

PLANNING COMMITTEE	DATE: 13/07/2026
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 3

Application Number: C24/1032/04/LL

Date Registered: 28/11/2024

Application Type: Full

Community: Llandderfel

Ward: Llandderfel

Proposal: Temporary operation of a meteorological mast and associated structures for a period up to five years.

Location: Land Adj. to LL23 7NR, Fron-goch, LL23 7NR

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

- 1.1 The proposed development, situated in highland near the summit of Pen y Bwlch Gwyn, is to erect and operate a temporary anemometric mast for five years. The mast will be a steel lattice structure with a 'matte' finish supported by guy wires with linked anchors to secure the mast in place, the mast is 100m high. A meteorological monitoring system (anemometers and wind vanes) will be installed on side booms from the mast. The structure includes a triangular lattice tower with guy ropes and climbing stairs incorporated on one side.
- 1.2 The proposed development is situated in highland near the summit of Pen y Bwlch Gwyn, which is approximately 2.1km away from Glan yr Afon. Pen y Bwlch Gwyn rises to a height of 501m, and the development is on land approximately 470-490m in height.
- 1.3 Eryri National Park is approximately 2.2km to the west, the proposed Glyndŵr National Park is approximately 7.8-8km to the south-east, with the Clwydian Hills and Dyffryn Dyfrdwy Area of Outstanding Natural Beauty approximately 12.9km to the east.
- 1.4 The development site is located approximately 2.5km from the 'Afon Dyfrdwy and Llyn Tegid' Special Area of Conservation (SAC), 3km from the Migneint - Arenig-Dduallt SAC and Special Protection Area (SPA), 5.6k from the 'Llyn Tegid' RAMSAR designation and 8.8km from the Berwyn SAC and SPA.

2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the 7 well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

2.3 Anglesey and Gwynedd Joint Local Development Plan 2011-26, adopted 31 July 2017

PCYFF 2: Development Criteria.

PCYFF 3: Design and place shaping

AMG 2: Special Landscape Areas

AMG 3: Protecting and improving features and qualities that are unique to the character of the local landscape

AMG 5: Local Biodiversity Conservation

PS 19: Conserving and where appropriate enhancing the natural environment

TRA 4: Managing transport impacts

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ADN 1: Onshore Wind Energy

PS 7: Renewable Technology

2.4 National Policies:

Future Wales: The National Plan 2040.

Policy 17 'Renewable and Low Carbon Energy and Associated Infrastructure'

Planning Policy Wales (Edition 12 - February 2024)

3. Relevant Planning History:

- 3.1 Cyngor Gwynedd Local Planning Authority has not dealt with any relevant planning applications on the application site. However, a notice of motion to submit an application under the Development of National Significance (DNS) system on this site was received by the Planning and Environment Decisions Wales (PEDW). A DNS notice of a proposed application was submitted to PEDW and the official notice of receipt was published under Article 6 of the DNS Procedural Order 2016 on PEDW's website on 11 November 2025.

Application reference number

CAS-03527-H7Y5R9

Description of the proposed development

The Applicant is seeking planning permission for an onshore wind farm comprising 10 wind turbines, a Battery Energy Storage System (BESS), a project substation compound and associated ancillary infrastructure works. It is anticipated that the proposed development will have a generating capacity of circa 72 MW, subject to final turbine election.'

4. Consultations:

Community/Town Council: No response received.

Transportation Unit: No response received.

Natural Resources Wales: Response received on 24/03/2026:

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Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the further information, relating to peat conservation in support of the above, which we received on 05 March 2026. We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching conditions regarding protected sites and protected species to any planning permission granted and the document identified below should be included in the approved plans and documents condition on the decision notice:

Condition 1 - Protected Sites

Condition 2 - Protected Species

Document - Ecological Appraisal Note, avian ecology, Issue 3, 06/211/2024

Please note, without the inclusion of these conditions and document, we would object to this planning application.

Protected Sites

- River Dee and Bala Lake Special Area of conservation (SAC) The site lies within 2.5 kilometres of the River Dee and Bala Lake SAC.

Construction

The construction of the proposal has the potential, if not adequately managed, to pollute and discolour controlled waters. The proposal includes improvements and extension to the existing access tracks, minor watercourse crossings, and potentially tracking across areas of wet ground. The location of any site compound, and method of working have not been confirmed. We therefore advise that a Construction Environmental Management Plan

(CEMP) be provided that includes mitigation for any construction risk to the environment.

To secure appropriate mitigation measures, we advise that the condition set out below should be attached to any planning permission for this development. Provided the

development is carried out in accordance with those conditions, we do not consider that it will adversely affect the integrity of the SAC.

Condition - No development, including site clearance, shall commence until a Construction

Environmental Management Plan (CEMP) has been submitted to and approved in writing

by the Local Planning Authority. The CEMP should include:

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- Construction methods: details of materials, how waste generated will be managed;

- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas,

appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.

- Soil Management: details of topsoil strip, storage and amelioration for re-use.

- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill and the conservation of dark skies.

- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of wastewater management.

- Traffic Management: details of site deliveries, plant on site, wheel wash facilities

- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.

- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details

- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Justification: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction.

