenser cumulatively with substation and powerlines. low-frequency noises.
- Proposal will be sited on land (field) that was built to hide substation and acts as noise buffer.
- Could the new building increase substation noise by reflecting it.
- Additional traffic noise.
- Insufficient information on how the building of this proposal will impact residents.
- The application is not for an extension to Cilfynydd transmission substation owned by National Grid but feels that the applicant is making out it's an extension to Cifynydd Substation.
- No engagement from the developers with the residents, Alleges applicant (WP Grid Services) refused to meet with residents of Llanfabon but advised that they would meet with politicians, councillors and the community council.
- Applicant has purchased a house in the vicinity of the site and comments by workers that project was a 'done deal'.
- Concern with Ecological report, survey time too short. Impact on Wildlife flora and fauna.
- Cites emails from Seasons Ecology of evidence that they have not carried out a survey in Cilfynydd Substation Ground.
- Heritage impacts including on listed buildings including Mabon Church and appreciation of sunrise/sunset at Easter, cemetery/war graves and national monument. A recently scheduled ancient monument, Cup-marked stone at Tai'r Waun Isaf Farm Llanfabon.
- Concern over Archaeological assessment.

- It will be like living in an industrial site not the countryside, it will blight properties in area, Cumulative impact with windfarm proposals.
- Refers to other proposals in the area.
- Impact on Families well being and quality of life.
- Correspondence between the lead objector and National Grid relating to noise from existing substation.
- Impact on horse riding activities and business and sensitivity of horses.
- Impacts on existing businesses in the area which enjoy the benefit of a quiet countryside setting both during construction and afterwards.
- Correspondence between the lead objector and Seasons Ecology in respect of the Ecology report.
- If approved residents should be compensated and Devaluation of property.
- Fire risk and Safety of proposal, and many lanes not accessible by fire engine.
- Loss of Agricultural Land and impacts on agricultural tenancy.
- Flood risk to residential properties, general flood risk and water use/water pressure.
- Risk of contamination to the watercourse which then runs onto my property and to my borehole.
- A lovely house bought to be destroyed to be turned into an office building in a beautiful rural area is a disgrace.
- The tree planting proposed will take many years to become a screen
- If approved more mature trees should be planted to screen quicker and trees which die should be replaced on an annual basis until building is screened.
- Query proposed use of weed and moss killer and artificial feed on site.

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?
It is not considered that crime and disorder will be materially affected by the development.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Yes evidence of Dormouse activity was found on site.

The Local Authority must apply the following three tests to the planning application:

- (i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- (ii) There is no satisfactory alternative
- (iii) The derogation is not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

The three tests were applied and answered as follows:

(i) There is an imperative reason of overriding public interest in the contribution of the proposal to the stability of the national grid and associated social and economic benefits.

(ii) There is no satisfactory alternative for the proposal.

(iii) As detailed in the response of Natural Resources Wales to the application the derogation is not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Not Liable.

ANALYSIS

Policies: The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The main considerations for the application are the impact on neighbour amenity, the impact of the visual appearance of the development on the character of the area and heritage impacts.

Introduction

This application has been submitted by a private company Cilfynydd Grid Services Limited which, as explained in the supporting Planning Statement submitted with this application, is a subsidiary of Welsh Power's joint venture development company, Apus Energy Limited. The statement highlights that it has been formed specifically to develop synchronous condenser 'stability hardware' in response to the National Grid's Pathfinder Initiative.

National Grid ESO (NGESO) is the Electricity system operator for Great Britain.

In the past 20 years the UK power system has changed significantly to move from traditional power stations (particularly coal and gas fired power stations) to an energy regeneration mix with an increasing amount of renewable energy (including solar pv and on and offshore wind power). The 'traditional' forms of power stations (Coal, Gas and Nuclear) are synchronous generators which inherently provide stability to the grid through inertia and control of grid frequency and voltage. They are able to provide stabilising properties as a byproduct of generating electricity. In contrast the growth of renewable generators such as wind and solar are asynchronous and do not offer the same stabilising properties as more traditional forms of electricity generation.

As traditional coal and gas plants are phased out from Britain's energy system, the transmission system inertia and short circuit levels are falling. Renewable generators like wind and solar connect to the grid in a different way, which does not provide the network the same stabilising properties.

