

Draft 3 - Proposed set of Conditions for Pencoed Peaking Gas DNS Application (ref. DNS/3213704)

1. This development shall be begun within 5 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and recommendations in the following reports:-

Site Location Plan Rev E (1:2500) – Drwg. No. P2032
Site Boundary Plan Rev A- Drwg. No. JRW-PENCOED-D-101 1 of 1
Site Layout Plan Rev F – Drwg. No. JRW-PENCOED-D-101 1 of 2
Site Layout Plan (Elevations) Rev F – Drwg. No. JRW-PENCOED-D-101 2 of 2
Surface Water Drainage Strategy Report
Flood Consequence Assessment Report
Preliminary Ecological Appraisal Report
Construction Environmental and Traffic Management Plan
Noise Assessment
Air Quality Assessment
Arboricultural Impact Assessment and Methodology Report

Reason: To avoid doubt and confusion as to the nature and extent of the approved development and to satisfy the Local Planning Authority's "biodiversity and resilience of ecosystems duty" under Section 6 of the Environment (Wales) Act 2016.

3. Notwithstanding the submitted plans, no development shall commence until a scheme for the provision of a permanent access point into the site has been submitted to and approved in writing by the Local Planning Authority. The agreed access shall be implemented in permanent materials before the development of the peaking station begins and brought into beneficial use and retained for parking purposes in perpetuity

Reason: In the interests of highway safety.

4. No structure, erection or planting exceeding 0.9 metres in height above adjacent carriageway level shall be placed within the required vision splay areas at any time.

Reason: In the interests of highway safety.

5. Notwithstanding the plans as hereby approved, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping that takes forward in more detail the approved Landscape Masterplan and a noise bund/acoustic barrier, which shall include detailed landscaping proposals to mitigate the visual and potential night-time noise impact of the development, indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development. The submitted and approved scheme shall be implemented in full and retained for the lifetime of the plant.

Reason: To safeguard the visual and residential amenities of the area.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development and 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 a similar size and species.

Reason: To safeguard the landscape amenities of the area.

7. The rating noise level arising from the development (including the application of any tonal penalty) when assessed in accordance with BS4142:2014+A1:2019 in free field conditions at any residential premises existing at the time of approval of planning permission for this development, shall not exceed the noise levels shown below:

Time Period	Noise rating level
Day (0700-23.00)	41dB LAeq,1 hour
Night (2300-0700)	39dB LAeq, 15mins

Reason: To safeguard the residential amenities of the area

8. Prior to the development being brought into beneficial use, a 4.5m acoustic barrier shall be erected along the eastern boundary as described on page 9 of the Inacoustics report dated 26th February 2020 (version 4). The barrier shall be continuous with no gaps, be imperforate and rot proof and shall be maintained and retained for the lifetime of the development.

Reason: To safeguard the residential amenities of the area

9. No development shall take place until the design details of the acoustic barrier referred to on page 9 and the specifications of the plant referred to in table 5 of section 5.1.1 of the Inacoustics acoustic report dated 26th February 2020 have been submitted to and approved in writing by the Local Planning Authority. The design details of the barrier shall include a location plan of the barrier showing its exact position, overall length, height, mass, attenuation and construction details. The design details of the plant and barrier shall be accompanied by a noise assessment to demonstrate that the plant and barrier will achieve the level of attenuation used in the noise modelling data in the Inacoustics report dated 26th February 2020 and will achieve the noise rating levels specified in Condition 7 above when assessed in accordance with BS4142.

Reason: To safeguard the residential amenities of the area

10. Unless otherwise agreed by the Local Planning Authority, within two months of all plant at the development site being brought into beneficial use, a noise report shall be submitted to and agreed by the Local Planning Authority demonstrating by means of direct measurement or where this is not possible, a combination of measurement and calculation, that the rating level of the combined noise from all plant operating together (including the application of any tonal penalty) when undertaken in accordance with BS4142 in free field conditions at any residential premises has been achieved. Should the assessment show that these rating levels have not been achieved, a further scheme of noise mitigation shall be submitted to and agreed in writing with the Local Planning Authority to demonstrate how the noise levels will be reduced to comply with Condition 7. The scheme shall

include time scales for the implementation and completion of the mitigation work, shall be implemented in full as agreed and be retained for the lifetime of the development.

Reason: To safeguard the residential amenities of the area

11. Notwithstanding the details included with the approved Construction Environmental and Traffic Management Plan, construction work for the development hereby approved shall only be undertaken between:

08:00 and 18:00 hrs Monday to Fridays

08:00 and 13:00 hrs Saturdays

And no work shall take place on Sundays and Bank Holidays.

Reason: To protect the amenity of local residents.

12. No lighting shall be installed at the site until a lighting design strategy, including a detailed lighting plan (indicating the hours of operation, how the timing of the lights will be controlled and an isolux diagram predicting the levels of light spillage to the windows of the closest residential receptors and upward light spillage) has been submitted to and approved in writing by the Local Planning Authority. The development and associated lighting shall be implemented as agreed at all times for the lifetime of the plant.

Reason: In the interests of biodiversity and neighbouring residential amenity.

13. The permission hereby granted shall expire 25 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 shall be provided to the local planning authority no later than one calendar month after the event.

Reason: To ensure that the development is temporary in nature.

14. Within 25 years and six months following the date of first export, or within six months of the cessation of electricity generation by facility, whichever is the sooner the generators and all associated structures and fencing hereby approved shall be removed from the site and the land returned to its former agricultural status, in accordance with a decommissioning and site restoration scheme which has first been submitted to and approved in writing by the local planning authority. The decommissioning plan shall include pollution control measures. All existing and new planting implemented as part of the approved scheme shall be retained. The developer shall notify the Local Planning Authority in writing no later than one month following cessation of power production. The approved restoration scheme shall be implemented in full within 12 months of the cessation of electricity generation.

Reason: To ensure that due regard to the character and appearance of landscape features of communal, public and nature conservation importance.

15. The engines to be installed shall be those referred to in the approved plans and specifications referred to in the approved Noise and Air Quality Assessments.

Reason: For the avoidance of doubt and to ensure that the installation takes forward only the technology that has been assessed and approved for use at the site.

16. Prior to the commencement of development, the position of tree protective fencing and a statement of the means by which the installer shall comply with the recommendations of the approved ecology appraisal and tree survey shall be submitted and approved in writing by the local planning authority.

Reason: For the avoidance of doubt and to ensure that the installer of the facility takes appropriate precautionary steps in the interests of protecting trees tree ecology so that the site can be properly prepared for development prior to development commencing.