As the competent authority under the Conservation of Habitats and Species Regulations

2017 (as amended), your authority must, before deciding to give consent for a project which is likely to have a significant effect on a SAC/SPA/Ramsar site, either alone or in combination with other plans or projects, make an appropriate assessment of the implications

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of the project for that site in view of its conservation objectives. You must for the purposes of the assessment consult NRW and have regard to any representations we make within such

reasonable time as you specify. In the absence of that assessment, NRW cannot advise

that the proposals would not result in an adverse effect upon the SAC.

Operation

As above, we note the application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). In line with our Advice to Planning Authorities for Planning Applications Affecting Nutrient Sensitive River Special Areas of Conservation (28 June 2024), under the Habitats Regulations, Planning Authorities must consider the impact of proposed developments on water quality within SAC river catchments.

However, recognising the specific nature of the application submitted we are satisfied that there is unlikely to be a source of additional nutrients and/or a pathway for impacts. As such, in our opinion, it would be reasonable for your Authority to screen out this proposal as not likely to have a significant effect on the River Dee and Bala Lake SAC in relation to nutrient inputs. - Migneint – Arenig Ddualt Special Protection Area (SPA) and Berwyn SPA The proposal is located within 3 km of the above Migneint – Arenig – Ddualt SPA and 8km from the Berwyn SPA. Ornithological features may be impacted through disturbance and/or

collisions with the erected structures (including supporting guy wires).

We have reviewed the Ecological Appraisal Note (Avian Ecology, 6/11/2024) submitted as part of the planning application. We agree with the scope of ecological and ornithological field surveys undertaken to inform baseline conditions. We also agree that there is unlikely to be an adverse effect from this scheme on ornithological features of the above SPAs. We note the mitigation measures identified and advise that these are secured. The report

The applicant should note that where buffer distances are required or need to be considered then reference should be made to Goodship & Furness 2022 or alternative published

- Sites of Special Scientific Interest Providing the impact pathways referenced above for the SAC and SPAs identified above are adequately addressed, NRW consider the features of the SSSIs will also be adequately safeguarded.

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Protected Species

Breeding Birds

The ecological report notes that there is potential for curlew to be impacted by the proposal. Curlew are listed under Section 7 of the Environment (Wales) Act 2016. As identified above (Protected Sites (SPA) section), we agree with the scope of ecological and ornithological field surveys undertaken to inform baseline conditions within the ecological report. However, we do have some concerns relating to impacts on breeding curlew.

While we note that impacts would be temporary in nature, the mast would represent a high “predator perch” in an otherwise open landscape. We therefore advise that a breeding bird protection plan (BBPP) is included as a condition within any permission in order to limit potential impacts on curlew during the temporary deployment of the mast. This should include monitoring of use of the mast by potential nest predator species during the first breeding season post-construction and identification of measures that could be implemented should a high use of the mast by such species be detected.

Condition 2:

No development or phase of development, shall commence until a Breeding Bird Protection Plan (BBPP) has been submitted to and approved by the Local Planning Authority. The BBPP shall include but not be limited to:

- i. Methods for survey of the use of the mast by species considered nest predators of curlew;
- ii. Timing and duration of monitoring;
- iii. Appropriately qualified persons and equipment to carry out monitoring;
- iv. Timing and format for presenting and dissemination of monitoring results including submission to all data relevant databases;
- v. Contingency prescriptions that will be carried out if high levels of use of the mast is detected by species considered nest predators of curlew;

The BBPP shall be carried out in accordance with the approved details.

Justification: A BBPP should be submitted to ensure that potential

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adverse impacts on breeding curlew are appropriately managed and limited as far as practicable during the operation of the scheme

Other Species

We note that the ecological report submitted in support of the above application (Ecological Appraisal Note, avian ecology, Issue 3, 06/211/2024) has identified that the proposed development and any works are not predicted to affect bats, any riparian mammal species such as otter, or amphibians e.g. Great Crested Newt.

Peat Conservation

We welcome the submission of the document “Foel Fâch Wind Farm: Supplementary Information - Meteorological Mast, Vanja Krage Water Research Centre Limited (WRc)”,

received by your Authority dated 09/02/2026. While this appears to show there are significant accumulations of organic soils in the red line boundary and tracking route, none appear to be deep enough to be classified as peat alone.

When cross-referenced with Figure 5.5 (NVC Survey Plan) of the “Foel Fach Wind Farm – Environmental Statement Volume IV, Chapter 5 Terrestrial Ecology Figures”, the red line boundary and tracking route also do not appear to be within or immediately adjacent to any stands of probable peatland vegetation. We are therefore satisfied that this application alone will not impact on peat or peatlands.

Protected Landscape

Our landscape planning advice relates to the landscape character and visual amenity of the Eryri National Park (ENP), and the statutory purpose of the designation to conserve and enhance its natural beauty.

We have reviewed the additional information:

- Supplementary Information (Installation of a meteorological mast (up to 100m in height) at land to the north-east of Frongoch, Bala), Response to consultees, Savills, April 2025
- Additional information – viewpoints, Pegasus Group, June 2025
- Design and Access Statement – Appendix 1 LVA, RSK, April 2025

The proposed anemometer is likely to be discernible from a range of locations within the National Park and its setting and in some instances will introduce a new man-made element into an otherwise uninterrupted view. However, we advise, due to distance (2.2km at its closest point), the slender design and impermanence of the

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anemometer (insofar as it remains a transient standalone element), that the effects are unlikely to be significantly adverse as to be harmful to the landscape character, visual amenity or special qualities of the ENP. Further explanation is provided as follows:

Our previous advice (May 2025) highlighted the requirement for adequate reasoning/ evidence to justify conclusions stated in the Planning Design and Access Statement that;

“there are no adverse effects on receptors” and, “that the met. mast would be able to be accommodated within the landscape without unacceptable landscape or visual impacts” (page 4). The requirements were to provide viewpoint photography to evidence landscape effects.

