

NRW have also reviewed the information submitted and have stated in their response dated 26th September 2017 that they agree with the conclusion that the proposal to extend the life of the wind farm 'would not result in any significant impact on ornithology'.

In light of the information provided in the HRA Screening Report and associated ecological assessment reports as well as the comments provided by NRW in relation to the assessments I confirm that I agree with the conclusions that there would be:

- No likely effect on the River Wye SAC as a result of the proposed life extension of Bryn-Titli Windfarm
- No Likely Significant Effect to the Elenydd-Mallaen SPA merlin or red kite populations as result of the proposed life extension of Bryn-Titli Windfarm either alone or in combination with other plans or projects.

Revised Conditions

Conditions:

1. The development hereby permitted shall cease operation 33 years after the first export of electricity from the site.
2. Not less than 12 months before the expiry of the permission, a decommissioning and site restoration scheme shall be submitted to and approved in writing by the Local Planning Authority. The decommissioning and site restoration scheme shall include provision for the removal of all above-ground elements; the removal of turbine bases to 0.6m below ground level; and restoration of the disturbed areas. The decommissioning and site restoration must be completed in accordance with the approved scheme within the period set out in the approved scheme.
3. A Traffic Management Decommissioning Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the decommissioning of the site. Thereafter, the development shall be undertaken strictly in accordance with the Traffic Management Decommissioning Plan as approved.
4. Not less than 6 months prior to the expiry of planning permission R4297D, an access scheme shall be submitted to and approved in writing by the Local Planning Authority. The access scheme shall include: a plan identifying the alternative waymarked route; provision for the replacement of the gate at the site entrance; and provision for the installation of a pedestrian gate on footpath 322 near T15. The access scheme shall be implemented as approved prior to the expiry of planning permission R4297D, i.e by 29th June 2019.
5. The rating level of noise emissions from the combined effects of the wind turbines hereby permitted (including the application of any tonal penalty and amplitude modulation (AM) penalty), when determined in accordance with the attached Guidance Notes, shall not exceed the values for the relevant integer wind speed set out in or derived from the table attached to these conditions and:
 - A) Within 21 days from receipt of a written request of the Planning Authority, following a complaint to it alleging noise disturbance at a dwelling, the wind farm operator shall, at its expense, employ an independent consultant and provide a written protocol to be approved by the Planning Authority. The protocol shall describe the procedure to assess the level and character of noise immissions from the wind farm at the complainant's property in accordance with the procedures described in the attached Guidance Notes. The written request from the Planning

Authority shall set out as far as possible the time or meteorological conditions to which the complaint relates and time or conditions relating to tonal noise or AM if applicable. Measurements to assess compliance with the noise limits shall be undertaken in accordance with the assessment protocol which shall be approved in writing by the Planning Authority.

B) Where there is more than one property at a location specified in the table attached to this condition, the noise limits set for that location shall apply to all dwellings at that location. Where a dwelling to which a complaint is related is not identified by name or location in the table attached to these conditions, the wind farm operator shall submit to the Planning Authority for written approval proposed noise limits selected from those listed in the table to be adopted at the complainant's dwelling for compliance checking purposes. The proposed noise limits are to be those limits selected from the tables specified for a listed location which the independent consultant considers as being likely to experience the most similar background noise environment to that experienced at the complainant's dwelling. The submission of the proposed noise limits to the Planning Authority shall include a written justification of the choice of the representative background noise environment provided by the qualified Acoustician. The rating level of noise immissions resulting from the combined effects of the wind turbines when determined in accordance with the attached Guidance Notes shall not exceed the noise limits approved in writing by the Planning Authority for the complainant's dwelling.

C) The wind farm operator shall provide to the Planning Authority the independent consultant's assessment of the rating level of noise immissions undertaken in accordance with the protocol within 2 months of the date of the approval of the protocol by the Planning Authority unless otherwise agreed by the Planning Authority. The assessment shall include all data collected for the purposes of undertaking the compliance measurements and analysis, such data to be provided in a format to be agreed with the Planning Authority. Certificates of calibration of the equipment shall be submitted to the Planning Authority with the report.

D) Where a further assessment of the rating level of noise immissions from the wind farm is required pursuant to Guidance Note 5 of the attached Guidance Notes, the wind farm operator shall submit a copy of the further assessment within 21 days of submission of the independent consultant's initial assessment unless otherwise agreed by the Planning Authority.

6. In the event of the wind turbines failing to produce electricity supplied to the local grid for a continuous period of 9 months, then it will be deemed to have ceased to be required. The wind turbines and ancillary equipment shall be dismantled and removed from the site in accordance with a decommissioning scheme to be submitted to and approved in writing by the Local Planning Authority within 3 months of the cessation date.
7. The blades of all the wind turbines hereby approved shall all turn in the same direction.

Reasons:

1. In accordance with Section 91 of the Town and Country Planning Act 1990

2. In order to secure a satisfactory decommissioning and restoration of the site in the interests of the integrity of the landscape and visual amenity and biodiversity in accordance with Planning Policy Wales (Edition 9, November 2016) and Policies DM2, DM4 and RE1 of the Local Development Plan.
3. In order to ensure the safe flow of traffic on the highway network in accordance with policies DM13 of the Local Development Plan
4. In order to maintain and enhance the Public Rights of Way system in the vicinity of the development in accordance with Policy DM13 of the Local Development Plan
5. In order to secure a satisfactory means of noise measurement in the interests of safeguarding the residential amenity of local residents and to ensure the satisfactory monitoring of acoustic impacts in accordance with Technical Advice Note 11 Noise and policies DM13 and RE1 of the Local Development Plan.
6. In the interests of the visual amenity of the area in accordance with policies SP7, DM4 DM13 and RE1 of the Local Development Plan
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