

DEVELOPMENT CONTROL COMMITTEE

2 APRIL 2015

AMENDMENT SHEET

The Chairperson accepts the amendment sheet in order to allow for Committee to consider necessary modifications to the Committee report to be made so as to take account of late representations and corrections and for any necessary revisions to be accommodated.

| ITEM NO. | PAGE NO. | APP. NO. |
|-----------------|-----------------|---------------------|
| 8a | 15 | P/14/800/FUL |

The application was subject to a full Committee site visit on 1 April 2015. Also in attendance were two local members and a member from the Town Council.

Recommendation:

The application to be deferred to consider further matters raised at the site visit.

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| 8b | 33 | P/14/540/RLX |
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In the section of the reports titled 'Comments on Representations Received' (page 37 of P/14/540/RLX) reference is made to the Group Manager Public Protection having not received any complaints in respect of noise from the operation of the existing wind turbines. On 1st April 2015 a complaint was received from a resident of High Street, Gilfach Goch alleging that during the recent high winds the immissions from the turbines were affecting the amenity of the occupiers. The complaint will be fully investigated but this does not prejudice the determination of these applications on the basis that the revised tables of noise levels which will control the future operation of the existing and proposed turbines would not exceed the ETSU-R-97 criteria.

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| 8c | 51 | P/14/541/RLX |
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In the section of the reports titled 'Comments on Representations Received' (page 55 of P/14/541/RLX) reference is made to the Group Manager Public Protection having not received any complaints in respect of noise from the operation of the existing wind turbines. On 1 April 2015 a complaint was received from a resident of High Street, Gilfach Goch alleging that during the recent high winds the immissions from the turbines were affecting the amenity of the occupiers. The complaint will be fully investigated but this does not prejudice the determination of these applications on the basis that the revised tables of noise levels which will control the future operation of the existing and proposed turbines would not exceed the ETSU-R-97 criteria.

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| 8d | 69 | P/14/293/FUL |
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The Transportation Policy and Development Section (Highways) has provided observations on the application and offers no objection to the development subject to conditions but has also requested that the applicant enter into a Section 106 agreement which will require the company to enter into a further agreement to ensure that any damage to street furniture, highway verges or carriageway during the transportation of the

turbines is reinstated to the satisfaction of the Highway Authority (Section 59 of the Highways Act). Whilst an advisory note will be attached to the permission recommending that the developers enter the aforementioned highway agreement, it is not considered appropriate to use the Section 106 agreement to achieve this outcome.

In response to further comments received from the applicant's agent, and having regard to the observations from the Highways Section, the following amendments are proposed to the recommended planning conditions. Additional notes should also be included on the report:

7. The overall height of the wind turbines shall not exceed 125m to the tips of the turbine blades and the maximum output from each turbine shall be limited to 2.5MW unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and landscape protection

10. Subject to the allowance for micro-siting provided in this condition, the turbines shall be erected at the coordinates indicated on the Turbine and Track Layout (Reference: A077143 3-02). Variations to the indicated position of any turbine(s) shall be permitted by up to 50 metres in any direction. A plan showing the position of the turbines as built shall be submitted within one month of the First Export Date.

Reason: To comply with the environmental assessments undertaken of the proposed development and to take account of local environmental conditions.

Condition 13 should be amended to amend point (x) and include point (xi):

x. There shall be no access to the site other than via the existing access track on the route A4093 as approved under P/08/962/FUL

xi. The submission of a scheme showing a temporary 30mph restriction in speed limit on route A4093 from the existing 30 mph speed limit in Glynogwr village in the West to the Common County Borough Boundary with Rhondda Cynon Taf in the East. Such a scheme shall include all appropriate signing and carriageway markings and shall be fully implemented including the necessary traffic order before the development commences and shall be maintained during the construction phase of the development and removed after construction has ended.

The following additional condition should be added to the report:

38. No material arising from any excavation on the site shall be transported away from the site.

Reason: In the interests of highway safety

Additional Notes:

The developer is required to enter into a Section 59 Agreement under the Highways Act 1980 to ensure that any damage to street furniture, highway verges or carriageway during the transportation of the turbines is reinstated to the satisfaction of the Highway Authority. No lorries associated with the construction of the site should enter or leave the site during the periods of half hour either side of the times school commencing and ending and contact the Head Teacher of Bryncethin Primary School, in order to make the school aware of the additional traffic movements.

It is noted that the components for the windfarm turbines will be brought to site under police escort.

It is noted that works will be carried out adjacent to the highway and the applicant is advised to contact the Highways Maintenance Manager in this respect.

The applicant should be advised to consult with the Highway Authority regarding the various Public Rights of Way, crossing the site, before details are submitted to the Local Planning Authority for approval.

URGENT ITEM

REFERENCE: P/11/21/FUL

APPLICANT: MORGAN CREDIT ENERGY (WALES) LTD
C/O MR ISSA SAWABINI, WEBB & CO

LOCATION: FMR LLYNFI POWER STATION SITE, LLANGYNWYD MAESTEG

PROPOSAL: BIOMASS POWER STATION OF 25 MW ELECTRIC OUTPUT (AMENDED LOCATION PLAN TO INCLUDE LAND TO SOUTH)

This application was reported to the Development Control Committee on 12 January 2012 where Members resolved to approve the application subject to the applicant entering into a Section 106 Agreement, which included the payment of £23,340 towards highway improvements, and subject to 37 planning conditions. The scheme involved the construction of 25MW electricity generating plant fuelled by wood transported to the plant by rail. The scheme also included the construction of a roundabout on the A4063 to improve the vehicular access to the site.

Discussions commenced to progress the completion of the Section 106 Agreement which required the signature of another landowner. However, the applicant has encountered complications with the Section 106 Agreement and the relevant landowners. In order to overcome the complications encountered, the applicant submitted a plan on 30 March 2015 amending the red line boundary of the site to enable the roundabout on the A4063 to be accommodated wholly within land under the control of Morgan Credit Energy Ltd.

The layout and design of the roundabout is subject to a pre-commencement condition which will require the submission of detailed plan to ensure that the roundabout is acceptable in terms of highway safety.

RECOMMENDATION

a. That the amended location plan be approved subject to the same requirements of the Section 106 Agreement and conditions attached to the recommendation in the Committee report dated 12 January 2012.

b. that Condition 23 be replaced with the following:-

No development shall commence on site until a detailed scheme has been submitted to and agreed in writing by the Local Planning Authority showing a roundabout controlled junction on Route A4063 at the site access. The agreed scheme shall be completed before the beneficial use of the development, hereby permitted, commences.

Reasons: In the interests of highway safety.

MARK SHEPHARD
CORPORATE DIRECTOR – COMMUNITIES
2 APRIL 2015