The National Grid Pathfinder Initiative Phase 3 is focused on increasing inertia and short circuit level in England and Wales. Inertia is the mass of the system used to control frequency, while short circuit level is the amount of current that flows on the system during a fault. In South Wales, due to the size of the stability issue a contract has been awarded by NGEN to construct stability assets at every viable location in the region. Given the size and scale of the existing Cilfynydd substation a stability asset has been identified by NGEN as needed at this location and Welsh Power through its subsidiary WP Grid Services Limited has been awarded a contract to construct a Synchronous Condenser.

Overview of Application

The existing application site is a field which in general form rises to a crest in the middle portion which in terms of height rises approximately 5m from the lowest part to the highest part which lies at around 205AOD. A cut and fill exercise is planned to accommodate the building and associated plant and machinery with the finished floor level of the building being set at 202.750AOD and various plant being set between 202.500AOD and 202.650AOD. The cut and fill exercise will see areas of the site reduced by up to 2.56m and other areas being raised by up to 3.06m. A proposed access road from the north eastern boundary of the site will be created south of an existing junction of two lanes.

The access will comprise of a tarmac surface, which will enter the site and then split. To the north access will be provided to a parking area, the synchronous condenser building, a switchgear control room, the substation and other ancillary elements in the main compound area. To the south a separate access road will be provided to the Extra High Voltage ('EHV') Compound. The main compound areas will be enclosed by a security fence, with access into the main site restricted by two entrance gates. The EHV Compound will also be enclosed by a security fence and a separate entrance gate. The security fencing around the two compounds will extend to 3.5 metres from ground level, comprising a 2.5 metre high security fence with 1m of electric fencing above. The main site will be enclosed with powder coated green Paladin fencing whilst the EHV Compound will be enclosed with Palisade fencing.

The Synchronous Condenser Building which is the main structure proposed measures 40m by 43m in footprint with a ridge height of 13m and is designed to have the appearance of an agricultural style building with a pitched roof and being dark green in colour. This building will contain equipment including two synchronous condenser units and two 'fly wheels' along with additional plant.

Planning Policy considerations in respect of Energy projects

Policy 17 in Future Wales relates to Renewable and Low Carbon Energy and Associated Infrastructure. It states that: -

"Welsh Government strongly supports the principle of developing renewable and low carbon energy from all technologies and at all scales to meet our future energy needs." The Policy advises in relation to the national grid that "New strategic grid infrastructure for the transmission and distribution of energy should be designed to minimise visual impact on nearby communities. The Welsh Government will work with stakeholders, including National Grid and Distribution Network Operators, to transition to a multi-vector grid network and reduce the barriers to the implementation of new grid infrastructure."

Planning Policy Wales (PPW) lists electricity infrastructure (paragraph 3.61) as one of a number of 'Supporting Infrastructure' components that are required to be "adequate and efficient" and is "crucial for economic, social and environmental sustainability". PPW also considers that it underpins economic competitiveness and opportunities for households and businesses to achieve socially and environmentally desirable ways of living and working. PPW also advises that infrastructure that is poorly designed or badly located can exacerbate problems rather than solving them.

Planning Policy Wales in paragraph 3.63 also states that "Development should be located so that it can be well serviced by existing or planned infrastructure. In general this will involve maximising the use of existing infrastructure or considering how the provision of infrastructure can be effectively co-ordinated to support development plans. Infrastructure choices should support decarbonisation, socially and economically connected places and the sustainable use of natural resources."

In relation to Energy, Planning Policy Wales advises in Paragraph 5.71 that "Welsh Government's highest priority is to reduce demand where possible and affordable. Low Carbon Electricity must become the main source of energy in Wales". It goes on to state in paragraph 5.72 that "Overall power demand is expected to increase as a result of growing electrification of transport and heat". In order to ensure future demand can be met, significant investment will be needed in energy generation, transmission and distribution infrastructure. The system will need to integrate renewable generation with storage and other flexibility service, in order to minimise the need for new generation and grid system reinforcement." In paragraph 5.7.7 it highlights that "The planning system should: integrate development with the provision of additional electricity grid network infrastructure" and in paragraph 5.7.8 that "An effective electricity grid network is required to fulfil the Welsh Government's renewable and low carbon ambitions". Planning Policy Wales in Figure 10 introduces the concept of 'The Energy Hierarchy for Planning' which outlines five aspects of the energy hierarchy in descending order of desirability (i.e. first is most important/desirable and last is least important/desirable).