Twenty-one viewpoints were identified as part of a scoping exercise for the associated Foel Fach windfarm which this proposal also relies upon for the LVA. Representative Viewpoints have been provided to support this LVA assessment of visual effects. The viewpoint photography is in respect of VP 2, 3, 4, 5, 6, 7, 9, 10, 11,12, 13, 17, 19 and is in general accordance with Landscape Institute Guidance.

The assessment of visual effects of the proposed anemometer on these viewpoints is set out in 1.10 and 1.11 of the LVA.

Viewpoints are assessed to have a low or very low magnitude of change resulting in a minor degree of visual effect in the case of viewpoints 2, 5, 9, 10, 11, 12, 13 and 17. This is due to the slender profile of the mast, distance from the site and context of the landscape settings including other landscape features.

The remaining 5 viewpoints (3, 4, 6, 7 and 19) are detailed below:

Viewpoint 3 Caer-gerrig represents users of the ENP at a distance of 3.3km from the mast.

From this viewpoint the mast will be clearly visible against the skyline as the only man-made feature breaking an otherwise uninterrupted horizon albeit of slender design. We concur that there is likely to be a medium magnitude of change fitting the description in the methodology as being a change in the view that is clearly notable in the view and forms an easily identifiable component in the view. Due to the high sensitivity of visual receptors within the ENP the significance of effects would be moderate. We agree that the temporary nature of the mast and distance supports an assessment of moderate minor degree of visual effect.

Viewpoint 4 Mwnwgl-y-llyn Bridge represents users of the promoted footpath in the ENP at a distance of 6.3km. We concur with the magnitude of change judgement to be low combined with the high sensitivity of recreational users resulting in a moderate-minor degree of visual effect.

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Viewpoint 6 Footpath Bryn-yr-Hydd represents users of the elevated footpath in the ENP at a distance of 6.6km. The mast would be visible against the skyline from this viewpoint. The LVA states that the distance and the wider panoramic context of the view would reduce visual prominence. The magnitude of change is judged to be low combined with the high sensitivity of footpath users results in a moderate minor degree of visual effect.

Viewpoint 7 Carnedd y Filiast (6.9km) represents hillwalkers within the ENP. The mast is likely to be visible within the wider landscape but sits below the skyline. We concur with the moderate minor degree of visual effect

Viewpoint 19 Moel y Garnedd (ENP) From this viewpoint the mast would be visible partially above the panoramic skyline. Due to being 6.9km from site the mast would represent a

slender vertical element within a distant landscape that includes other similar elements. We concur with the judgements of a moderate minor degree of visual effect

To conclude, we are satisfied that the effects are unlikely to be significantly adverse as to be harmful to the landscape character, visual amenity or special qualities of the ENP.

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is

published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

If you have any queries on the above, please do not hesitate to contact us.

Dŵr Cymru:

Response received 23/12/2024:

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

CATCHMENT

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The development falls within a Drinking Water Protected Area under article 7 of the Water Framework Directive. This article requires the UK to take action to protect drinking water sources. Section 7.3 states that the aim is ‘to avoid deterioration in water quality where this may lead to additional purification treatment being required’.

The proposed development falls within the DCWW Drinking Water Catchment known as The River Dee Catchment.

The site is approximately ~112km from the River Dee at Poulton abstraction point. With the information included in the provided in the planning documents, and due to the distance from the abstraction point, we have deemed this development to have low risk to drinking water quality. There are therefore no further comments.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

Public Protection Unit: No response received.

Lead Local Flood Authority / Response received on 06/01/2025:

SAB:

Thank you for the following consultation and apologies for the late reply.

The unit has no observations to offer in terms of land drainage, local flooding risk or coastal erosion.

Heneb: No response received.

The Ministry of Defence Response received on 10/12/2024:

(MOD):

Offer observations and standard conditions.

North and Mid Wales Trunk Response received on 02/01/2025:

Road Agent:

I refer to your consultation of 05/12/2024 regarding the above planning application and advise that the Welsh Government as highway authority for the A494 trunk road does not issue a direction in respect of this application. However, the applicant is advised that, should the need for traffic management on the A494 arise, they should contact NMWTRA’s Streetworks Team prior to the commencement of any works on site to discuss any such requirements. If you have any further queries, please forward to the following Welsh Government Mailbox

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CADW:

Response received on 11/12/2024:

Thank you for your letter inviting our comments on the planning application consultation for the proposed development described above.

Advice

Having carefully considered the information provided, we have no objection to the proposed development in regard to the scheduled monuments or registered historic parks and gardens listed in our assessment of the application below.

The national policy and Cadw's role in the planning process is set out in Annex A.

Assessment

Scheduled Monuments

ME016 Tomen y Bala Castle Mound

ME042 Pen-Ucha'r-Llan Ringwork

ME063 Cefn Ddwysarn Camp

ME092 Llanfor Roman Fort and Camps (revealed by Aerial Photography)

Registered Parks and Gardens

PGW(Gd)25(GWY) Rhiwlas

The above designated historic assets are located inside 5kmm of the proposed development.

