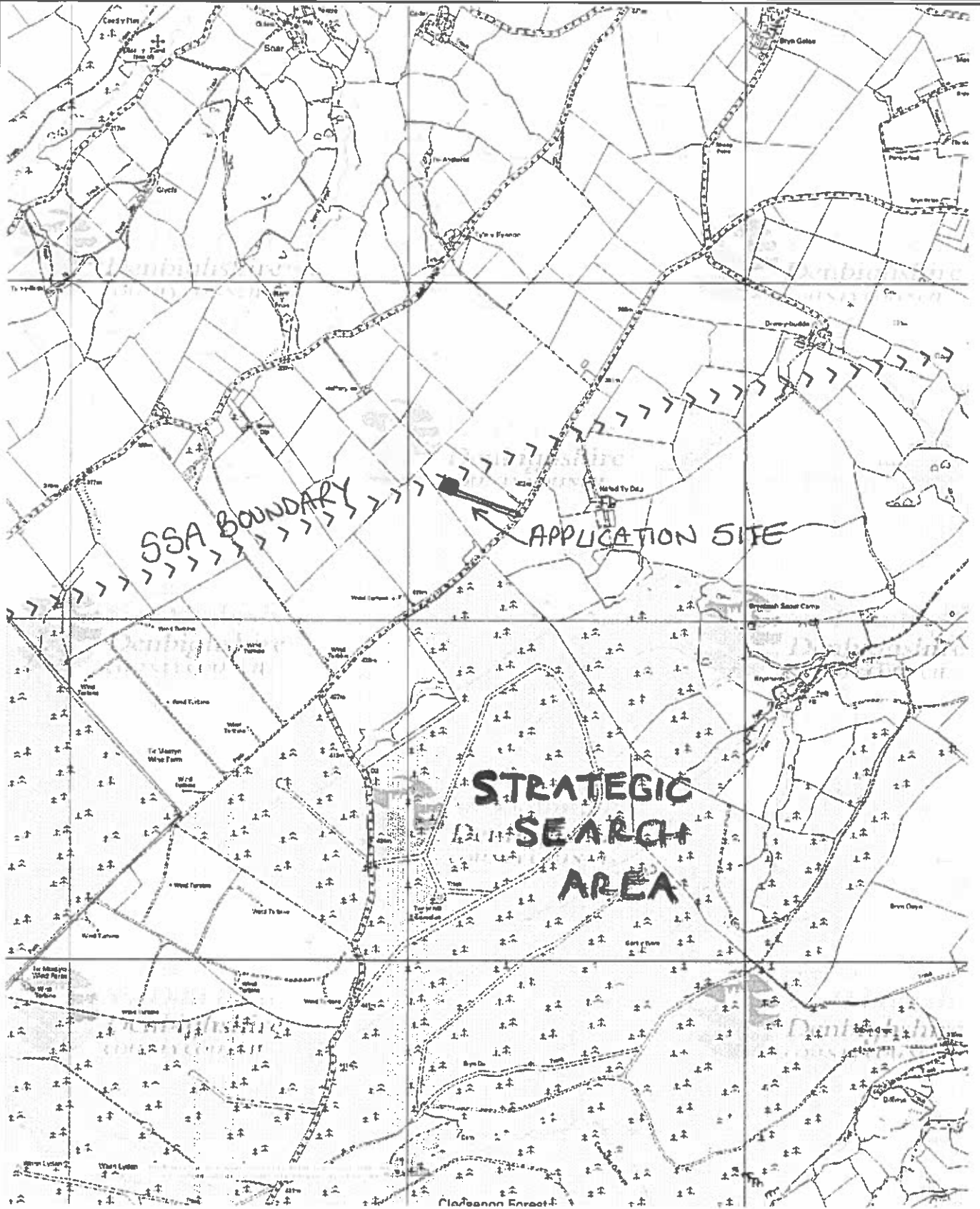




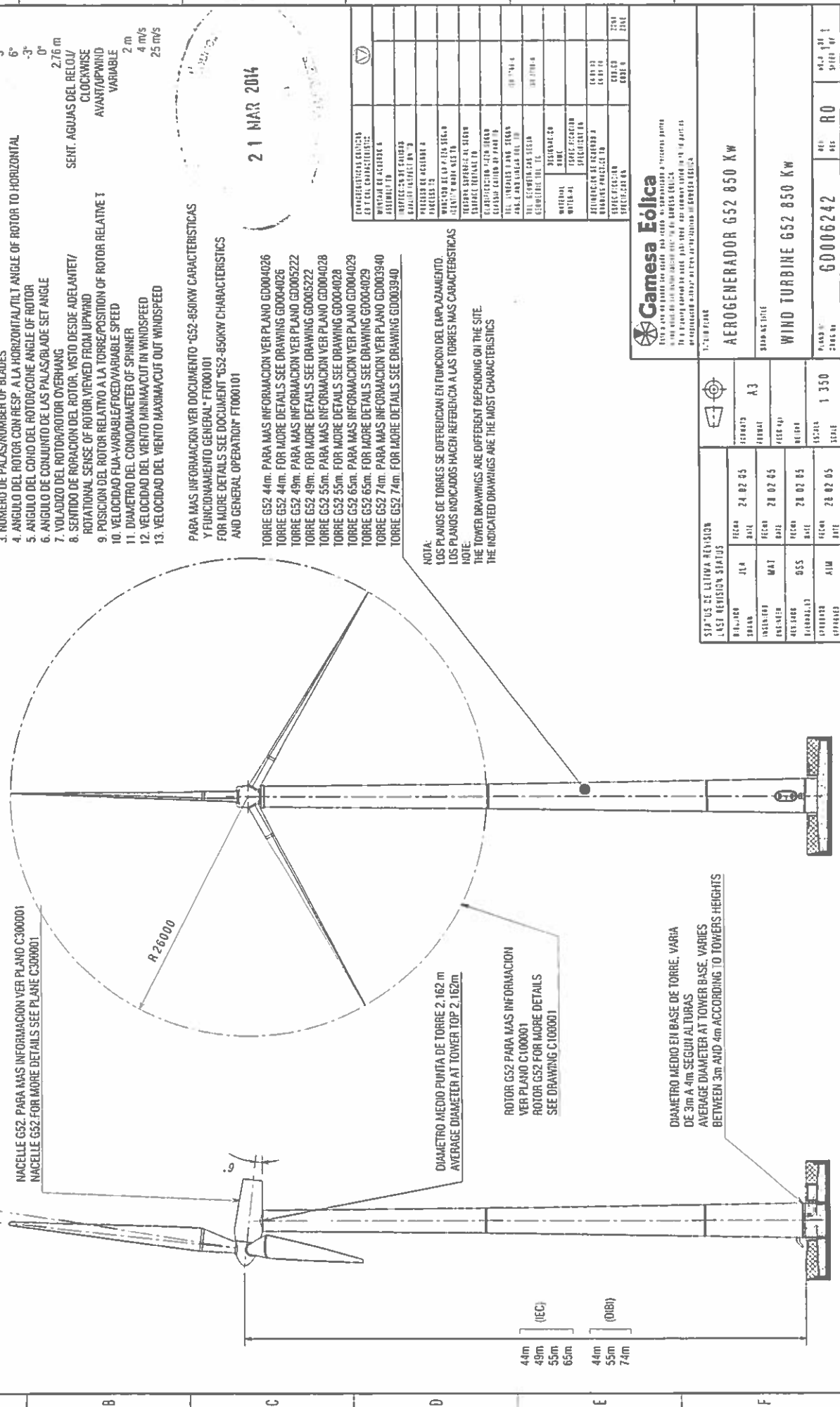
Date 30/6/2014
 Scale 1/15000
 Centre = 301237 E 359050 N



TURBINE DETAIL

25 de 2014 103370 / P.F.