The Energy Hierarchy for Planning is as follows:

1. Reduce Energy demand.

2. Use Energy efficiently.
3. Renewable energy generation.
4. Minimise carbon impact of other energy generation.
5. Minimise extraction of carbon intensive energy materials.

In respect of this application it is considered that it would be supportive of the second most important aspect of The Energy Hierarchy for Planning by playing a supportive role in using energy efficiently.

Planning Policy Wales also highlights that "the local need for a particular scheme is not a material consideration, as energy generation is of national significance and there is a recognised need to optimise renewable and low carbon energy generation". (PPW, para 5.9.15).

It is therefore considered that national planning policy in respect of Future Wales and Planning Policy Wales is strongly supportive of the principle of development of the type proposed in this application as it would comprise of supportive infrastructure to the electricity infrastructure in terms of the energy grid in Wales which would assist in ensuring that the grid is adequate and efficient which is identified in national planning policy as being crucial for economic, social and environmental sustainability.

There is therefore a presumption in favour of the development identified in national planning policy provided other material planning consideration are considered and found acceptable in the planning balance.

In respect of Local Development Plan policies the development would be outside of the defined settlement boundaries in open countryside. Policy CW15 (General Locational Constraints) provides within criterion C of the policy a list of acceptable developments outside of settlement boundaries. Included within C(iv) is development "associated with the provision of public utilities, infrastructure and waste management facilities that cannot reasonably be located elsewhere". In that regard the proposal complies with Policy CW15 of the LDP.

Visual Impact

The application site lies within the Mynydd Eglwysilan Special Landscape Area (SLA) just to the east of the existing Cilfynydd substation which is a large facility and whilst rural and agricultural in general character it is notable that lines of pylons are visible in the area as they converge and connect to the substation from the east, south and north of the substation.

A Landscape and Visual Impact Assessment was submitted in support of the application. This concluded that the overall significance of the landscape effect was assessed to represent a Moderate Adverse Effect. Once an appropriate landscape management scheme (i.e. planting) has established the significance of the landscape

effects in the longer term will change and is considered to represent a Moderate to Slight Adverse Effect to the landscape resource and landscape character.

The Council's Landscape Officer reviewed the document and raised concerns in respect of impacts particularly during construction and up to year 1 and considered it would result in significant landscape and visual impact.

In response to the concerns raised by the Landscape Officer the applicant submitted a Landscape and Visual Technical Rebuttal note for review by the Landscape Officer. The rebuttal states "We concur with a degree of local change and acknowledge that this will be largely to the Site itself, rather than the wider landscape. However, the visual changes are unlikely to be significant overall as the area affected by views (largely to the east) is localised and subject to extensive tree planting that will minimise the effect over time."

The Landscape Officer in response to the above statement has accepted this whilst noting that tree planting will take several years to lessen the visual effect in local views experienced from the east.

The applicant has addressed other matters raised by the Landscape Officer in terms of arboricultural matters, planting, photomontages and the Landscape Officer has clarified that he is in broad agreement with the impact of the development at year 15. The Landscape Officer has advised that if minded to approve the application a landscape condition will be required; with suitably scaled detailed planting plan, along with planting schedule, specification, and maintenance schedule.

In support of the application an Outline Landscape Management Plan has been submitted which includes 35% of the tree planting mix to be 3-4.25m in height and 5% being 2-2.5m in height at Year 0. The rebuttal has also included a comment from the applicant which is as follows:

"Notwithstanding the above, it is possible to increase the size of new planting, from Year 1 if this is preferable to Officers, and the Applicant would be happy to revisit the planting details at the appropriate time as part of the conditions to ensure that the mitigation planting takes effect sooner than currently envisaged. This could involve increasing the number of trees and/or the density of tree cover on the eastern side, for example. The final detailed planting plan can be secured by a planning condition and we are happy to work with Officers to ensure this is delivered to their satisfaction".

It is considered, with the agreement of a suitable planting mix under a suitable planning condition, that the visual impacts of the development could be appropriately mitigated for with long term visual amenity safeguarded on the Special Landscape Area and to the closest residential properties.

Heritage Impacts

It is noted that as required under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special historic interest which it possesses. Considerable importance and weight has to be afforded to the preservation of the Listed building, its setting and any features of architectural or historical significance.