The proposed mast will be a 100m high triangular, lattice tower held by high tensile guy wires. An infrared aircraft warning light will be mounted at 100m. In most cases intervening topography will block views between the mast and the above designated historic assets. Where views are possible the slender nature of the mast makes it unlikely it would be clearly visible. As such the proposed mast will not have any effect on the way that any of the above designated historic assets are experienced, understood and appreciated. Consequently, the proposed development will have no significant impact on the settings of the above designated historic assets.

Eryri National Park Planning
Authority:

No response received.

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Conwy Local Planning
Authority:

No response received.

Cyngor Gwynedd Biodiversity
Unit:

Response received on 19/02/2025:

The applicant wishes to erect a wind mast on top of the hill where it is being considered to build a wind turbines. The applicant has provided an ecological report: Erection of a Meteorological Mast and Associated Works on behalf of Foel Fach Wind Farm Limited Ecological Appraisal Note by Avian Ecology dated 6th Nov 2024 This ecological appraisal note details the ecology and ornithological interest at the location of a proposed meteorological mast of up to 100 m high.

Habitats

The ecological report states “The proposed development would be situated within an area of heavily sheep-grazed acid, semi-improved grassland, which is relatively species-poor, and includes common bent *Agrostis capillaris* and wavy hair-grass *Deschampsia flexuosa*”. Although this habitat cannot be classed as those listed under section 7 of the Environment Act 2016, in my opinion it is a habitat of high biodiversity value because it indicates that it was once a heathland habitat, and likely that overgrazing has removed the heather plants. The construction of the proposed development would result in the temporary loss of a maximum of 0.001 ha. This is a very minimal loss of habitat. If it is a temporary loss, how will the habitat be restored? I recommend fencing the site for a few years to exclude grazing.

Species

Surveys recorded 9 bird flights: three red kite flights, two kestrel flights, two snipe flights, one hen harrier flight and one golden plover flight. Survey found: breeding curlew and hobby were >650 m and >450 m respectively from the proposed development, which is the upper limit in which disturbances have been detected in these species.

Impact

Without appropriate mitigation the erection, removal and routine or unplanned maintenance activities for the proposed met mast and ancillary infrastructure may lead to disturbance to breeding birds, and the presence of high tensile guy wires may pose a collision risk for some bird species, depending on flight behaviour and collision susceptibility.

Wildlife Site

The proposed location for the mast is within Wildlife Site Llandderfel 1343, selected for its upland habitats (acid grassland and heathland and bracken) and it would also qualify for the species present.

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Planning Policy AGM5 for the protection of Wildlife Sites, however this is an insignificant loss of habitat. Would access tracks be constructed to the proposed wind mast site?

Peat

No information is provided on the presence of peat or its depth at this location. Peat is a high carbon soil and National Planning Policy is for its protection of peat.

Mitigation

To reduce disturbance to nesting birds, I agree with the mitigation recommended in the ecology report that construction of the proposed development should avoid the bird breeding season (taken to be March to August, inclusive) or can provide written evidence to prove that birds will not be disturbed.

The ecology report suggests the use of deflectors to reduce bird strike, additionally I recommend monitoring of bird strikes by searching for corpses. The ecology report suggests RAMS for reptiles. This is acceptable.

Biodiversity Enhancement

None provided. I recommend habitat enhancement in the wider area, perhaps drain blocking to enhance bog habitats. No objection, but I would like a biodiversity enhancement plan.

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Public Consultation: A notice was posted near the site and surrounding residential property to the application site were informed via a letter. One item of correspondence was received from a member of the public objecting to the application on the grounds;

- That it was in a site of natural beauty and would have a detrimental impact on the area.
- That lighting would be installed on the structure (100m in height) and will affect the area's dark skies.
- The development will be visible from the objector's property, and this would have a negative impact on the property's value and should the application be approved the applicant and Cyngor Gwynedd should pay compensation.

5. Assessment of the material planning considerations:

The principle of the development

5.1 There is no specific policy in the LDP that deals with meteorological masts; however, the purpose of this mast is to gather meteorological data to inform whether it would be viable or not to follow with a proposal to develop sustainable wind energy at this location. Therefore, this application is within the 'associated infrastructure' scope, and it is submitted on its own for a potential future proposal.

5.2 Strategic Policy PS 7 'Renewable Energy Technology' in the Joint LDP promotes sustainable energy development wherever feasible. The relevant Onshore Wind Energy policy is ADN 1. It is important to note that since the Council adopted these policies, there have been changes to national policies relating to wind energy.

5.3 The Strategic Search Areas and TAN 8: Renewable energy has been replaced following the publication of Future Wales: The National Plan 2040.

The Strategic Search Areas in TAN 8 have been replaced by Areas that have been assessed in advance for wind energy.

