



**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure)
(Wales) Order 2012**

Application P/2014/1240 for Full Planning Permission

**West Coast Energy
Mr Neil Wyn-Jones
Mynydd Awel
Mold Business Park
Maes Gwern
Mold
Flintshire CH7 1XN**

Applicant: Mr Neil Wyn-Jones West Coast Energy

In pursuance of its powers under the above-mentioned Act and Order Powys County Council (hereinafter called "the Council") as local planning authority hereby gives you notice that **FULL PLANNING PERMISSION** is **GRANTED** for the following development, namely:-

**Full: Erection of an anemometer mast 80m in height for a temporary 3 year period
Land at Pen Bwlch-y-Groes Llangurig Llanidloes**

In accordance with the application and plan submitted to the Council on 04/12/2014 subject to the conditions specified hereunder:-

1. The development to which this permission relates shall be begun no later than the expiration of five years from the date of this permission.
2. The anemometer mast hereby approved shall be limited to a 3 year period from the date of first implementation of this planning consent.
3. At the expiry of 3 years from the date of its first installation, the mast and all associated works shall be removed and the site fully restored to its original condition
4. Prior to the commencement of development, a scaled plan detailing the implementation of bird deflectors (2 metres apart) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented strictly in accordance with the details so approved.
5. The bird deflectors once installed (condition 4) shall be retained in perpetuity. Any birds deflectors which break or become detached shall be replaced within one month.
6. Notwithstanding the information submitted with the application, any micro siting of the anemometer mast shall be submitted to and approved in writing by the local planning authority. The mast shall be sited in accordance with the approved scheme.

Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure the satisfactory removal of the approved structure in accordance with policies E3 and E4 of the Unitary Development Plan for Powys (March 2010)

3. To ensure satisfactory removal of the approved structure in accordance with Planning Policy Wales (7th edition, July 2014) and policies E3 and E4 of the Unitary Development Plan for Powys (March 2010)
4. In the interest of biodiversity and to accord with Planning Policy Wales (7th Edition, July 2014) and policy ENV3 of the Unitary Development Plan for Powys (March 2010)
5. In the interests of biodiversity and to accord with Planning Policy Wales (7th Edition, July 2014) and policies ENV3 of the Unitary Development Plan for Powys (March 2010)
6. To ensure satisfactory siting of the mast and to accord with Planning Policy Wales, (7th Edition) and policies E3 and E4 of the Unitary Development Plan for Powys (March 2010).

Notes

A Building regulations application may be required, please contact Building Regulations on 01874 612290.

The date on which this permission is **GRANTED** is 24/02/2015.



Sue Bolter
Pennaeth Adfywio, Eiddo a Chomisiynu /
Head of Regeneration, Property & Commissioning

Notes

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he/she may appeal to the National Assembly in accordance with Section 78 of the Town and Country Planning Act 1990 within 6 months of the date of this notice. Appeals must be made on a form obtainable from the Planning Inspectorate, Cathays Park, Cardiff CF10 3NQ. The National Assembly has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The National Assembly is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any direction given under the order. It does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by it.
2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the National Assembly, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council in which the land is situated, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the National Assembly on appeal or on a reference of the application to it. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
4. Failure to adhere to the details of the approved proposals for development contained in this application or to comply with any conditions or limitations subject to which this permission was granted will constitute a breach of planning control which may result in the local planning authority serving an enforcement notice requiring the breach to be remedied under Section 172 of the Town and Country Planning Act 1990.

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IMPORTANT – Please read carefully the notes below

Failure to comply could make the development hereby permitted unauthorised.

- 1) This consent is granted in strict accordance with the approved plans:
 - a) **ANY VARIATION** from the approved plans after commencement of the development, irrelevant as to the degree of variation, will be constituted as unauthorised development and may be liable to enforcement action.
 - b) You or your agent or any other person responsible for implementing this permission should inform the Case Officer immediately of any proposed variation from the approved plans and you or they will be informed as to the best method to resolve the matter.
- 2) This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond:
 - a) If there is a condition that requires work to be carried out or matters to be approved prior to the commencement of the development this is called a “condition precedent”.
 - b) If a “condition precedent” is not complied with, the whole of the development will be unauthorised, you may be liable to enforcement action
 - c) In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the breach is the submission of a new application.
 - d) If any other type of condition is breached then you will be liable to a Breach of Condition Notice.

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