A Heritage Impact Statement was submitted in support of the application. This identifies that two Grade II Listed buildings are historic assets that may be affected by the proposal:

- 1 Church of St Mabon (Cadw ref. 24825).
- 2 Albion Colliery Disaster Memorial (Cadw ref. 82672).

The Heritage Statement also considers a scheduled monument (Prehistoric Rock Art at Tai'r Waun Isaf, Cadw ref. GM637) located c.33m to the south of the site, and some listed buildings c.1.8km to the west of the site, in Carnetown. The statement assesses that these are not relevant to the assessment as there is no intervisibility between these historic assets and the Site and they share no historic association with it. As such, these assets will not be affected by the proposal as their setting and significance would be maintained.

The response of the Council's Conservation Officer has raised objection to the application in that the development would fail to preserve the special interest of a grade 2 Listed Building (The Church of St Mabon) in respect of the impact of its setting. Part of the significance of the setting of the Listed Building as identified by the Conservation Officer is its relationship with the graveyard and the wider landscape. The graveyard associated with the church is separated from the church building by the road which runs through Llanfabon. The Conservation Officer acknowledges that the setting at this point in time is already compromised to a degree by the existing Cilfynydd Substation however considers that the proposal will introduce a significant addition that will further compromise the setting of the Listed Building.

A review of historic mapping has been carried out which indicates at the time of construction of the present Mabon Church building the church graveyard was on the same side of the road as the church. At this time the church would have been primarily surrounded by fields and the few buildings within the Hamlet. The cemetery on the other side of the road appears to have been a later addition which includes the memorial and burials associated with the Albion Colliery disaster of 1894. The scale of the cemetery today which is significantly larger than the church building and associated graveyard on the eastern side of the road would therefore represent a previous change in the setting of St Mabon Church.

It is also evident that the development of the Cilfynydd Substation and associated Pylon lines in the latter half of the 20th century was another significant change in the setting of St Mabon Church.

The Heritage Impact Statement provided with the application has assessed the impact of the development on the Listed Building Church of St Mabon. The submitted Heritage Impact Statement acknowledges that at Year 1, in the summer, the proposed building would be seen between vegetation and would screen the lower portions of the pylons, greater portions of the proposed development at Year 1 would be visible in winter when there is less leaf coverage. At Year 15, once the proposed boundary trees have reached maturity, the proposal would be completely screened in the visual setting of the Church in summer. In winter, glimpses of the building may be available through the tree branch screening however the olive green finish would reduce its visibility in winter and help to merge it into the vegetation. The submitted Heritage Impact Statement concludes in respect of the impact on St Mabon Church that overall, the impact of the proposal would be limited solely to the wider setting, where the effects would generally be well-screened and characteristic of the existing substation and pylons in this area. As such the proposal would form a negligible change within the setting of the church and overall, its setting and significance would be preserved.

Planning Policy Wales in paragraph 6.0.2 advises that "The special and unique characteristics and intrinsic qualities of the natural and built environment must be protected in their own right, for historic, scenic, aesthetic and nature conservation reasons. These features give places their unique identity and distinctiveness and provide for cultural experiences and healthy lifestyles."

Planning Policy Wales goes on to advise in paragraph 6.1.3 that along with legislative requirements that Planning Policy Wales provides the national planning policy framework for the conservation of the historic environment supplemented by guidance in Technical advice Note 24: The Historic Environment and Cadw associated best practice guidance on the historic environment (PPW, paragraph 6.11).

Technical Advice note 24 (The Historic Environment) within paragraph 1.26 advises that for any development within the setting of a historic asset, some of the factors to consider and weigh in the assessment are:

- The significance of the asset and the contribution the setting makes to that significance.
- The prominence of the historic asset.
- The expected lifespan of the proposed development.
- The extent of tree cover and its likely longevity.
- Non-visual factors affecting the setting of the historic asset such as noise.

The Technical advice note goes on to state in paragraph 1.27 that "Other factors which may affect the setting of a historic asset include; inter-visibility with other historic or

natural features, tranquillity, noise or other potentially polluting development though it may have little visual impact.

In respect of this application the Conservation Officer's concerns are limited to the impacts of the development in respect of St Mabon Church and no concerns are raised in respect of the Miners Memorial.

The significance of St Mabon Church is recognised through its status as a Grade 2 listed building. Listing is the way that a building or structure of special architectural or historic interest is recognised by law through the Planning (Listed Buildings and Conservation Areas) Act 1990. The Listing description by CADW provides the reason for designation as "Listed as an interesting early church design by the important Welsh architect John Prichard on a historic site".