NO. DE DISEÑO	NO. DE REVISIÓN	FECHA DE REVISIÓN	FECHA DE DISEÑO
1	01	03/2014	03/2014
2	02	05/2014	03/2014
3	03	07/2014	03/2014
4	04	09/2014	03/2014
5	05	11/2014	03/2014
6	06	01/2015	03/2014
7	07	03/2015	03/2014
8	08	05/2015	03/2014
9	09	07/2015	03/2014



- CARACTERÍSTICAS GENERALES G52/GENERAL CHARACTERISTICS OF G52.**
1. POTENCIA DE SALIDA MÁXIMA/MAXIMUM POWER OUTPUT: 850 Kw
 2. DIÁMETRO DEL ROTOR/ROTOR DIAMETER: 52 m
 3. NÚMERO DE PALAS/NUMBER OF BLADES: 3
 4. ANGULO DEL ROTOR CON RESP. A LA HORIZONTAL/TILT ANGLE OF ROTOR TO HORIZONTAL: 6°
 5. ANGULO DEL CONO DEL ROTOR/CONE ANGLE OF ROTOR: -3°
 6. ANGULO DE CONJUNTO DE LAS PALAS/BLADE SET ANGLE: 0°
 7. VOLADIZO DEL ROTOR/ROTOR OVERHANG: 2,76 m
 8. SENTIDO DE ROTACION DEL ROTOR, VISTO DESDE ADELANTE/ROTATIONAL SENSE OF ROTOR VIEWED FROM UPWIND: AVANT/UPWIND
 9. POSICIÓN DEL ROTOR RELATIVO A LA TORRE/POSITION OF ROTOR RELATIVE TO TOWER: VARIABLE
 10. VELOCIDAD FLUJA-VARIABLE/FLOW VARIABLE SPEED: 2 m
 11. DIÁMETRO DEL CONO/DIAMETER OF SPINNER: 4 m/s
 12. VELOCIDAD DEL VIENTO MINIMACUT IN WINDSPEED: 4 m/s
 13. VELOCIDAD DEL VIENTO MAXIMACUT OUT WINDSPEED: 25 m/s

PARA MÁS INFORMACION VER DOCUMENTO "G52-850KW CARACTERÍSTICAS Y FUNCIONAMIENTO GENERAL" FT000101
 FOR MORE DETAILS SEE DOCUMENT "G52-850KW CHARACTERISTICS AND GENERAL OPERATION" FT000101

- TORRE G52 44m. PARA MÁS INFORMACION VER PLANO G0004026
 TORRE G52 44m. FOR MORE DETAILS SEE DRAWING G0004026
 TORRE G52 49m. PARA MÁS INFORMACION VER PLANO G0005222
 TORRE G52 49m. FOR MORE DETAILS SEE DRAWING G0005222
 TORRE G52 55m. PARA MÁS INFORMACION VER PLANO G0004028
 TORRE G52 55m. FOR MORE DETAILS SEE DRAWING G0004028
 TORRE G52 65m. PARA MÁS INFORMACION VER PLANO G0004029
 TORRE G52 65m. FOR MORE DETAILS SEE DRAWING G0004029
 TORRE G52 74m. PARA MÁS INFORMACION VER PLANO G0003940
 TORRE G52 74m. FOR MORE DETAILS SEE DRAWING G0003940

NOTA:
 LOS PLANOS DE TORRES SE DIFERENCIAN EN FUNCION DEL EMPLAZAMIENTO.
 LOS PLANOS INDICADOS HACEN REFERENCIA A LAS TORRES MÁS CARACTERÍSTICAS.
 NOTE:
 THE TOWER DRAWINGS ARE DIFFERENT DEPENDING ON THE SITE.
 THE INDICATED DRAWINGS ARE THE MOST CHARACTERISTICS

DIÁMETRO MEDIO PUNTA DE TORRE 2.162 m
 AVERAGE DIAMETER AT TOWER TOP 2.162 m

ROTOR G52 PARA MÁS INFORMACION VER PLANO C100001
 ROTOR G52 FOR MORE DETAILS SEE DRAWING C100001

DIÁMETRO MEDIO EN BASE DE TORRE. VARIA DE 3m A 4m SEGUN ALTURAS
 AVERAGE DIAMETER AT TOWER BASE. VARIES BETWEEN 3m AND 4m ACCORDING TO TOWERS HEIGHTS

21 MAR 2014

PROCESADOR DE DATOS / DATA PROCESSOR	PROYECTO / PROJECT	FECHA DE DISEÑO / DESIGN DATE
PROYECTO / PROJECT	FECHA DE DISEÑO / DESIGN DATE	FECHA DE DISEÑO / DESIGN DATE
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Gamesa Eólica
 WIND TURBINE MANUFACTURER

AEROGENERADOR G52 850 KW
 WIND TURBINE G52 850 KW

PLANO: 001
 SCALE: 1:350

FECHA / DATE	REVISIÓN / REVISION
24 02 05	A3
28 02 05	A4
28 02 05	A5
28 02 05	A6

Heading:

REFERENCE NO. 25/2014/0337/PFT

HAFOTY DDU

SARON, DENBIGH

Graham Boase
Head of Planning & Public Protection
Denbighshire County Council
Caledfryn
Smithfield Road
Denbigh
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709



