

DRAFT DNS Planning Conditions for Pen March Wind Farm

Table 1 – Draft Planning Conditions

Ref.	Planning Condition	Reason
1	The development shall begin not later than five years from the date of this decision.	To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.
2	The development shall be carried out in accordance with the following list of approved plans and in accordance with the recommendations and measures contained within the following approved supporting documents: • Figure 1.1 Site Location • Figure 3.1 Proposed Scheme • Volumes 1-4 of the Pen March Wind Farm Environmental Statement • COM Figure 1 Common Land and Release Land (Secondary Consents) • COM Figure 2 Section 16 Application Plan (Secondary Consents) • COM Figure 3 Infrastructure Layout Plan (Secondary Consents) • COM Figure 4a & 4b Section 38 Application Plan (Secondary Consents)	To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application.
3	The development hereby approved shall cease operating 35 years from the date when electrical power is first exported ('first export date') from the development to the electricity grid network. Written confirmation of the first export date to the National Grid shall be provided to the local planning authorities no later than one calendar month after the event.	In the interests of the character and appearance of the area
4	Within twelve months of the end of the 35 year operating period, the turbines and all associated infrastructure and works hereby approved shall be removed from the site and the land restored in accordance with a Decommissioning and Site Restoration Scheme (DSRS) to be submitted to and approved in writing by the local planning authorities. The DSRS shall include: • Measures to ensure pollution control; and • Site restoration measures following all decommissioning operations; The DSRS shall be implemented in accordance with the approved details.	In the interests of the character and appearance of the area

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5.	If any wind turbine fails to produce electricity to the grid for a continuous period of 12 months, the wind turbine and its associated ancillary equipment shall be removed from the site within a period of 6 months from the end of that 12 month period. The planning authorities shall have due regard to the circumstances surrounding the failure to generate and shall take the decision on decommissioning following discussions with the Welsh Ministers and other such parties as the planning authorities consider appropriate.	In the interests of the character and appearance of the area
6.	No wind turbine shall be erected until details of the make, model and external appearance (including colour and surface finish) of the wind turbines have been submitted to and approved in writing by the local planning authorities. The development shall be carried out and retained in accordance with the approved details.	In the interests of the character and appearance of the area
7.	All wind turbines blades shall rotate in the same direction.	In the interests of the character and appearance of the area
8.	Notwithstanding the design or colour approved by the local planning authorities pursuant to Condition No.6, above, all wind turbines shall be of a 3 bladed configuration and shall be of a semi-matt finish and shall not display any prominent name, sign, symbol or logo on any external surfaces (other than health and safety signage).	In the interests of the character and appearance of the area
9.	Subject to the allowance for micro-siting provided by this condition, the turbines shall be erected at the coordinates indicated on Figure 3.1 The Proposed Scheme (Reference: Figure 3.1: The Proposed Scheme, Rev 04) (i) Any variations to the indicated position of any turbine(s) shall be permitted by up to 50m in any direction, subject to the written approval of the local planning authorities. (ii) A plan showing the position of the turbines as built shall be submitted to the local planning authorities within one month of the first export date.	In the interests of the character and appearance of the area
10.	No development shall commence until the proposed means of access onto the Common Road has been laid out as detailed on ES Figure 3.13: Site Access Indicative Junction Layout, Rev 00. The means of access shall be completed in	In the interest of the character and appearance of the area and highway safety

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	permanent materials for a distance of no less than 20m from the edge of the classified route (the Common Road).	
11.	No Abnormal Indivisible Load deliveries shall be made until: a. an assessment of the capacity and impact on all structures along those parts of the highway network which shall be utilised during the construction of the development including bridges, culverts, retaining walls, embankments, and b. details of any improvement works required to such structures as a result of construction of the development have been submitted to and approved by the local planning authority following consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate). The required improvement works identified in the assessment shall be completed prior to the commencement of any Abnormal Indivisible Load deliveries to the development site	In the interests of highway safety
12.	Prior to the commencement of development, a road condition survey shall be carried out of all highway features subject to alteration as part of the proposed Abnormal Indivisible Load deliveries and submitted to and approved in writing by the local planning authorities. The condition survey shall detail a programme of measures, including potential remedial works within specified timescales, to be employed to ensure the highway remains free from damage as a result of the construction of the development. The survey should be carried out by an independent maintenance consultant and extents agreed in advance with the local planning authorities. The development shall be implemented in accordance with the approved details.	In the interests of highway safety
13.	Prior to the commencement of development works, a scheme to provide for the remediation of any incidental damage solely and directly attributable to the development to the parts of the highway network which will be utilised during the construction of the development including street furniture, structures, highway verge and carriageway surfaces shall be submitted to and approved by the local planning authorities in consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate). The	In the interests of highway safety

