

Planning, Taxi Licensing and Rights of Way Committee Report

Application Number: 24/0062/FUL **Grid Ref:** E: 284921
N: 291803
Community Council: Trefeglwys Community **Valid Date:** 29.01.2024

Applicant: Esgair Galed Energy Park Limited

Location: Land 3800 Metres West of Staylittle, Staylittle, Llanbrynmair, Powys.

Proposal: Erection and operation of a temporary meteorological mast for a 36-month period

Application Type: Full Application

REPORT UPDATE

This report forms an update to the previous report circulated to Members.

Consultee Comments

- Community Council Comments

Following receipt of clarification, Officers wish to clarify that the comments offering no objection to the proposal as outlined within the Officers report are those comments made from the nearby community council ward of Llanbrynmair.

Officers confirm that the comments do not reflect those of Trefeglwys Community Council the ward in which the proposal is located.

Representations

A further 24 public representations have been received, which object to the application. This takes the total number of representations received to 84, though it is noted that some individuals have submitted multiple objections.

The additional representations do not raise any further concerns than those previously raised and considered within the Officers main report. One additional concern has however been raised relating to the alleged outdated technology being used as part of the proposal. Whilst the comments have been noted, this would not be a material planning consideration for the determination of the application.

Recommendation

The overall recommendation of the application remains as one of approval. This is subject to the conditions previously identified, and outlined below for ease of reference:

Conditions

1. The development shall begin not later than five years from the date of this decision.
2. The development shall be carried out in accordance with the following approved plans and documents;
 - Application Form
 - Figure 1 – Location Plan
 - Figure 2 – Environmental Constraints
 - Figure 3 – Site Layout Plan
 - Figure 4 – Site Access Plan
 - Meteorological Mast Elevation
 - Meteorological Mast Plan View
 - Planning Statement
 - Green Infrastructure Statement
3. The mast hereby permitted shall be removed and the land restored to its former condition within 3 years from the date of commissioning. The applicant shall inform the Local Planning Authority of the date of commissioning accordingly within 3 months of such date.
4. Notwithstanding the submitted information, prior to commencing construction of the meteorological mast, or deploying any construction equipment or temporal structure(s) 15 metres or more in height (above ground level), the undertaken must submit an aviation lighting scheme for approval in writing by the Local Planning Authority in conjunction with the Ministry of Defence. This scheme should define how the development will be lit throughout its life to maintain civil and military aviation safety requirements as determined necessary for aviation safety by the Ministry of Defence and identify measures to avoid impacts on nocturnal wildlife, including bats and otter, in accordance with the recommendations outlined in the BCT and ILP Guidance Note 8 Bats and Artificial Lighting (12th September 2018). This should set out:
 - a. Details of any construction equipment and temporal structure(s) with a total height of 15 metres or greater above ground level that will be deployed during construction of the meteorological mast and details of any aviation warning lighting that they will be fitted with; and
 - b. The locations and heights of the meteorological mast hereby approved, identifying the position of the aviation lights on the mast; the type(s) of lights

that will be fitted and the performance specification(s) of the lighting type(s) to be used.

Thereafter, the undertaker must exhibit such lights as detailed in the approved aviation lighting scheme. The lighting installed will remain operational for the lifetime of the development.

5. The undertaker must notify the Ministry of Defence, at least 14 days prior to the commencement of the development, in writing of the following:
 - a. The date of the commencement of the erection of meteorological mast;
 - b. The maximum height of any construction equipment to be used in the erection of the meteorological mast;
 - c. The date any meteorological mast are brought into use;
 - d. The latitude and longitude and maximum height of the meteorological mast.

The Ministry of Defence must be notified of any changes to the information supplied in accordance with these requirements and of the completion of the construction of the development.

Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
 2. To ensure adherence to the approved plans in the interests of clarity and a satisfactory development.
 3. To enable the situation to be reassessed by the local planning authority at the expiry of that period having regard to the circumstances appertaining at the time in compliance with policy RE1 of the Powys Local Development Plan (2011-2026).
 4. To comply with Policy DM2 of the Powys Local Development Plan (2011-2026) and to meet the requirements of Planning Policy Wales (Edition 12, February 2024), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part 1 Section 6 of the Environment (Wales) Act 2016 and to maintain aviation safety.
 5. To maintain aviation safety.
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