Application Site

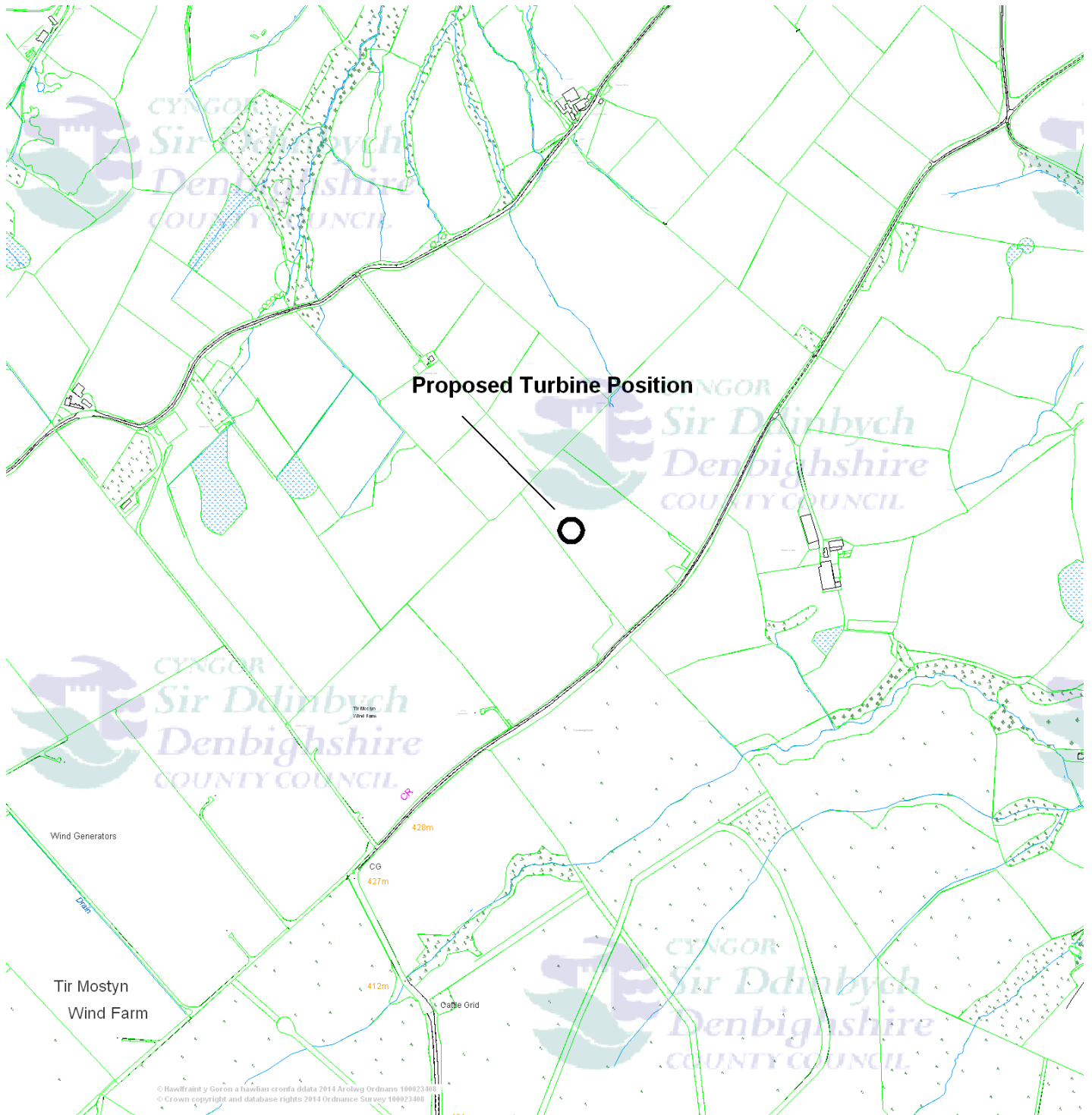


Date 10/7/2014

Scale 1/10000

Centre = 301079 E 359329 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



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Atgynhychir y map hwn o ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfrfa Ei Mawrhydi © Hawlfraint y Goron. Mae atgynhychu heb ganiatâd yn torri hawlfraint y Goron a gall hyn arwain at erlyniad neu achos sifil. Cyngor Sir Ddinbych. 100023408. 2011.

ITEM NO: 5

WARD NO: Llanrhaeadr Yng Nghinmeirch

WARD MEMBER(S): Cllr Joe Welch

APPLICATION NO: 25/2014/0337/ PFT

PROPOSAL: Erection of a single 850kw horizontal axis wind turbine 55m hub height with three 26m blades, associated access track and substation building

LOCATION: Hafodty Ddu Saron Denbigh

APPLICANT: Mr Ellis Pritchard Melin Wynt Hafodty Ddu (Cyf)

CONSTRAINTS:

PUBLICITY UNDERTAKEN: Site Notice – Yes
Press Notice – Yes
Neighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:
Scheme of Delegation Part 2

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

NANTGLYN COMMUNITY COUNCIL

“Nantglyn Community Council represents approximately 300 electors and is a consultee for planning applications within the Community Council’s administrative area.

At the Community Council meeting on May 6th, 2014, the above planning application was discussed by Community Councillors and a number of concerned residents and a proposal to OBJECT to the application was made and passed. Our objection is based on the following reasons put forward by the residents:

Discrete Visual impact – *at 81m, with a rotor swept area of 2214 m², the size of the turbine is considered to be too large and the visual impact of the turbine is considerable. The height of the proposed turbine is 6 metres higher than the existing turbines at Tir Mostyn and will therefore be more prominent. As illustrated from Viewpoint 30 the turbine is also located some way from the existing turbines and will not appear as connected to the existing Tir Mostyn development.*

Cumulative Visual impact – *although not appearing as part of the Tir Mostyn development the turbine will extend the wind turbine landscape along the ridge to the east of the B5401. The proliferation of wind turbines along this ridge is strongly opposed by members of the community.*

Noise – *the turbine has the potential to generate a significant noise nuisance for dwellings in the immediate vicinity, notwithstanding the calculations presented by the developers noise consultants. There is a consented agricultural dwelling within 400m of the site and an unoccupied dwelling at Hafotty Las (which could be blighted by the development preventing a vacant dwelling from being occupied and contributing to the County’s empty homes problem)*

Health Impact – *although there is much debate about low frequency noise, there is a potential for the turbine to generate such noise in properties in relatively close proximity – whether or not*

they have a financial impact in the proposed turbine. The Planning Inspectors report for the rejected application for wind turbines at Gorsedd Bran indicated that the number of turbines effecting Nantglyn was already significant and no further turbines should be allowed in the area. The Community Council at the time concurred with this view and would highlight the Gorsedd Bran decision as relevant to the planning history for the site.

The addition of a further turbine would extend the arc of adverse visual and noise impacts and for the reasons above the Council resolved to OBJECT to the proposal.

LLANRHAEDR COMMUNITY COUNCIL “*Llanrhaeadr Community Council has no objections to the above planning application.*”

CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY JOINT ADVISORY COMMITTEE – “*The proposed turbine will be visible in distant views to the west from the AONB, and the JAC continues to have series concerns about the cumulative impact of incremental extensions of existing wind farms and individual turbines in this area which exacerbates the detrimental effect of what is an increasingly industrialised, wind turbine dominated landscape between the Clwydian Range and Snowdonia. However, when seen in the context of existing and consented wind farms in the vicinity of the site, the JAC reluctantly accepts that a single turbine in this location will not result in significant additional harm to views from the AONB.*”

NATURAL RESOURCES WALES – No objection.

Protected Landscape: Not within or immediately adjacent to the boundaries of any statutory landscape and within TAN 8 preferred area.

Statutory Protected Sites: Will not affect the features, integrity or functionality of any statutory protected sites.

Protected Species: NRW has no records for protected species close to turbine location. Note the plans have been amended to provide a 50m buffer from adjacent to field boundary. NRW consider that it would not be detrimental to the favourable conservation status of bats.

CONWY COUNTY BOROUGH COUNCIL – No objection

MINISTRY OF DEFENCE - No comments received at the time of drafting report

AIRBUS – No aerodrome safeguarding objection to the proposal

NATS (NATIONAL AIR TRAFFIC SERVICES) ENROUTE PLC – Following a review of operations in the vicinity of the proposed development NATS has determined that although this is likely to impact electronic infrastructure, this impact can be managed such that it does not effect the provision of a safe and efficient en-route ATC (air traffic control) service. Accordingly NATS has no safeguarding objection to the proposal.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer – No objection in principle to the proposal subject to planning conditions to deal with the site compound location, access and traffic management and construction works (2 no. pre-commencement conditions advised).

Pollution Control Officer – A noise assessment has been submitted with the above application and the applicant has demonstrated that the noise from this turbine does not exceed 32dBLA90 at any unrelated habitable properties. This is the level proposed by the Council's noise consultant in relation to cumulative noise considerations within the Strategic Search Area in an effort to protect the amenity of nearby properties whilst allowing for the fact that the existing wind turbines already contribute noise to the area. They have also demonstrated that any financially involved properties do not exceed 43dBLA90. 4 no. noise conditions have been proposed to be attached to any permission given.

Archaeologist [re-consultation response following submission of additional supporting information and revised plans] - Unlikely that there will be previously unknown archaeological evidence from the site, thus no objection to the application.

Ecologist [re-consultation response following submission of additional supporting information and revised plans] - Turbine has been moved to 50m from any boundary features, therefore no objection to the proposal.