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	scheme shall be implemented as approved throughout the construction phase of the development.	
14. [Placeholder]	[Placeholder for Noise Conditions]	In the interests of protecting the amenities of the area
15.	No development shall commence until full details of any highway works associated with the construction of the trunk road access has been agreed with the relevant highway authority including: a. the detailed design of any works b. geometric layout c. construction methods d. drainage, and e. street lighting have been submitted to and approved in writing by the local planning authorities in consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate).	In the interests of highway safety
16.	Section 278 Agreement The applicant shall enter into an Agreement with the Welsh Ministers under Section 278 of the Highways Act 1980 to enable the Applicant to undertake agreed improvement works on the trunk road. This Agreement will contain details of the improvement works, construction conditions and financial arrangements under which agreed measures can be put in place, including indemnifying the Welsh Ministers against third party claims. Without such an agreement in place, any consent that may be granted cannot be implemented.	In the interests of highway safety
17.	No development shall commence until a Construction Environment Management Plan ("CEMP") has been submitted to and approved in writing by the local planning authorities. The CEMP will include: i. A Traffic Management Plan	In the interests of highway safety

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	ii. A Construction Methodology Statement iii. A Site Waste Management Plan iv. A Water Management Plan v. A Pollution Prevention Plan The CEMP shall be implemented as approved during the site preparation and construction phase of the development.	
18.	Abnormal Indivisible Loads (AILs) associated with the development shall be delivered strictly in accordance with a Traffic Management Plan (TMP) as shall be agreed with the relevant highway authority. In this respect, the TMP shall be submitted to and approved in writing by Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate) prior to the commencement of any works. The TMP shall include: a. proposals for transporting AILs from their point of entry to the Welsh trunk road network to the site that minimise any impact on the safety and free flow of trunk road traffic b. number and size of AILs, including loaded dimensions and weights c. number and composition of AIL convoys, including anticipated escort arrangements d. convoy contingency plans in the event of incidents or emergencies e. estimated convoy journey durations and timings along the route f. swept path analysis modelling the movement of the worst case AILs at all potential horizontal and vertical constraints along the access route where appropriate, at the discretion of the Highway Authority g. proposals for the temporary or permanent modification of any affected street furniture along the access route and details of how this would be managed	In the interests of highway safety

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	h. plans for the reinstatement of any temporary works after completion of the construction phase i. proposals to liaise with all relevant stakeholders and members of the public regarding construction traffic and AIL movements j. consideration of the cumulative impact of other abnormal load generating schemes, as advised by the Welsh Government, proposing to use all or part of the same access route k. the appointment and role of a transport coordinator to administer the abnormal indivisible load delivery strategy l. details of banksmen and escorts for abnormal loads m. details of temporary signage The TMP shall be implemented as approved during the site preparation, construction and decommissioning phases of the development.	
19.	No development shall commence until a rights of way management plan has been submitted to and approved in writing to the local planning authorities.	In the interests of protecting the amenities of the area
20.	No development shall take place until a site investigation in respect of land stability has been carried out in accordance with a methodology first submitted to and approved in writing by the local planning authorities. The results of the site investigation shall be submitted to the local planning authorities before any development begins. If any land instability issues are found during the site investigation, a Report specifying the measures to be taken to remediate the site to render it suitable for the development shall be submitted to and approved in writing by the local planning authorities. Remedial measures shall be undertaken	In the interest of health and safety and to ensure the development does not cause or exacerbate any land stability issues on the site or wider area

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	in accordance with the approved details prior to the commencement of the development.	
21.	Should any contaminated material be observed during construction which has not been previously identified, the local planning authorities shall be immediately informed. A desk study, site investigation and risk assessment to determine the nature and extent of the contamination should be undertaken in accordance with methodologies which have been first submitted to and approved in writing by the local planning authorities. The results of the desk study, site investigation and risk assessment, and a Report specifying the measures to be taken to remediate the site to render it suitable for the development, shall be submitted to and approved in writing by the local planning authorities. Remedial action, which may include localised measures to protect surface and ground water interests, shall be undertaken in accordance with the approved details.	In the interest of health and safety and the amenity of the application site and wider area
22.	No development shall commence until a scheme for the comprehensive and integrated drainage of the site, including the means of drainage from all hard surfaces and structures within the site and accesses to the local highway network, has been submitted to and approved in writing by the local planning authorities. The approved scheme shall be implemented and retained for the duration of the construction works and operation of the development.	In the interest of protecting the water quality, ecology and amenity of the area
23.	No development shall commence until an archaeological written scheme of investigation has been submitted to and approved in writing by the local planning authorities. The WSI shall be implemented as approved throughout the construction phase of the development.	To identify and record any features of archaeological interest discovered during the works and to mitigate the impact of the works on any archaeological assets
24.	Prior to its installation, full details of lighting in the form of a Lighting and Marking Plan shall be submitted to and approved in writing by the local planning authorities. The Lighting and Marking Plan shall include details of: structures of more than 91.4 m in height will be charted on aeronautical charts and reported to the Defence Geographic Centre (DGC), which maintains the UK's database of tall structures (Digital Vertical Obstruction File) at least ten weeks prior to construction	In the interests of aviation safety

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	- temporary obstacles associated with wind farms which are of more than 91.4 m in height are to be alerted to aircrews by means of the Notice to Airmen (NOTAM) system - Civil Aviation Authority (CAA) will be informed of the locations, heights and lighting status of the WTGs including estimated and actual dates of construction and the maximum heights of any construction equipment to be used The lighting shall be installed and retained as approved during construction and operation of the proposed development.	