5.4 In addition, PPW section 5.9.17 and 5.9.18 state *"Future Wales sets out the Welsh Government's policies for the determination of renewable energy schemes of 10MW and more under the Developments of National Significance procedure. For large-scale wind developments, it identifies Pre-Assessed Areas where the Welsh Government has already modelled the likely impact on the landscape and has found them to be capable of accommodating development in an acceptable way. There is a presumption in favour of large-scale wind energy development (including repowering) in these areas, subject to other criteria contained within the policy. Local planning authorities should not seek to amend the Pre-Assessed Areas within their boundaries as they form part of the development plan. LDPs may seek to define areas within the Pre-Assessed Areas for other land uses (including renewable development sites of below 10MW), although any local policy and planning decisions should not prejudice the ability for large scale wind developments to come forward in the Pre-Assessed Areas."*

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- 5.5 It should also be noted that paragraph 5.7.5 of PPW states *"Planning applications for onshore generating projects in Wales which have an installed generation capacity of between 10MW and 350MW (there is no upper limit for onshore wind generating stations) are made directly to the Welsh Ministers under the Developments of National Significance (DNS) process and considered under policies in Future Wales."*
- 5.6 Policy 17 of the Future Wales plan namely 'Renewable and Low Carbon Energy and Associated Infrastructure', states that for developments within Pre-Assessed Areas *"...In Pre-Assessed Areas for Wind Energy the Welsh Government has already modelled the likely impact on the landscape and has found them to be capable of accommodating development in an acceptable way. There is a presumption in favour of large-scale wind energy development (including repowering) in these areas, subject to the criteria in policy 18..."*.
- 5.7 The development lies beyond the nearest Pre-Assessed Area boundary for wind, namely 'Number 2' (as identified in Future Wales). Although it is beyond this area, policies 17 and 18 of Future Wales do not prevent development beyond these areas.
- 5.8 As has already been noted, this application is not specifically for a wind farm but 'associated infrastructure'.
- 5.9 To provide the context, the PEDW (Welsh Ministers) received a notice of intention to present a DNS application to develop a 10-turbine wind farm (72MW) on the site of this application under reference CAS-03527-H7Y5R9. The proposal's principle of a wind farm cannot be considered as part of this application, and this proposal needs to be assessed on its own merits.
- 5.10 The mast is a temporary structure, and any impact and materials associated with it will be cleared from the site after a temporary period of 5 years. Conditions will be imposed on any permission given, making it necessary for the land to be restored to its condition prior to development. It is considered that this is sufficient to ensure that no long-term impacts will emanate from this development.
- 5.11 Consideration was also given to the requirements of other policies and relevant considerations, including the comments and objections received from third parties, as noted below.

Visual amenities

- 5.12 In terms of visual impacts and the landscape, local planning policies PCYFF 3, AMG 2 and AMG 3 are relevant. The proposed development is located on hilly agricultural land near the summit of Pen y Bwlch Gwyn, within the 'Cefnwlad y Bala' Special Landscape Area. Eryri National Park is approximately 2.2km to the west, the proposed Glyndŵr National Park is approximately 7.8-8km to the south-east, and the Clwydian Hills and Dyffryn Dyfrdwy Area of Outstanding Natural Beauty is approximately 12.9km to the east.
- 5.13 Natural Resources Wales (NRW) advise that the proposal should be assessed in terms of its impact on the landscape character and visual amenity within Eryri National Park. In accordance with this, the applicant submitted a Landscape and Visual Impact Assessment (LVA), together with supplementary information including an analysis of additional viewpoints.
- 5.14 Following a review of this use, NRW are satisfied that sufficient evidence has been provided to support the assessment of the impacts to the landscape and visual amenities.

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- 5.15 The mast will be visible from several locations within the National Park, and, in some cases, it will present an element of human work on a horizon that is currently continuous. However, given the distance (approximately 2.2km at the nearest point), its slender lattice design, and its temporary nature, it is considered that its general impact will not be significantly detrimental.
- 5.16 The LVA notes that most of the viewpoints experience changes of a low or very low degree leading to minor visual effects. In a limited number of points within the National Park, where the sensitivity of recipients is higher and the mast is more visible, there would be moderate or low to moderate impacts. These mainly relate to views where the mast is prominent against the horizon or within an open panorama. However, these impacts are mitigated by the scale of the structure, its context within the wider landscape and its temporary nature.
- 5.17 NRW conclude that the development would lead to impacts of a scale or nature that would not harm the landscape's character, the visual amenity nor the special characteristics of Eryri National Park.
- 5.18 The Local Planning Authority acknowledge that the mast, given its height, will be visible over a wide area. However, its galvanised slender steel lattice structure will reduce the visual mass. It is also noted that the mast will be on the site for a temporary period of up to five years only, and therefore any impact on the landscape will be brief.
- 5.19 Although the site is not within a Pre-Assessed Area for the development of wind farms, the national development framework (Future Wales: The National Plan 2040) does not prevent a development outside such areas. Any further future proposals will be assessed on their own merits. Therefore, it is not considered that concerns regarding future policy development is a sufficient reason to refuse this temporary application.
- 5.20 The application confirms that the mast and the associated infrastructure will be totally dismantled, and the anchors will be taken out at the end of the operational period.
- 5.21 Given the temporary nature of the development, a planning condition will make it a requirement to take down the mast and all the supplementary equipment at the end of the five-year period. A further condition will demand that a detailed Method Statement is submitted and implemented to ensure that the site is restored to its original condition.
- 5.22 Based on this, and subject to conditions of appropriate planning conditions, it is considered that the proposal will not have unacceptable detrimental impacts on visual amenities nor on the landscape.