It is considered that whilst the development will be visible in views both from and to St Mabon Church it is sufficiently far away to avoid significant harm to the setting of the asset (from visual, noise and other factors) and from most vantage points the setting will already be impacted by existing infrastructure including pylon lines and/or the existing substation.

As noted by Planning Policy Wales CADW provides supporting guidance on consideration of proposals impacting historic assets. The Cadw document Setting of Historic Assets in Wales is pertinent to this application.

The setting of Historic Assets in Wales guidance advises that options to mitigate development can be considered to avoid or minimise any harm to the significance of a historic asset and its setting. The mitigation examples provided in the guidance could include modifications to the design, the relocation of a development or certain elements, or the introduction of screening. In this instance given the requirements for location close to the national grid infrastructure relocation is not considered a realistic alternative.

The CADW guidance advises that in respect of tree screening this would be dependent on its acceptability in the landscape for example a screen of trees proposed within an otherwise treeless landscape could be an alien form.

The current views to the west from Mabon Church and the graveyard contain both extensive trees along with the pylons and in this existing setting it is not considered that tree screening would be an alien feature and therefore deemed an appropriate mitigation measure which can be considered within this application.

The CADW guidance document: Conservation Principles for the sustainable management of the historic environment Wales (2011) advises in paragraph 39 (Integrating conservation with other interests) that:
Changes which would harm the heritage values of an historic asset will be unacceptable unless:

- a. the changes are demonstrably necessary either to make that asset sustainable, or to meet an overriding public policy objective or need; and
- b. there is no reasonably practicable alternative means of doing so without harm; and
- c. that harm has been reduced to the minimum consistent with achieving the objective; and
- d. it has been demonstrated that the predicted benefit decisively outweighs the harm to the values of the asset, considering:
 - its comparative significance;
 - the impact on that significance; and-
 - the benefits to the asset itself and/or the wider community or society as a whole.

In respect of the above criteria, it is considered that there is an identified need for the facility and justification for its identified location, any adverse impacts to the wider setting of Mabon Church would be justified and be outweighed in terms of the overriding public policy objectives and benefits to society as a whole of the proposal's positive contribution to the national electricity grid. The harm to the setting of the historic asset has been reduced to the minimum through design and mitigation in the form of mature tree planting proposed. The Local Planning Authority is therefore satisfied that it has been demonstrated that the predicted benefit decisively outweighs the harm to the values of the asset.

Noise

An Acoustic Technical Report was submitted with the planning application and this advises that the predicted noise rating level from the proposed development will not exceed the prevailing background sound levels at the location of the nearest residential receptors during the day as well as night-time period with the mitigation measures proposed. The Environmental Health Officer has reviewed the proposals and raised no objections to the development but recommends that a planning condition be added to any permission to require noise verification testing to be carried out to ensure that the noise produced is as the modelling suggests and allow for any mitigation measures to be agreed should the verification report highlight a need. It is considered that with the proposed condition the amenity of nearby residents will be appropriately safeguarded according with Policy CW2 (Amenity).

Highway matters

The submitted planning statement indicates that the proposed development will generally be unattended and operated remotely. Operational traffic serving the development will be negligible and limited to occasional light duty vehicles of maintenance personnel. The Transportation Engineering Manager has reviewed the proposal and raised no objections subject to an updated Construction Management Plan being submitted under a proposed planning condition. It is considered that the development will have an acceptable impact on the local highway network and accords with Policy CW3 (Highways).

Conclusion

It is considered that the proposed development will contribute to the stability of the national grid which is of national importance to Wales. The impacts of the development on the Special Landscape Area, local visual amenity and heritage impacts including the setting of Listed Buildings in the area have been considered and found on balance to be acceptable subject to mitigation through planting. There are no unacceptable impacts on the amenity of local residents and the application is recommended for approval accordingly.

Comments from Consultees: Nelson Community Council have objected to the application. In response to the objections the following comments are made:

- The cumulative impact of the development.

The scale of the proposal in this application is not considered to have a material impact on other applications currently under consideration, including Development of National Significance involving wind turbines and solar farms.

- Permitted Development rights for the substation.

The utilisation of permitted development rights is a separate matter granted permission under development order.

- Visual impact of the development and raised nature of the site.