Council's Landscape Consultant

The Council appointed independent landscape architects to appraise the landscape and visual impact assessment with the application. The main issues noted are the effect of the proposal upon the character and visual amenity of the surrounding landscape and the implication of cumulative landscape impacts in relation to existing and consented wind development in the area. The consultant's assessment is set out in more detail in the main body of the report, but the conclusion is as follows:

Installation of a single large sized wind turbine would be perceived as continuous with the operational Tir Mostyn windfarm. Although the site lies within an area deemed highly sensitive to wind energy development, it is at the periphery of the LANDMAP Aspect Area, which is already influenced by wind energy development. Considers the proposal would not have a significant undesirable impact on the area. The scale of the turbine is similar to operational turbines in close vicinity. On the basis of the assessment, recommend approval of the application.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Denbighshire representations in objection:

A Wilcox-Jones, Pen y Banc, Nantglyn
Judy Young, Nantgwyn, Nantglyn
Hugh Yorke, Pen y Bryn Farm, Waen, Nantglyn
R. G. Bibby, Tyn Llidiart, Nantglyn
I. Gardner, Gwynant, Waen, Nantglyn
D. Tyrer, Cefn Maen Isaf, Saron
J. Tyrer, Cefn Maen Isaf, Saron
P. & J. Sandle, Llygad-yr-Haul, Waen, Nantglyn
D. Roberts, Hazelwood, Foelgasyth, Saron
R M Wynne, Bryn Glas, Saron
Paul Marfleet, Ysgubor Hendre, Nantglyn
Captain P. S. Cotgrove, Bron Ffynnon, Nantglyn
D. Cullen, Isgoed, Soar, Nantglyn
M. Brockley, Felin Newydd, Nantglyn
Mr John Hay, Plas Nantglyn Bungalow, Nantglyn
Dr. G.C. Harborne & Dr. S.J. Winter, Cefn y Maes, Nantglyn
J. & R. Welch, Plas Nantglyn, Nantglyn
Kath & Jules Mitchel Dawson, Bryn Golau, Saron
Jo Brett, Segrwyd Mill Cottage, Nantglyn

Summary of planning based representations in objection:

Principle: – outside SSA / SSA is not a mandate for approval – all land within or on periphery of SSA is not necessarily suitable for wind turbine development / SSA boundary not definitive / not for domestic use / too large / area has had its fair share of turbine development – enough is enough/ precedent for further turbines

Farm diversification – Council have no formal position on this matter / too large to be classed as a farm diversification /inference that application is a single turbine on land holding whose agricultural income is in need of supplement by diversification, however already a number of Tir

Mostyn turbines are on land owned by agricultural landowner, therefore should not be treated as a farm diversification as landowner already benefits financially from windfarm development / 'local partners' not identified,

Landscape / visual impact (including cumulative effects): - 6m higher than Tir Mostyn turbines – more prominent / adverse visual impact on Nantglyn / adversely affect visual character of the will ridge above B5401 - cumulative impact through additional development on hill ridge between Foel Gasyth and Tir Mostyn / adverse cumulative visual impact when viewed from Nantglyn – extending windfarm development to east / on horizon / skyline blighted / dominate skyline / visually intrusive / Views from Plas Farm and Plas Farm Bungalow greatly effected – no visual buffer.

Residential visual amenity – direct view from property / will add to cumulative impact on residential visual amenity / very close to unoccupied Hafotty Las.

Noise (including cumulative effects): – Nantglyn resident already experiences adverse noise from existing turbines / cumulative noise / unpleasant noise – very real concern for Nantglyn residents / very close to unoccupied Hafotty Las / properties up-wind of turbine will experience noise / Gorsedd Bran decision gave significant weight to cumulative noise

Supporting information: – Photomontages are unclear - have not shown the full face of the turbine blades, but rather show them side on / Assessment of residential visual amenity is misleading, existing vegetation does not provide screening as stated in the assessment and orientation of view is not correct / Visual and Sensory Report out of date (2006).

Grid connection: – not clarified if grid connection will be underground or overground / health hazard of additional electricity cables /

Rural economy: – do not generate rural employment / detract tourists / concrete & soil compressed by vehicles ruins farmland

Flooding / drainage: – increases run-off

Traffic & transport: – disruption, access route unsuitable for heavy loads, water pipes under road and telegraph poles constrain the route / Not defined how they will pass Bryn Glas – property has no foundations and could be damaged by construction vehicles & vibrations / Should use Tir Mostyn access road over private land rather than public highway

Planning history / previous planning decisions are material:

- Tir Mostyn / Foel Goch: - Tir Mostyn was reduced from 33 to 25 turbines. Therefore additional turbines were not considered appropriate at that time – what has changed to alter that perspective? / Tir Mostyn developer stated turbines were removed from the northern section, which is close to current application site, as a direct result of concerns raised by public from the most visible part of site (plan provided with consultation response, which shows turbines removed from Tir Mostyn scheme are immediately adjacent to application site) – passage of time has not altered the validity of these concerns, and current application would affect a large length of the ridge view.
- Gorsedd Bran decision: – Appeal decision is a significant material consideration / Inspector considered cumulative impact of windfarm developments surrounding Nantglyn was a major consideration / great weight given to cumulative visual impact of additional wind turbines on skyline surrounding Nantglyn and cumulative noise impacts / Nantglyn has had it's fair share stressed by Inspector / Judge ruling upheld Decision – citing enough it enough / To approve this application would be in conflict with Gorsedd Bran decision.
- North Wales Wind Farms Connections Project: - SP Manweb is consulting on new overhead lines and should be a material consideration.

Community benefits – not material

In support

Representations received from:

Denbighshire representations in support:

S. Luhde-Thompson, Ty Llarwydden, Nantglyn
U. Luhde, Maes Cadarn, Nantglyn
A. Robertson, 10, Temple Bar Square, Denbigh
Kieran McAteer, 27 Marine Drive, Rhyl
C. Roberts, NFU Cymru, 28, Well St., Ruthin
John & Alison Parry, Pen y Ffrith Bungalow
B Jones, 17 Bronallt, Groes
E P Jones, Rhydgoch, Groes
Elfyn Morris, 49 Ffordd Celyn, Denbigh
Steven Tasker, 1 Maes yr Yrfa, Saron
Mr. G. Edwards, Penrallt, Bontuchel
E. Edwards, Penrallt, Bontuchel
R. Barton, Caer Mynydd Caravan Park, Saron
E. Ritchie, Hafodty Ddu, Saron
E Jones, Hafodty Ddu, Saron, Dinbych
Iona Jones, Hafod Olygfa Saron
R. G. Jones, Hafod Olygfa, Saron
Rh. Jones, Bryn Maen, Prion
G. Roberts, Bryn Maen, Prion
Gari Jones, Pen Y Maes Farm, Brookhouse, Denbigh
G E Roberts & Eirian Roberts, Tan Llan, Llanefydd, Denbigh
Mr Peter Thompson, Maes Cadarn, Nantglyn
Miss Ffion Jones, 9 Llewelyn's Estate, Dinbych
Betsan Morris, 15 Cae'r Felin Llanrhaeadr, Dinbych
Ffion Angharad Jones, Rhiwiau Uchaf Saron

Other parts of North Wales representations in support:

Mrs S Pritchard, Graig Lwyd, Capel Coch, Llangefni, Sir Fon
Mr Ellis Pritchard, Graig Lwyd, Capel Coch, Llangefni, Sir Fon
M. C. & M. Pritchard, 13, Greenfield Road, Broughton
LI Anwyl Williams, Bryn Dyffryn, Melin y Coed, Llanrwst
S Anwyl Williams, Bryn Dyffryn, Melin y Coed, Llanrwst
C Anwyl Williams, Bryn Dyffryn, Melin y Coed, Llanrwst
Bryn Evans, Building Contractor, Glan Nug, Rhydlydan, Betws y Coed
Geraint Jones, Bwlch y Gwynt, Melin y Coed, Llanrwst
E. T. Parry, Erddig, 57, Bryn twr, Abergele
Mrs Susan Lloyd, Pen y Waen Farm, Llanfair T H, Abergele
Maldwyn Lloyd, Pen y Waen Farm, Llanfairtalhaiarn, Abergele
Owner / Occupier Ty Gwyn Farm, Rhyd y Foel, Abergele
Neal Denman, 1 Holywell Road Holywell
Berwyn Spencer, Dyffryn Aur, Babell, Holywell
John H Brereton, Jones Peckover, 33 High Street, Wrexham
Joan Evans, Sarn Farm, Sarn, Holywell
Brid Evans, Pengeulen, Padog, Betws-y-Coed
D. Nicholas, Batherton Farm, Broad Lane, Stapley, Nantwich
Catrin W. Griffiths, Llanerch, Llangernyw, Abergele
V. Foulkes, Coed Cochion Ucha, Llanfairtalhaiarn, Conwy
G. Foulkes, Coed Cochion Ucha, Llanfairtalhaiarn, Conwy
Einir Jones, 6 Tan Llan Cerrig y Drudion
Catrin Roberts, Hafodty Bach, Pentrefoelas, Betws y Coed
Einir Ritchie, Blaen y Coed, Ysbyty Ifan, Betws y Coed
O Ritchie, Blaen y Coed Ysbyty Ifan, Betws y Coed
E Ritchie, Blaen y Coed Ysbyty Ifan, Betws y Coed
E W Foulkes, Nant Isa, Llanfair T.H, Abergele
D G Foulkes, Nant Isa, Llanfair T.H, Abergele
M A Foulkes, Nant Isa, Llanfair T.H, Abergele

Out of area representations in support:

Ms L Pritchard, 6 Derby Street, Altrincham, Cheshire
Mr P Dumbill, 6 Derby Street, Altrincham
A. E. Pritchard, 2, Cartmell Hill, Woodseats, Sheffield
Miss L Strafford, 2 Cartmell Hill, Sheffield

Summary of planning based representations in support:

Principle – increase renewable energy generation / carbon and greenhouse gas reduction / clean sustainable electricity / energy fed into local grid network, therefore minimise losses on high voltage lines / close to consented and proposed windfarm development / within TAN 8 SSA / prefer to see turbines in one area rather than scattered across lowlands

Farm diversification – locally owned / agricultural sector well placed to capture renewable energy, while maintaining traditional role in food production and land management / diversify farm business and create green jobs / farming must be supported

Residential amenity – applicants are nearest household, so they would be most adversely affected – it they happy, see no reason to oppose

Landscape / visual impact – fits with existing Tir Mostyn windfarm / very little visual impact due to proximity to Tir Mostyn / will not have an adverse impact / compliment countryside / turbines are attractive / not within an area of natural beauty / blend into countryside

Cumulative impact – cumulative impact will not be significant / one more will not make a difference

Rural economy – locally owned / keeps benefits of ownership and operation within North Wales / create green jobs / local businesses can secure construction jobs

Welsh language & community – opportunity to keep Welsh language and young families in area

Nature / biodiversity – would not affect natural environment

(reference is also made to a community benefits fund worth £60,000 over 20 years, however this is not material to the determination of the planning application)

EXPIRY DATE OF APPLICATION: 24/07/14

REASONS FOR DELAY IN DECISION (where applicable):

- timing of receipt of representations
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application is for 1 no. 850kW 3 bladed wind turbine, together with 1 no. 11kV substation and 300m of access track and crane hard standing.
- 1.1.2 The application is supported by an Environmental Statement and accompanying appendices and annexes, a Landscape and Visual Impact Assessment (including wireframe and photomontages), an Assessment of Residential Visual Amenity, Archaeology Supplementary Supporting Statement, Biodiversity Supplementary Supporting Statement site plans and elevation drawings.
- 1.1.3 The preferred turbine is the Gamesa G52 which has a hub height of 55m, a blade rotor diameter of 26m and blade tip height of 81m. The finish of the turbine and blades are proposed to be semi matt, pale grey in colour, RAL Number 9018, to match the Tir Mostyn turbines.

- 1.1.4 The estimated maximum total energy output of the proposed turbine is 2,400,000 kilowatt hours (kWh) per annum.
- 1.1.5 The turbine would be supported on a steel re-enforced concrete foundation and the final dimensions would be dependent on ground conditions. The foundations have an approximate diameter of 15m and 2.5m in depth. Approximately 213 cubic metres of concrete will be required.
- 1.1.6 The proposed access track would extend for 200m and the Environmental Statement indicates it will be constructed from shale rock at a depth of 0.15 - 0.3m.
- 1.1.7 The crane pad required to erect the turbine will be approximately 25m by 35m.
- 1.1.8 The 11kV ground mounted electrical substation control building would be approximately 4.6m x 4.6m x 3.9m and will be located adjacent to the turbine base within 10m of the turbine foundations. The substation will be of brick and block construction, with a cement rendered finish and will be painted grass green.
- 1.1.9 A earth bank screen is also proposed to a height of 1.3m around the substation and turbine base.
- 1.1.10 Within the development area, approximately 10m of underground electricity cable will link the proposed turbine to the proposed substation.
- 1.1.11 The 11kV substation would connect to the electricity distribution network via approximately 1500m of new 11kV underground or overground cables. The plans provided indicate the grid connection to the distribution network would be underground, however this does not form part of the application as the distribution network operator (Scottish Power Manweb), will be responsible for providing the grid connection.

1.2 Description of site and surroundings

- 1.2.1 The turbine would be on agricultural land 2.2km to the south west of Saron and 2km to the south-east of Nantglyn.
- 1.2.2 The site is on the just within the Clocaenog Forest Strategic Search Area (SSA) and is adjacent to the operational Tir Mostyn windfarm. The proposed turbine is approximately 350m to the north-east of the nearest Tir Mostyn turbine.
- 1.2.3 The site is also close to the proposed Clocaenog Forest windfarm, and the proposed turbine would be approximately 1.1m to the north of the nearest Clocaenog Forest turbine.
- 1.2.4 Hafodty Ddu and Hafodty Olygfa (a tied agricultural workers dwelling) are financially involved properties. The nearest non-related habitable residential properties are Tyn y Ffynnon 710m to the north and Garreg Lwyd 850m to the north-west. Hafodty Las, a derelict property is 350m to the north-west. The assessment of residential visual amenity which accompanies the application, identifies a further 30 sensitive visual receptors within 1-2km of the site.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is outside of defined settlement boundaries and is therefore within the open countryside.
- 1.3.2 The site is just within the Clocaenog Forest SSA and is not affected by an statutory or non-statutory designated site.

1.4 Relevant planning history

- 1.4.1 The operational Tir Mostyn / Foel Goch windfarm received planning consent in 2002 is 350m to the north-west.
- 1.4.2 The proposed Clocaenog Forest windfarm, a nationally significant infrastructure project within the Clocaenog Forest, would be at its closest point 1.1m to the south of the application site. The Secretary of State for energy and Climate Change will make a decision on the application for development consent by September 2014.

1.5 Developments/changes since the original submission

- 1.5.1 Additional Supplementary Archaeological and Biodiversity Statements were submitted following receipt of consultation responses.
- 1.5.2 The proposed location of the turbine has been re-positioned to achieve a 50m separation distance from the field boundary in response to Biodiversity Officer

consultation comments. Amended plans were submitted and re-consulted on.