General and residential amenities

- 5.23 Considering the distance between the site and the nearest residential property, along with the comparatively simple nature of the development, the slender design of the mast and the influence of the land topography, it is considered that it is unlikely that the proposal would lead to an unacceptable impact on the visual amenity or the general residential amenity. Therefore, the proposal complies with Policy PCYFF 2 of the Anglesey and Gwynedd Local Development Plan, which seeks to ensure that developments will not have a significant detrimental impact on health, safety and the amenities of nearby residents.
- 5.24 In terms of the aviation lights proposed at the top of the mast, although concerns have been expressed, it is noted that this is a low density infra-red lighting system. As a result, it is considered that this would not have a significant impact on visual amenity and would not cause disruption to nearby property, in accordance with the principles of Policy PCYFF 2 in relation to light pollution.

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- 5.25 In addition, although observations have been received regarding potential noise, the mast only has very few moving sections and therefore no substantial operational noise is expected. It is also considered that any temporary noise during the construction phase will be limited in terms of time and will be controlled through standard construction practices. Therefore, it is considered that the development is unlikely to cause unacceptable levels of disruption, by complying with the requirements of Policy PCYFF 2.

Transport and access matters

- 5.26 The proposal does not include any adaptations to the existing access arrangements, and it is not anticipated that this will mean any important changes in transportation movements.
- 5.27 Therefore, the development is considered to comply with Policies PS 4 and TRA 4 of the Anglesey and Gwynedd Joint Local Development Plan (2011-2016).

Biodiversity matters

- 5.28 The development site is located approximately 2.5km from the 'Afon Dyfrdwy and Llyn Tegid' Special Area of Conservation (SAC), 3km from the Migneint - Arenig-Dduallt SAC and Special Protection Area (SPA), 5.6k from the 'Llyn Tegid' RAMSAR designation and 8.8km from the Berwyn SAC and SPA.
- 5.29 Natural Resources Wales (NRW) notes that the site is within 2.5km to the Afon Dyfrdwy and Llyn Tegid SAC. It is noted that the main risk will arise during the construction phase, especially in terms of potential pollution, sedimentation and disruption to water courses that are associated with track works, crossings and site components. As the details of the construction methods have not been fully defined, NRW recommend that a Construction Environmental Management Plan should be secured (CEMP) prior to commencement of the development. The CEMP should get to grips with construction methods, site drainage and buffer zones for water courses, soil handling, noise control, dust and lighting, pollution prevention, traffic management and environmental supervision.
- 5.30 Subject to the approval and implementation of a robust CEMP, NRW are of the view that the proposal would not have a detrimental impact on the integrity of the SAC. However, the Local Planning Authority must conduct a Habitats Regulations Assessment (HRA) prior to determining the application.
- 5.31 In terms of the operational phase, NRW acknowledge that the site is within the SAC catchment area that is sensitive to nutrients. However, given the development's nature, they are of the opinion that it is unlikely to introduce sources or additional paths for nutrients, and therefore it can be screened so that it is not likely to have a significant impact on the SAC in terms of water quality.
- 5.32 In terms of nearby Special Protection Areas (SPAs), namely Migneint-Arenig-Dduallt (3km) and Berwyn (8m), NRW recognise the potential risks to eligible bird species through disruption or collisions with structures. However, they agree with the scope of the survey work and the conclusions noted in the ecology report that indicate that significant impacts are unlikely. They recommend that mitigation measures should be ensured via conditions and that recognised guidelines are followed where buffer zones are used.
- 5.33 NRW also advise on condition that the impact pathways noted for the SAC and SPA are adequately managed, they consider that the features of any Sites of Special Scientific Interest (SSSIs) will be adequately safeguarded. In terms of protected species, they accept that bats, otters and large crested newts are unlikely to be affected. However, we have a certain amount of

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concern regarding the potential impact on nesting plovers. Although any impacts would be temporary, the proposed mast could act as a resting place for predators in a landscape that is otherwise open.

- 5.34 To mitigate this risk, NRW recommend a condition that demands the introduction and implementation of a Breeding Bird Protection Plan (BBPP). This should include monitoring the use of the mast by predators during the first breeding season, reporting on the results and providing contingency actions where significant use is noted by predators.
- 5.35 Lastly, NRW confirm that organic soil is present, but it is not deep enough to be considered as peat, and the development would not affect peat habitats. The Council's Ecologist has provided observations and notes that the site comprises over-grazed acidic semi-improved grassland, which is comparatively poor in terms of species, but it is suggested that it emanates from previous heathland habitat and is therefore of a higher biodiversity value than described. The site is within the 1343 Llandderfel Wildlife Site, which is a candidate site for highland habitats, although it is judged that the loss of habitat is negligible.
- 5.36 The ecologist notes that no information was provided about the presence or depth of peat, although national policy emphasises safeguarding peat soil, however this matter has now been resolved as noted above. It is considered that the conditions proposed by NRW respond to the concerns of our ecologist regarding the impact on nesting birds and conditions may be imposed to control that the development follows the mitigated measures outlined in the Green Infrastructure Statement as well as providing biodiversity enhancement schemes prior to using the development for the first time.
- 5.37 Overall, neither NRW nor the ecologist object in principle, subject to imposing conditions to ensure a CEMP, BBPP, and implement the ecological mitigation measures. They come to the conclusion that the development, with these safeguarding measures at work, would not have a detrimental impact on designated sites.
- 5.38 To this end, it is considered that the development therefore complies with the requirements of Strategic Policy PS 19 and Policies AMG3, AMG 5 and GWA 1 of the Anglesey and Gwynedd Joint Local Development Plan 2011 - 2026.