The visual impact of the development has been considered and is deemed acceptable. Impact on sewerage, drainage and water table

The developer is required to submit separate SAB approval which will consider drainage matters in detail and in terms of assets under the control of Welsh Water will have to seek permission to divert a watermain. Foul sewerage is not materially impacted by the development.

- Disruption to local residents during construction.

A construction management plan is required under condition to mitigate construction impacts.

- Impacts on church and graveyard.

These have been considered in this application and found to be acceptable.

Comments from public: - Expresses a desire for planning committee to visit the site. A Planning Committee Site Visit will be held prior to the application being heard and considered at Planning Committee.

- Concerns regarding existing substation's permitted development rights and previous extensions to the facility.

The National Grid Facility has existing permitted development rights which are a separate matter to the application under consideration.

- Concerns over health implications of magnetic fields from around the substation and overhead cables and attributes this to serious personal health matters.
- Electro magnet frequency increases and health concerns including stress of the application impacting mental health, impacts on well being and quality of life.

The Environmental Health Officer has reviewed the proposal and has raised no concerns in relation to health or operation of the proposed facility which will be required to adhere to any relevant standards in respect of machinery.

- Visual Impacts negative effect on character and appearance of the area.
 - Existing visual amenity (clutter) issues associated with the number of existing pylons in the area.
 - Won't be seen as part of the substation but another standalone development.
- The development will be partly seen in conjunction with the existing infrastructure in the area, most notably due to their size the existing pylon lines. The need for the development to be located in the area of the substation (within 1km) is accepted and the site and the resultant visual impact has been assessed and found acceptable.

- Comments on alternative site assessment.
- Concerns with Local Visual Impact Assessment.

The applicant submitted an alternative site assessment unilaterally and was not required to do so for the purposes of this planning application, which is considered on its own merits in relation to the proposed siting and appearance of the development. The Local Visual Impact Assessment has been reviewed by the Landscape Officer who sought and received clarification and has not objected to the development subject to planning conditions which are proposed in the resolution of this report.

- Concerns over proximity to Listed Buildings (Church) and cemetery.
- The impacts on heritage assets are considered in the report and on balance the application has been found to have an acceptable impact.

- Highway Safety concerns including road safety, narrow nature of existing road network in area, lanes with no footpath, proposed junction appears to be in a very dangerous position.

- Existing concerns with substation staff driving and this construction will mean more drivers driving fast and inconsiderately along the village lanes.

The Transportation Engineering Manager has reviewed the proposal including junction design and has taken into account the existing highway network. The proposal indicates that there would be very low additional traffic introduced as a result of the development and has an acceptable impact on Highway Safety. Any concerns relating to driving by contractors or staff in respect of the existing substation would a matter to be taken up with the company(ies) involved and/or raised with the police.

- Impact of noise from condenser cumulatively with substation and powerlines. low-frequency noises.
- Proposal will be sited on land (field) that was built to hide substation and acts as noise buffer.
- Could the new building increase substation noise by reflecting it.
- Additional traffic noise.

The Environmental Health Officer has reviewed the proposal including the submitted Noise Assessment and has not objected to the development considering all aspects of the proposal including existing baseline data and proposed development design. A planning condition is proposed requiring detailed information on how the plant will operate.

- Insufficient information on how the building of this proposal will impact residents. The impacts on local residents has been considered and found to be acceptable on their existing levels of amenity.

- The application is not for an extension to Cilfynydd transmission substation owned by National Grid but feels that the applicant is making out its an extension to Cifynydd Substation.

As detailed in the officer report the proposal has been submitted by a private company who have tendered to provide grid stability services to National Grid.

- No engagement from the developers with the residents, Alleges applicant (WP Grid Services) refused to meet with residents of Llanfabon but advised that they would meet with politicians, councillors and the community council.

The applicant carried out statutory pre-application consultation prior to submitting the application which involved publicising the proposal to residents.

- Applicant has purchased a house in the vicinity of the site and comments by workers that project was a 'done deal'.

The planning application is being reported to Planning Committee and will be considered by members following a site visit. The planning application does not include any dwellinghouses or other existing buildings. Any alleged acquisitions by the company would be a separate matter.

- Concern with Ecological report, survey time too short. Impact on Wildlife flora and fauna.

- Cites emails from Seasons Ecology of evidence that they have not carried out a survey on Cilfynydd Substation Ground.