1.6 Other relevant background information

1.6.1 Cilgoed 500kW wind turbine appeal at Cilgoed, Derwen. Allowed on 24/09/12.

2. DETAILS OF PLANNING HISTORY:

2.1 25/1999/0710, Tir Mostyn and Foel Goch windfarm. Application called in by Welsh Government and GRANTED 19/12/2002

2.2 Clocaenog Forest windfarm nationally significant infrastructure project. The Secretary of State decision to grant or refuse a Development Consent Order will be made by September 2014.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:
Denbighshire Local Development Plan (adopted 4th June 2013)

Policy PSE5 – Rural economy

Policy VOE1 - Key areas of importance

Policy VOE2 – Area of Outstanding Natural Beauty and Area of Outstanding Beauty

Policy VOE5 – Conservation of natural resources

Policy VOE9 – On-shore wind energy

Policy VOE 10 – Renewable energy technologies

3.1 Supplementary Planning Guidance

3.2 Government Policy / Guidance

Planning Policy Wales Edition 6 February 2014

Technical Advice Notes

TAN 8 Planning for Renewable Energy (2005)

TAN 5 Nature Conservation and Planning (2009)

TAN 6 Planning for Sustainable Rural Communities (2010)

TAN 11 Noise (1997)

WELSH GOVERNMENT PRACTICE GUIDANCE

Planning Implications of Renewable And Low Carbon Energy (Practice Guidance 2011)

3.3 Other material considerations

Denbighshire Landscape Strategy (2003) / LANDMAP

Conwy and Denbighshire Landscape Sensitivity and Capacity Assessment for Wind Energy Development, Final Report May 2013

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 6, February 2014 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

4.1.1 Principle

4.1.2 Context for the development

4.1.3 Landscape and visual impact

- 4.1.4 Noise
- 4.1.5 Shadow flicker
- 4.1.6 Ecology
- 4.1.7 Highways
- 4.1.8 Archaeology
- 4.1.9 Aviation and Radar
- 4.1.10 Other matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

Planning Policy Wales (PPW) reaffirms UK and Welsh Government energy policy and recognises that wind energy generation remains the most commercially viable form of renewable energy in Wales. The principle of wind energy development is therefore set out in national planning policy. This application falls within the 'sub local authority' scale of development in PPW.

TAN 8 supplements PPW and provides technical advice and guidance on renewable energy projects; TAN 8 introduced the principle of spatial planning for the delivery of energy policy and identifies 7 Strategic Search Areas (SSAs) where large scale onshore wind developments should be concentrated.

TAN 8 makes reference to smaller scale (less than 5MW) schemes in para.2.11 - 2.14, however this puts the onus on local planning authorities to define what is meant by 'smaller scale' schemes. It also refers to the need for local planning authorities to consider the cumulative impact of smaller schemes in areas outside of the defined Strategic Search Areas and the need to strike the right balance between the desirability of renewable energy and landscape protection. Whilst that balance should not result in severe restriction on the development of wind power capacity, TAN8 acknowledges there is a case for avoiding a situation where wind turbines spread across the whole of a county.

A number of representations received in response to the consultation have queried whether or not the proposed turbine would fall within the SSA boundary.

The SSA boundary as shown in TAN8 has been plotted on the Councils mapping system, and it shows the site to be within the SSA. This is shown on the Plan attached to this report.

However, paragraph 2.4 of TAN 8 states that SSA boundaries are at a 'broad brush' scale.

With regards to turbines of the scale proposed which fall on the boundary of the SSA, Officers consider the Cilgoed wind turbine Appeal Decision is material. The Council considered the Cilgoed turbine to be just outside the SSA boundary, however the Inspector, in his assessment, stressed that the boundaries of the SSAs are broad brush and the turbine may fall within or just on the edge of the SSA as shown in TAN8. Notwithstanding this fact, the Inspector considered that a proposed turbine with a capacity of 500kW is not large scale as defined in paragraph 2.2 of TAN8 and therefore there is no bar, in policy terms, to turbines of the scale proposed being sited outside the SSA A boundary.

Denbighshire Local Development Plan Policies

LDP Policy VOE 9 supports the principle of on shore wind turbine development subject to an assessment of environmental and sustainability impacts. The turbine would fall within the sub-local authority scale of development, which VOE 9 indicates will only be permitted within the Clocaenog Forest Strategic Search Area where they do not prejudice the development of strategic/large schemes; and, outside the Area of Outstanding Natural Beauty, Conservation Areas, World Heritage Site and Buffer Zone, and other sites designated for ecological, historic, landscape, or other value, and where they do not adversely affect the setting of these areas.

Policy VOE 10 offers general support for proposals which promote the provision of renewable energy technologies, providing they are located so as to minimise visual, noise, and amenity

impacts and demonstrate no unacceptable impact on the interests of nature conservation, wildlife, natural and cultural heritage, landscape, public health and residential amenity.

Policy VOE 9 and 10 provide support in principle for renewable energy development subject to the detailed assessment of localised impacts, which is set out in the remainder of this report.

4.2.2 Context for the development

TAN 6 supports national planning policy on sustainable rural communities and section 3.7 focuses on farm diversification. It states that “*When considering applications for farm diversification projects, planning authorities should consider the nature and scale of the activity*”. It goes on to state that “*many economic activities can be sustainably located on farms. Small on-farm operations such as..... renewable energy, are likely to be appropriate uses*”. Therefore the principle of installing a wind turbine may be a valid farm diversification activity, subject to consideration of the nature and scale of the activity.

LDP policy PSE 5 supports employment proposals for both conversion and new build outside settlement limits providing a number of tests are met.

The Environmental Statement states the applicant is a small local company which works in partnership with farmers and local residents to establish energy projects within their locality, and the proposed turbine will be owned and operated within a partnership of the landowners and other local individuals, and therefore the substantive benefits of the project will be retained within the local community. The applicant has confirmed the turbine will be owned and operated by approximately 14 – 20 shareholders from North Wales, which includes the applicant and the landowner and other local investors, who are predominately from Denbighshire, Conwy and Ynys Mon.

The Environmental Statement also makes reference to the farm diversification merits of the scheme and states the project will enable the farming landowner to diversify the farm’s income and invest in the farm enterprise.

The electricity produced will be fed directly into the electricity distribution network and will not be used onsite.

A number of objections to the application have challenged the farm diversification merits of the scheme, and the tangible benefits to the local economy, with the implication being that the scheme will only benefit the partners in the scheme and will not contribute to the rural economy.

On the matter of farm diversification, Officers feel that due to the scale and location of the proposed turbine, it cannot be considered to be a ‘small on-farm operation’ and therefore does not meet the definition of a farm diversification scheme set out in TAN6.

However, PPW recognises the *‘potential for communities and small businesses to invest in ownership of renewable energy projects or to develop their own projects for local benefit’*. Officers therefore suggest that the scheme should be assessed purely on its own merits as a locally-owned commercial venture designed and operated to produce electricity for the grid.

4.2.3 Landscape and visual impact

LDP policies relevant to the visual and landscape impact associated with wind energy development are policy VOE 9 and VOE 10. These policies require due consideration of impacts, including cumulative impact on the surrounding area and community, which includes landscape and visual impact. With regards to sub-local authority scale developments, VOE 9 specifically requires consideration of the potential impact on the setting of an AONB and other designated sites. Policy VOE 1 requires development proposals to maintain and, wherever possible, enhance these areas for their characteristics, local distinctiveness, and value to local communities in Denbighshire: Local areas designated or identified because of their natural landscape or biodiversity value.

TAN8 establishes the principle for large wind energy development in the SSA, and whilst landscape change as a result of windfarm development is accepted within the SSA, the landscape and visual impact of individual wind energy schemes nevertheless need to be assessed to ensure it would not give rise to unacceptable adverse effects.