Conservation of Habitats Regulations

- 5.39 Cyngor Gwynedd as the competent authority under Regulation 63 of the Habitats and Species Protection Regulations 2017 (as amended), has considered the need to carry out a Habitats Regulations Assessment in relation to this application prior to its determination, as it relates to the development that is within the potential influence of European designated sites. The nearest relevant sites are the 'Afon Dyfrdwy and Llyn Tegid' SAC, approximately 2.5km away, the Migneint - Arenig-Dduallt SAC and SPA, approximately 3k away, and the 'Llyn Tegid' RAMSAR designation about 5.6km away, and approximately 8.8km from the Berwyn SAC and SPA to the south-east.
- 5.40 The site is within the Afon Dyfrdwy hydrological catchment area, and therefore a credible path exists for the impacts on water quality during the construction phase. Specifically, activities such as constructing tracks, creating crossings and establishment of components may lead to pollution, sediment or disruption to watercourses. As the full details of the construction methods have not currently been fully defined, the possibility of the likely similar significant impacts cannot be ignored on the characteristics of the 'Afon Dyfrdwy and Llyn Tegid' SAC without appropriate mitigating measures.

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- 5.41 However, it is considered that these risks can be controlled effectively by imposing a condition that demands the introduction and implementation of a robust Construction Environmental Management Plan. Such a plan would include provision to prevent pollution, control drainage, establishment of buffer zones for watercourses, handle and storage of soil appropriately, manage sediment and provide appropriate environmental supervision throughout the construction phase. Subject to the full implementation of these measures, it is considered that the development would not lead to a detrimental impact on the integrity of the 'Afon Dyfrdwy and Llyn Tegid' SAC.
- 5.42 In terms of the operational phase, although the site is within a catchment area that is sensitive to nutrients, the nature of the development does not suggest that it would lead to an increase in nutrients (such as phosphate) additional pathways for pollution and therefore it is deemed that it is unlikely to have a significant impact on the SAC in terms of water quality in the longer term. Regarding the adjacent SPA, there is a theoretical possibility of disrupting eligible bird species or a risk of collisions with the structure, but the supplementary ecological information indicates that significant impacts are unlikely, and this conclusion is acceptable on condition that appropriate mitigation measures are implemented.
- 5.43 It is recognised that there is some risk in relation to nesting birds, especially as the proposed mast could act as a resting place for predators within open landscape. Although it is expected that any impacts would be temporary and spatially limited, it is considered that it would be possible to appropriately address this risk by imposing a condition that demands that a Breeding Bird Protection Plan is submitted and implemented. This would include monitoring the use made of the site by predators during the first breeding season, reporting on the results and implementing additional measures if a significant risk is found. Under these circumstances, it is considered that there would be no detrimental impact on the SPA's integrity.
- 5.44 No joint impacts were noted that would be likely to combine with this proposal to create an additional significant impact. In addition, where the impact pathways noted for the SAC and SPA sites are appropriately managed, via mitigation measures, it is considered that associated designation such as Sites of Special Scientific Interest (SSSIs) will be adequately safeguarded. There is no evidence to suggest that the development would have an impact on protected species such as bats, otters or great crested newts, although organic soil is present on the site, it does not reach the depth nor the characteristics of peat, and therefore it would not be adversely affected.
- 5.45 Based on the above assessment, we come to the conclusion, although there is potential for likely significant impacts during the construction phase in the absence of control measures, that firm mitigation measures can be implemented via planning conditions, including a Construction Environmental Management Plan and a Plan to Protect Breeding Birds, together with implementing the relevant ecological measures. As a result, it is considered that the development will not have a detrimental impact on the integrity of any European site either in isolation or in conjunction with other plans or projects,

Heritage

- 5.46 There is no heritage designation close to this application. CADW have confirmed that they have no objection to the proposal and that it will not have any impact on heritage designations due to the land topography preventing views between it and the heritage assets.
- 5.47 The proposal therefore complies with Policy PS 20 of the Anglesey and Gwynedd Joint Local Development Plan 2011-2016.

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Aviation Safety and Defence Matters

- 5.48 This application site is within the low flying training area 'Low Flying Area 7', and the Ministry of Defence (MOD) have submitted observations on the application. Although these observations have been designated as confidential/sensitive, they state the need to impose standard conditions regarding the obstruction lights for aviation and the requirements of the Safety Management and Aviation Charter??, because the mast represents a physical obstruction to aviation activities.
- 5.49 It is considered that it is appropriate to impose these conditions to ensure that the development does not have the same detrimental impact on aviation safety and is not a risk to low flying military training, in accordance with Policy PCYFF 2 that seeks to avoid the detrimental impacts of developments on other land uses.