The Local Planning Authority has received clarification indicating that the submitted survey information is correct and the Council's Ecological Officer has reviewed the information and raised no objections to the proposal.

- Heritage impacts including on listed buildings including Mabon Church and appreciation of sunrise/sunset at Easter, cemetery/war graves and national monument.

A recently scheduled ancient monument, Cup-marked stone at Tai'r Waun Isaf Farm Llanfabon.

The Heritage impacts have been addressed in this report and are found to be acceptable in the planning balance.

- Concern over Archaeological assessment.

Glamorgan Gwent Archaeological Trust have reviewed the submitted information and raise no objections to the development.

- It will be like living in an industrial site not the countryside, it will blight properties in area, Cumulative impact with windfarm proposals.

- Refers to other proposals in the area.

- Impact on Families well being and quality of life.

The impacts on amenity are considered to be acceptable.

- Correspondence between the lead objector and National Grid relating to noise from existing substation.

The application has been subject to a noise report and the Environmental Health Officer has raised no objections subject to a planning condition to require verification of noise following commissioning of the development.

- Impact on horse riding activities and business and sensitivity of horses.

- Impacts on existing businesses in the area which enjoy the benefit of a quiet countryside setting both during construction and afterwards.

The area has existing infrastructure (the substation) in the vicinity and the proposed development is considered to have an acceptable impact in terms of the area and local businesses.

- Correspondence between the lead objector and Seasons Ecology in respect of the Ecology report.

The Local Planning Authority have received clarification that the Ecology report submitted have been carried out as detailed in the reports.

- If approved residents should be compensated and Devaluation of property.

This is not a material planning consideration.

- Fire risk and Safety of proposal, and many lanes not accessible by fire engine.

The Fire Officer has been consulted and has raised no objections to the proposal. The developer will be advised of the Fire Officer's comments.

- Loss of Agricultural Land and impacts on agricultural tenancy.

The application site is not on agricultural land of sufficient grade to warrant refusal of the application and any tenancy issues would be a private matter.

- Flood risk to residential properties, general flood risk and water use/water pressure.

Natural Resources Wales have been consulted and have no objections to the development.

- Risk of contamination to the watercourse which then runs onto my property and to my borehole.

The development will be subject to separate Sustainable Drainage Approval and regulation through relevant Environmental Health legislation which can adequately address this matter.

- A lovely house bought to be destroyed to be turned into an office building in a beautiful rural area is a disgrace.

The application does not contain any proposals in respect of a dwelling house.

- The tree planting proposed will take many years to become a screen.

- If approved more mature trees should be planted to screen quicker and trees which die should be replaced on an annual basis until building is screened.

The developer has included mature tree screening in their proposals and detailed landscaping will be agreed under a planning condition.

- Query proposed use of weed and moss killer and artificial feed on site.

There is not a statutory requirement for organic management of land.

Other material considerations: The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

Future Wales - The National Plan 2040 was published on 24 February 2021 and forms part of the statutory development plan for the county borough. In addition to this Planning Policy Wales (PPW) has been amended to take account of Future Wales and PPW Edition 11 has also been published on 24th February 2021. In reaching the conclusion below full account has been taken of both Future Wales and PPW Edition 11 and where they are particularly pertinent to the consideration of the proposals they have been considered as part of the officer's report. It is considered that the recommendation(s) in respect of the proposals is (are) in conformity with both Future Wales and PPW Edition 11.

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:
Site Location Plan, drawing reference PL_CI_001 rev 05;
Proposed Site plan, drawing reference PL_CI_002 rev 07;
Proposed Building Elevation, drawing reference PL_CI_003 rev 07;
Proposed Building Floorplan, drawing reference PL_CI_005 rev 02;
Cut and Fill Areas drawing reference 65208035-SWE-XX-XX-D-C-4105 P02;
Finished Ground Levels, drawing reference 65208035-SWE-XX-XX-D-C-4101 P06;
Ecological Appraisal by Seasons Ecology, dated November 2022 to June 2023;
Dormouse Survey by Seasons Ecology, dated January 2023;
SWECO Acoustic Technical Report, document reference 65208035-001-SWE-XX-XX-T-U-0001 revision C04.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) No development, including site clearance, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:
Construction methods: details of materials, how waste generated will be managed;
General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain;
Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use;
Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan;
Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details;
The CEMP shall be implemented as approved during the site preparation and construction phases of the development.
REASON: A CEMP should be submitted to ensure necessary management measures are agreed prior to demolition and construction and implemented for the protection of the environment in order to ensure compliance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.