To help inform the assessment of wind turbine developments, Denbighshire County Council and Conwy County Council commissioned the 'Conwy and Denbighshire Landscape Sensitivity and Capacity Assessment for Wind Energy Development' (final report May 2013). The aim of the study is to inform the development of Supplementary Planning Guidance (SPG) and assist the Council to assess the landscape and visual effects of wind energy development for development control purposes. The Sensitivity and Capacity Study is therefore a material consideration.

The site lies on the ridge of Tir Mostyn and is just within the boundary of the Clocaenog Forest Strategic Search Area (SSA). It forms part of Denbigh and Derwen Hills LANDMAP Visual and Sensory Aspect Area, but it is very near Llyn Brenig Moorland and Clocaenog Forest LANDMAP Visual and Sensory Aspect Areas.

Within the Sensitivity and Capacity Study, the proposed turbine is within Landscape Unit D17 (Aled Hiraethog Hills East), but it is close to Landscape Unit D2 (Clocaenog Hill Forest).

A Landscape and Visual Impact Assessment (LVIA) has been carried out, as well as an assessment of the impact on residential visual amenity.

The LVIA has assessed 7 LANDMAP Visual Sensory Landscape Character Areas and 2 all Wales Landscape Character Areas. The conclusions are as follows: the Landscape impacts are summarised below.

LANDMAP Landscape Character Area	Overall visual impact
Denbigh Moors – Upland Moorland	Low to Moderate
Central Ridges & Valleys	Low to Moderate
Llanefydd Lowlands	Low to Moderate
Llyn Brenig	Low
Denbigh & Derwen Hills	Low to Moderate
Clocaenog Forest	Low to Moderate
Llyn Brenig Moorland / Forest	Low to Moderate
Llyn Brenig	Low

The assessment of the visual amenity of residential properties within 2km of the site identifies 33 receptors, which include individual residential properties, small clusters of residential properties, public footpaths and other buildings. The assessment concludes that whilst the turbine will be visible from a number of residential properties, in most cases the proposed turbine would have a negligible or low visual impact and the cumulative effect on the existing view will be low, with the exception being the following receptors:

- No. 14: Carreg Lwyd. – low to moderate visual impact on dwelling / cumulative impact low
- No. 19: Cader – low to moderate visual impact / cumulative impact low
- No. 23: Hendfryn – low to moderate visual impact / cumulative impact low
- No. 30: Public footpath – low to moderate visual impact / moderate cumulative impact
- No. 31: Clwyidan Way – low to moderate visual impact / moderate cumulative impact

The residential amenity assessment concludes that the proposed turbine would not create a significant visual impact on any of the receptors assessed, nor would the cumulative effect be significant.

The Council's landscape consultant considers the main issues are the effect of the proposal upon the character and visual amenity of the surrounding landscape and the implication of cumulative landscape impacts in relation to existing and consented wind development in the area. The summary of the consultant's assessment of the proposed development is set out below.

Extent of study area and ZTV – the study area is limited to 15km. ZTV maps are produced to distance of 16km. Best practice advises a ZTV distance of 25km for this size turbine. However, there is no prescriptive method and in this case, the ZTC is sufficient for the proposed development.

Landscape Assessment – the site lies on ridge of Tir Mostyn, forms part of Denbigh and Derwen Hills LANDMAP Visual and Sensory Aspect Area, but very near Llyn Brenig Moorland and Clocaenog Forest LANDMAP Visual and Sensory Aspect Areas.

- Local scale (within 2km): turbine would be a prominent feature. Slightly larger than existing Tir Mostyn turbines. Ridge becomes narrower towards the north-east, and the turbine would appear more prominent than the operational turbines viewed from the valleys on either side. Closest to Saron, and would appear more prominent in views. The proposed turbine would therefore have a slight detrimental effect on local area, but unlikely to be seen wholly in isolation – could be perceived as part of the operational windfarm.
- Intermediate scale (2km – 5km): turbine would be a noticeable feature. Undulating landscape and vegetation may help restrict influence on certain areas. Clocaenog Forest holds a concentration of existing wind turbines. Within central areas of Denbigh and Derwen Hills Aspect Area introduction of large wind turbine would have a moderate detrimental effect, but as it's periphery with Clocaenog Forest, that impact would be lessened due to influence of operational windfarms.
- Distant scale (5-15km): A large single turbine would be a barely discernible feature and difficult to distinguish from operational turbines. Consider development would have a negligible detrimental effect.

Visual Assessment:

- wireframes from dwellings which could be significantly effected and 9 representative photomontages are provided, but it is not clear what the print size and viewing distance should be. Tir Mostyn & Foel Goch windfarms, consented Brenig windfarm and proposed Clocaenog Forest windfarm are included, therefore it is possible to conclude that the proposed development would not be a very significant feature should Clocaenog windfarm be developed.
- Dwellings and rights of way near to Soar and Nantglyn north of the ridge experience views of operational wind developments to south and south-west.
- Dwellings and rights of way on western outskirts of Saron also experience views of Tir Mostyn.
- Landform generally rises westwards towards Clocaenog Forest and Denbigh Moors and at local scale existing turbines do have a direct visual influence on scattered dwellings in surrounding area. Existing mature vegetation breaks up views of existing windfarms and would provide partial screening of views of the development.
- Noted that financially involved properties (Hafody Ddue and Hafod Olygfa) and derelict Hafotty Las are excluded from from VIA.

Cumulative Impact:

- LVIA considers development would have a neutral cumulative effect when perceived with other operations and consented windfarms. A single turbine would not increase the magnitude of impact or the significance of effect on landscape character.
- Consultant's view is that it is unlikely that the proposed development would cause a significant detractor to the landscape and existing views, which include views of the operational windfarms.

Conclusion - Installation of a single large sized wind turbine would be perceived as continuous with the operations Tir Mostyn windfarm. Although the site lies within an area deemed highly sensitive to wind energy development, it is at the periphery of the LANDMAP Aspect Area, which is already influenced by wind energy development. Consider the proposal would not have a significant undesirable impact on the area. The scale of the turbine is similar to operational turbines in close vicinity.

On the basis of the [consultant's] assessment, recommend approval of the application.

The public consultation has generated a number of public responses both in support and objection to the scheme, and nearly all public responses make reference to the landscape and visual impact of the proposal.

Nantglyn Community Council has also formally objected to the proposal.

A number of objections have also cited previous planning decisions as being material to the determination of this application. Firstly, in relation to the Tir Mostyn windfarm. Objectors have noted that in order to reduce the visual impact of the windfarm, the original layout was revised to omit turbines close to the application site. Secondly, objectors have cited the Gorsedd Bran Appeal Decision as being material to the determination of the application, where the Inspector gave significant weight to the cumulative visual impact of turbines on Nantglyn in the Decision.

Whilst the issues considered in the Gorsedd Bran Appeal Decision (e.g. cumulative effects) are material, the Decision itself is not of direct relevance given that the site is over 2.5km from the application site. With respect to the Tir Mostyn scheme, whilst the number of turbines was reduced during the course of the planning application to lessen the overall visual impact of the scheme, this does not imply that a turbine in at the application site is unacceptable in principle, and therefore Officers would stress that need for such applications to be assessed on their own merits.

The turbine just within of the SSA and is in close proximity to the operational Tir Mostyn windfarm. The Council's landscape consultant has independently assessed the submission documents. Having regard to the conclusions of the submission documents and the advice of the Council's landscape consultant, Officers consider that whilst the proposed turbine would be larger than the existing Tir Mostyn turbines and would have a slight detrimental impact on local views, it is unlikely to be seen in isolation and would mostly be perceived as a continuous with the operational windfarm. The turbine is also unlikely to have an unacceptable overbearing impact on any unrelated habitable dwelling.

