

ADDENDUM REPORT BY HEAD OF PLANNING AND PUBLIC PROTECTION

AGENDA ORDER, LATE INFORMATION AND AMENDMENTS TO PLANNING COMMITTEE REPORTS

The following sheets are an addendum to the main agenda for the Committee. They set out the order in which items will be taken, subject to the discretion of the Chair, and they provide a summary of information received since the completion of the reports, and matters of relevance to individual items which will be referred to prior to their consideration.

Where requests for public speaking on individual planning applications have been made, those applications will normally be dealt with at the start of that part of the meeting.

AGENDA FOR THE MEETING

1. APOLOGIES
2. DECLARATIONS OF INTEREST
3. URGENT MATTERS AS AGREED BY THE CHAIR
4. MINUTES (Pages 9-18)

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT
 (Items 5 and 6)

ORDER OF APPLICATIONS

PART 1

ITEM No

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Public Speaker items			
5	23/2015/0463	Cern Yfed, Cyffylliog, Ruthin Installation of one 500 kw wind turbine with hub height of 48m and a rotor diameter of 45m and associated works.	19
6	47/2015/0741	The White House, Rhualt Removal of Condition No. 3 of planning permission Code No. 47/2011/0527 relating to seasonal use condition restricting the use of the site for touring caravans between 31st October and 1st March	49

The letter (c) after a Local Member's name denotes a Member of Planning Committee.

PUBLIC SPEAKER ITEMS

ITEM 5 23/2015/0463	Cern Yfed, Cyffylliog, Ruthin Installation of one 500 kw wind turbine with hub height of 48m and a rotor diameter of 45m and associated works.	Page 19
<p>LOCAL MEMBER: Councillor Joseph Welch (c)</p> <p>OFFICER RECOMMENDATION IS TO REFUSE</p> <p>Public Speaker: <i>Against</i> : Mrs Joanne Williamson Public Speaker: <i>For</i> : Mr Malcolm Jones</p> <hr/> <p>LATE REPRESENTATIONS</p> <p>Natural Resources Wales NRW does not object to the proposal, as it is not considered likely to adversely affect matters of interest to them – i.e. Protected landscapes, protected species, controlled waters, and considerations in the Natural Environment and Rural Communities Act 2006. In respect of Protected Landscape, NRW note that the proposal is not located within close proximity to any protected Landscapes, but they recommend consultation with the Council's landscape specialist on the potential impacts on local / regional landscape interests. Are aware that the proposal is located very near an area designated within the Welsh Assembly's TAN 8 as a preferred area for large scale wind farm development.</p> <p>Clwydian Range and Dee Valley AONB Joint Committee "Thank you for consulting the AONB on this application. The following observations are submitted on behalf of the Joint Committee following consultation with the Chair:</p> <p>Although the site is approximately 10km outside the AONB, the scale of development (71m blade tip height) will result in the proposed turbine being visible from the higher ground of the protected landscape to the south and east of the site. It will therefore have an impact on the setting of the AONB and the special qualities of tranquillity, remoteness, space and freedom, particularly in respect of opportunities to experience 'uninterrupted and extensive views from high places'.</p> <p>The Joint Committee recognises that the development will be seen in the context of a number of existing operational and consented turbines in the locality which have already undermined views from the AONB, but the committee is seriously concerned about the proliferation of individual turbines outside the SSA which are increasing in size (the current proposal is not far short of the 75m tip height of the Tir Mostyn Wind Farm turbines) and are contributing to a large scale wind turbine dominated landscape to the west of the AONB. The effect is to extend the Clocaenog Forest SSA closer to the AONB and, when taken together with the extensive operational and consented wind farms in the area, the development will contribute to a harmful cumulative impact on the AONB and its special qualities. In this context the Joint Committee objects to the application.</p> <p>The committee also considers that the LVIA submitted with the application is very limited in its scope and is considered to be flawed given that the assessment only relates to impacts in a 4km radius around the turbine when the effects will be felt over a much larger area.</p>		

Finally, the committee notes that Cefn Yfed has an extensive array of existing agricultural buildings with south or south west facing roof slopes that could lend themselves to the installation of solar PV panels. Such an option would assist in meeting the energy needs of the farm in a less visually intrusive way than the currently proposed wind turbine.”

ADDENDUM REPORT

The application was subject to a Site Inspection Panel meeting at 2.00pm on Friday October 9th, 2015

In attendance were:

CHAIR – Councillor Ray Bartley
LOCAL MEMBER – Councillor Joseph Welch
GROUP REPRESENTATIVES
CONSERVATIVE – Not represented
INDEPENDENT - Not represented
LABOUR – Not represented
PLAID CYMRU – Councillor Arwel Roberts

COMMUNITY COUNCIL – Not represented

Apologies for absence were received from the Vice Chair, Councillor Win Mullen -James

The Officer present was Mr Ian Weaver

The reason for calling the site panel was to assess the visual landscape and nearby properties who may or may not be affected by noise.