- 04) The protection of any existing tree to be retained in accordance with condition 2 shall be achieved as follows:
- (a) No equipment, machinery, or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with condition 2;
 - (b) if that fencing is broken or removed during the course of carrying out the development, it shall be promptly repaired or replaced in accordance with details which shall be approved in writing by the Local Planning Authority;
 - (c) the fencing shall be maintained in position until all equipment, machinery and surplus materials have been moved from the site;
 - (d) within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below the ground, the ground level shall not be altered, no excavations shall be made, no mixing of cement or use of other contaminating materials or substances shall take place, nor shall any fires be lit, without the prior written consent of the Local Planning Authority; and
 - (e) no equipment, machinery or structure shall be attached to or supported by a retained tree.
- REASON: In the interests of the protection of trees in accordance with policy CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 05) No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner within 5 years from the date that the synchronous condenser has been brought into beneficial use, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority.
- REASON: In the interests of the protection of trees in accordance with policy CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 06) Notwithstanding the submitted details, prior to the commencement of the development a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. This CTMP shall include the following (inter alia):
- Details on storage areas or parking areas for both construction traffic or work force;
 - Details of wheel washing facilities;
 - Banksmen location and duration (days / hours);
 - Active Travel for those accessing the site with private vehicles ;
 - Swept path of Llanfabon Road required to ensure two way traffic can be maintained and if not how this will be mitigated;
 - Details of permanent access arrangements;
 - Details of any Abnormal Indivisible Load (AIL) required for larger components required to be transported to the site.
- The approved Construction Traffic Management Plan shall be adhered to at all times during the construction of the approved development.

REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 07) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of the visual amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 08) No development shall take place until details of a scheme to divert the strategic water main(s) crossing the site has been submitted to and approved in writing by the local planning authority. The scheme shall include a detailed design, construction method statement and risk assessment outlining the measures taken to secure and protect the structural condition and ongoing access of the strategic water main(s). No other development pursuant to this permission shall be carried out until the approved diversion scheme has been implemented and completed.

The approved scheme shall be adhered to throughout the lifetime of the development and the protection measures shall be retained in perpetuity.

REASON: To protect the integrity of the public watermain(s) and avoid damage thereto in accordance with Policy CW5 of the Caerphilly County Borough Local Development Plan up to 2021.

- 09) Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. Those details shall include:
- (a) Proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor structures including furniture, play equipment, refuse or other storage units; and
 - (b) Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.); and
 - (c) Planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
- The development shall be carried out in accordance with the agreed scheme and all planting, seeding, turfing/hard landscaping works comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar

size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: In the interests of the visual amenity of the area in accordance with policies CW2 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 10) Notwithstanding the submitted details prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment and other fencing to be erected. The boundary treatment and other fencing shall be completed in accordance with the approved details before the development is brought into beneficial use.
- REASON: In the interests of the visual amenities of the area amenity in accordance with policies SP6 and CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 11) Prior to the development being brought into beneficial use (apart from testing for the purposes of the report detailed in this condition) a noise verification report shall be submitted for the written approval of the Local Planning Authority. That report shall include:
- a) Confirmation that the development meets the noise levels detailed in the SWECO Acoustic Technical Report, document reference 65208035-001-SWE-XX-XX-T-U-0001 revision C04 as included on the approved plans;
 - b) If there is any variance from the compliance with part a) of this condition the verification report shall detail additional mitigation measures to achieve the required noise levels.
- The report submitted and approved under this condition shall be adhered to with any additional mitigation measures installed prior to the development being brought into beneficial use (excluding any testing required by this condition). The development shall be operated thereafter in accordance with the approved noise report as supplemented by the report approved under this condition.
- REASON: To ensure that the approved development has an acceptable impact in terms of noise on the amenity of the area and sensitive receptors in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.

Advisory Note(s)

Please find attached the comments of Dwr Cymru/Welsh Water, Natural Resources Wales, Chief Fire Officer, Senior Engineer (Drainage), National Grid that are brought to the applicant's attention.

WARNING:

SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.

Please note from the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m² or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511

Email: drainage@caerphilly.gov.uk

Website: www.caerphilly.gov.uk/sab

Warning: A European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require a EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

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