Language Matters

- 5.50 The Supplementary Planning Guidance (SPG) 'Maintaining and Creating Unique and Sustainable Communities' (adopted July 2019), provides further guidance on how it is expected for Welsh language considerations to be incorporated in each relevant development.
- 5.51 It is noted that there are some specific types of development where it will be required for the proposal to submit a Welsh Language Statement or a Welsh Language Impact Assessment. The thresholds in terms of when it is expected to submit a Statement/Report have been highlighted in Policy PS1 of the Joint LDP, along with Diagram 5 of the SPG.
- 5.52 The proposal does not reach the threshold in policy PS1 requiring a Welsh Language Statement, based on the nature and temporary period of the proposed development and therefore it is not considered that it is likely that the proposal has a negative impact on the Welsh language. It is, therefore, considered that the proposal complies with policy PS 1 and the Supplementary Planning Guidance (SPG) 'Maintaining and Creating Unique and Sustainable Communities'.

6. Conclusions:

- 6.1 This is an application to erect and implement a temporary meteorological mast for five years. There is no specific policy in the Joint LDP that deals with meteorological masts; however, the application is deemed to be associated infrastructure to a potential sustainable future wind energy development. Strategic Policy PS 7 and Policy ADN 1 support sustainable energy developments in principle, although the policy framework has changed since adopting these with the introduction of Future Wales, that notes Pre-Assessed Areas for large-scale wind developments.
- 6.2 Although the site is not within a Pre-Assessed Area, national policies do not prevent developments outside these areas. It is also noted that the proposal is separate to the submission of a DNS application for a wind farm on the site, but this is not a direct consideration for this application, which is being assessed on its own merits and under a different system.
- 6.3 The mast is a temporary structure for a period of 5 years, requiring the restoration of the site following this, and as a result it is considered that there will be no long-term impacts.
- 6.4 The development is in a sensitive landscape area, however, the LVIA assessment indicates that most of the impacts will be minor or very low, with limited moderate impacts. Given the slender design of the mast, the distance from sensitive areas, and its temporary nature, it is considered that it will not harm the landscape's character nor visual amenity, including Eryri National Park. Subject to restoration conditions, the proposal complies with policies PCYFF 3, AMG 2 and AMG 3.

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- 6.5 The site is close to several designated European sites, and NRW states that the main risk is the impact on water quality during the construction phase. However, it is considered that this can be alleviated by securing a Construction Environmental Management Plan. During the operational period, no significant impact is expected on the SAC, and although there are some theoretical risks to birds within the SPA, it is considered that these are acceptable with appropriate mitigation measures, including a plan to Protect Breeding Birds.

7. **Recommendation:**

- 7.1 To delegate powers to the Senior Planning Manager to approve the application, subject to the following conditions;

Conditions

1. The development should commence within five years of the date of this decision.
2. The development must be undertaken in accordance with the following approved plans and documents.
3. The mast hereby approved must be taken down and the land restored to its previous condition within 5 years to the date of commission. The applicant must inform the Local Planning Authority of the commission date within 3 months of that date.
4. Prior to the commencement of the development (including the land work and clearance of vegetation), a detailed Method Statement that describes how the site will be returned to its original condition will be submitted to the Local Planning Authority, and it must be approved in writing. The fully approved measures should be adhered to and implemented.
5. No development, including site clearance, will commence until a Construction Environmental Management Plan (CEMP) has been submitted to the Local Planning Authority and approved in writing by it.
6. No development or phase of the development to commence until a Breeding Bird Protection Plan (BBPP) has been submitted to the Local Planning Department and approved by it.
7. No development shall be permitted until a biodiversity enhancement plan has been submitted to the local planning authority and approved in writing. The development will be carried out in accordance with the approved details.
8. No clearance of vegetation, land work or building activities will be permitted during the bird nesting season (1 March to 31 August inclusive) unless this has been agreed in writing beforehand with the Local Planning Authority. When work is required during this period, a survey of the site must be undertaken by a competent ecologist no more than 48 hours prior to commencing the work. Any recommendations given must be fully implemented, and if operational nests are found, an appropriate protection zone must be established and maintained until the chicks have fledged.
9. Devices to divert birds must be installed on each external supporting wire of the mast at a distance of no more than 2 metres in length along them all prior to the mast becoming operational. These

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devices must be maintained throughout the development's lifespan. Any damaged, removed or disconnected devices must be replaced within one month of finding them.

10. Prior to commencement of building any meteorological masts, or using any building equipment or temporary structure(s) over 50 metres or more in height (above ground level), the developer must submit an aviation lighting scheme to be approved by Cyngor Gwynedd jointly with the Ministry of Defence, noting how the development will be illuminated throughout its lifespan to maintain the requirements of civil and military flying as determined necessary by the Ministry of Defence.

This should include:

- a) The details of any building equipment and temporary structures with a total height of 50 metres or more (above ground level) that will be used during the construction of the meteorological mast, together with the details of any aviation warning lights that will be installed on them; and
- b) Location and height of every meteorological mast within the development, noting those with aviation warning lights, location of the lights on the mast, the type of lights to be used, and the lighting performance specifications.

Then the developer must install the lights as noted in the approved aviation lighting plan, and the lights will continue to be operational throughout the development's lifespan.

11. The developer must inform the Ministry of Defence in writing, at least 14 days prior to the commencement of the work, of the following information:
 - a) the commencement date to erect the meteorological mast(s);
 - b) the maximum height of any building equipment used when erecting the mast;
 - c) date when any meteorological mast comes into use;
 - d) latitude, longitude and maximum height of each meteorological mast.

The Ministry of Defence must also be informed of any changes to this information and following the completion of the construction work.