At the Site Inspection panel meeting, members considered the following matters:

1. The detailing of the proposed development, including the location and size of the turbine.
2. The character of the area in which the turbine is proposed.
3. The proximity to other turbines in the area, including operational, approved, and proposed sites, and to the Clocaenog Forest Strategic Search Area.
4. The proximity to other dwellings and farms in the area.
5. Other background information including the basis of responses to the application

In relation to the matters outlined :

1. Members walked from the farm up to the field in which the turbine was proposed. The Planning Officer outlined the details of the scheme, which involved a 2 bladed 500kW turbine, and associated works including on site cabling linking the turbine to the grid connection. The turbine would have a hub height of 48 metres and a rotor diameter of 45 metres, making a ground to blade tip height of approximately 71 metres.
2. Members observed the turbine would be located in open countryside above and to the west of Cyffylliog village, in an area of undulating topography with hills and valleys to the east of Clocaenog Forest.
3. Members noted the proximity and height of existing turbines visible from the site including at Cae Gwyn (35m) and Cerrig Oerion (46m), and were aware of the location and height of others in the vicinity from viewing the plan appended to the Committee report. Members were also aware of the proximity to the boundary of the Clocaenog Forest Strategic Search Area to the west of the site. There was discussion on the respective scale and impact of turbines of the height and rotor diameter proposed, on land stretching away from the Strategic Search Area, and the matters of cumulative landscape/visual and noise impacts.

4. Members noted that the turbine would be located some 600m from the nearest dwellings other than CernYfed itself, and attention was drawn to the location of these dwellings.

5. The Planning Officer provided a factual outline of the representations received, both in support and in objection to the application. It was suggested that the two main issues arising were the landscape/visual impact and the noise implications, which were the subject of many of the individual representations and consultation responses.

CORRECTIONS TO REPORT

In the section listing persons who have made representations in support and in objection, it has been pointed out that Rheon & Enyd Davies, Fferm Bryn Ocyn, Saron are incorrectly included in the 'in support' list. Officers confirm that they have sent representations in objection to the application.

ITEM 6
47/2015/0741

The White House, Rhualt

Removal of Condition No. 3 of planning permission Code No. 47/2011/0527 relating to seasonal use condition restricting the use of the site for touring caravans between 31st October and 1st March

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LOCAL MEMBER: Councillor Barbara Smith

OFFICER RECOMMENDATION IS TO GRANT

Public Speaker: For : Mr Peter Jones-Hughes

LATE REPRESENTATIONS

Email from the applicant's agent (Mr P. Jones-Hughes)

In response to comments from the local community council, the environmental protection section and the public:

1. Community Council - the question of need is not a significant consideration in this application. The principle of establishing a caravan site on the site was approved by the authority in 2011 and the presently proposed extension of the use throughout the winter months is not considered to introduce any issues that would over ride this approval of principle. The site owners have evidence that the popularity of the site with holiday makers is increasing and they are receiving more enquiries from visitors about the use of the facility during the current closed season. The strategic position of the site in relation to the trunk road makes this high quality site an increasingly popular facility with British clientele and those from overseas and particularly Europe. The White House site now plays an important role in contributing to the prosperity of the local economy and the proposal will improve the attractiveness of the visitor destination.

2. Environmental Protection - The infrastructure within the site has been completed and is of a high standard. There is no evidence of problems arising from the current use in terms of light and noise and there is no evidence that the proposed extension in the period of use will create such problems. There has been no representations raised by the highway authority upon any highway/traffic issues. Similarly there have been no records of infringements relating to the occupation of units on the application site and no action has been taken by the planning or licencing authorities in respect of infringements. The question raised on need is covered in the above point. This is not a licencing matter.

3. Public representations - It has never been denied that the site is visible from some directions but although glimpses are afforded of caravans these are not considered to be detrimental to the appearance and character of the local landscape and views from the AONB. Nevertheless the client is aware that the existing site planting scheme has not matured as quickly as anticipated, and it is confirmed that the applicant would be agreeable to the imposition of a condition if permission is granted requiring additional native planting to supplement the tree and hedge planting along the northern and eastern boundaries of the application site.

OFFICER NOTES

The agent's suggestion that a condition be appended to any consent, requiring submission, approval and implementation of additional landscaping is welcomed and would offer an opportunity to supplement existing planting, for the longer term benefit of local residents, which could not otherwise be insisted on by the Local Planning Authority. In the event that Committee grant the removal of Condition 3, it is therefore suggested that the following additional conditions be attached:

3. No touring caravans shall be permitted to use the site until the written approval of the Local Planning Authority has been obtained to a detailed scheme of supplementary soft landscaping / planting for the site, and such scheme has been implemented in full. The scheme shall include details of all of the following:
- (a) all existing trees (including spread and species), hedgerows and other vegetation on the land, identifying those to be retained, and measures for their protection in the course of development.
 - (b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of implementing the planting;
 - (c) any proposed earthworks, grading and mounding of land and changes in levels, retaining structures, the relationship of proposed mounding to existing vegetation and surrounding landform, and water features;
 - (d) The timing of the carrying out of the planting / landscaping and any related works;
 - (e) A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas.

The reason for the condition is:

In the interests of visual amenity and to assist with the screening of the site.

4. All additional soft landscaping comprised in the approved details in relation to condition 3 shall be completed strictly in accordance with the timescale set out therein. Any trees or plants which within a period of 5 years from being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation.

The reason for the condition is:

In order to ensure the effectiveness of the landscaping is maintained in the interests of visual and residential amenity.

5. No touring caravans shall be permitted to be stored on the site at any time.

The reason for the condition is:

The consent permits the use of the site for touring caravans throughout the year to increase the tourism offer, and it is not considered appropriate to permit plots to be occupied by stored caravans preventing holiday use.

ADDITIONAL NOTE TO APPLICANT

The grant of consent relates solely to Condition 3 of planning permission 47/2011/0527, and you are reminded that all other conditions applying to the development / use remain in place.