In conclusion, it is considered that the proposed turbine would not have an unacceptable adverse impact on landscape character or visual amenity and as such the proposal is not in conflict with policy VOE9.

4.2.4 Noise

LDP Policy VOE 9 requires due consideration of impacts of wind energy development on the surrounding area and community. VOE 10 states development proposals should demonstrate no unacceptable impact on public health and residential amenity. TAN 11 relates to the assessment of noise in relation to development proposals. The general guidance is that local planning authorities should ensure noise-generating development does not cause an unacceptable degree of disturbance, but in some instances it may be acceptable to allow noise-generating activities near to noise sensitive receptors.

ETSU-R-97 is the industry standard for the Assessment and Rating of Noise from Wind Farms, and is cited in TAN 8 as the relevant guidance on good practice. In May 2013, the Institute of Acoustics published 'A good practice guide to the application of ETSU-R-97 for the assessment and rating of wind turbine noise' (IOAGPG) which Officers consider is also material.

For single turbines ETSU-R-97 proposes that a simplified noise condition may be suitable and recommends that noise is limited to $35\text{dB}_{\text{LA90, 10min}}$ (A) up to wind speed of 10m/s at 10m height and considers that this condition alone would offer sufficient protection of amenity, and background noise surveys would be unnecessary. For properties where the occupant has a financial interest in the development, ETSU-R-97 allows a higher level of 45dB limit.

However, as the proposed turbine is adjacent to existing and proposed windfarm development, the application of the simplified noise condition would be inappropriate in this case, as cumulative noise effects need to be taken into account.

The Council had previously commissioned a noise consultant to carry out a windfarm cumulative noise impact assessment for the Clocaenog Forest SSA. In the assessment, the Council's noise consultant has calculated, for operational windfarms, which properties will have noise levels in excess of the individual limit provided that noise planning conditions is adhered to. At each of these properties, the noise consultant has recommended that the noise level from any future windfarm development should not exceed 32dB. For Tir Mostyn windfarm, the affected properties are as follows:

- Bryn Bach
- Gareg Lwyd
- Glan Ceirw
- Glydfa
- Hafod ty Ddu
- Hafotty-Las
- Pennant Isaf
- Pennant Uchaf
- Ty Newydd
- Ty'n y Ffynnon

During the pre-application stage, the Council had requested a noise assessment is provided to demonstrate that the noise from the properties stated above would not exceed 32dB.

Chapter 4.1 in the Environmental Statement presents the findings of the noise assessment. The predicted noise for the proposed turbine for each of the properties above is set out below.

Location	Level dB LA90
Bryn Bach	26.9
Garreg Lwyd	30.5
Glan Ceirw	12.0
Glydfa	24.8
Hafodty Ddu	36.6
Hafotty Las	38.1
Pennant Isaf	22.3
Pennant Uchaf	19.3
Ty Newydd	22.0
Ty'n y Ffynnon	31.6

The Environmental Statement confirms that Hafodty Ddu is a financially related property and therefore the higher limit in ESTU-R-97 would apply. The only unrelated property which cannot comply with the 32dB limit is therefore Hafotty Las.

With respect to Hafotty Ddu, the Environmental Statement states that, in these circumstances, it may be appropriate to consider the existing noise environment where it is predicted the existing, consented and proposed windfarms in the planning system will result in noise levels around 41.2dB for the same wind conditions, and therefore this implies that the addition of the proposed wind turbine will have a barely perceptible increase in noise levels at this property.

However, Officers note that Hafotty Las is an unoccupied property and has been referred to as being derelict. If the residential use has been abandoned, Officers do not consider it necessary to assess the impact on residential amenity of this property.

Abandonment is not a concept embodied in planning law, but has arisen out of court judgments, and important determining physical factors include length of time that building has been left disused and unoccupied, the physical condition of the property and whether an intervening use has occurred.

The Council's Finance and Assets team have confirmed that the property was deleted from Council Tax in 2003 because of its poor condition; the property is not included on the Ordnance Survey 'address-point' layer on the Council's mapping system and there is no planning history for the site on record.

It is also noted that Hafotty Las was omitted from the Clocaenog Forest windfarm noise assessment as it is a derelict property.

However the property is not visible from the public highway and can only be accessed from a gated private lane. As Hafotty Las itself is not the subject of a planning application, Officers do not have powers to access the site legally and any attempt to do so would be trespass. A site visit cannot therefore be carried out to ascertain the present condition of the property, but based on the evidence set out above, Officers are nevertheless satisfied that it is an abandoned property, and as such consider it would be unreasonable to apply planning controls which would seek to protect the amenity of occupiers.

The public consultation has generated a number of public responses both in support and objection to the scheme, and many responses make reference to the noise impact of the proposal, and concerns regarding cumulative noise have also been raised..

The Council's Public Protection Officer has not objected to the application on the basis of a noise assessment being submitted and the applicant has demonstrated that the noise from this turbine would not exceed 32dBLA90 at any unrelated habitable property. This is the level proposed by the Council's noise consultant in an effort to protect the amenity of nearby property whilst allowing for the fact that the existing wind turbines already contribute noise to the area.

They have also demonstrated that any financially involved properties do not exceed 43dBLA90.

Significantly, the Council's Public Protection Officer is satisfied that, subject to planning conditions being applied, including the imposition of a condition to limit noise at the 8 no. habitable unrelated properties already subject to noise from Tir Mostyn to 32dB, the proposal would not give rise to any unacceptable noise impacts. Officers therefore conclude the application accords with VOE 9 with respect to noise.

4.2.5 Shadow flicker

LDP Policies VOE 9 require due consideration of impacts of wind energy development on the surrounding area and community. VOE 10 states development proposals should demonstrate no unacceptable impact on public health and residential amenity.

The incidence of shadow flicker depends on the position of the sun in the sky. It only occurs at certain times and tends to only affect nearby buildings within 130 degrees either side of north which are within 10 rotor diameters of a turbine. The likelihood of shadow flicker occurring and the duration of such an effect depends on a range of factors, including the time of the year, the size of the turbine, the direction and speed of the wind and the relative cloud cover.

The proposed rotor diameter is 52m, therefore the potential impacts should only be experienced up to 520m from the turbine location, and only then within 130 degrees either side of north. There are 2 habitable properties within 520m from the turbine, both of which are financially related properties.

However, shadow flicker analysis is not an exact science, and should planning permission be granted, as a precautionary measure Officers would advise a planning condition should be imposed requiring mitigation measures to be applied should the incidence of shadow flicker be experienced by any nearby unrelated properties.

Subject to the inclusion of a planning condition to address shadow flicker, it is reasonable to conclude that the proposal would comply with policy VOE 9 and VOE10 with respect to

shadow flicker.

4.2.6 Ecology

The general requirements to consider the impact of development on biodiversity interests are set out in PPW Chapter 5, TAN5, and LDP policy VOE 5. VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2). Specific to wind turbine development is policy VOE 9 which requires specific assessment / explanation of impact on biodiversity and mitigation proposals.

The Environmental Statement includes a chapter on protected sites and protected species, and COFNOD records have been reviewed. The ES confirms the site is improved Grassland and has low ecological value, and that no protected species have been recorded within the development area. An Ecological Supplementary Statement was also submitted

Following a consultation response from the Councils Biodiversity Officer, the turbine has been micro-sited to ensure a 50m buffer between the proposed turbine and the field boundary can be achieved. Revised plans were submitted and re-consulted on.

NRW have raised an objection to the proposal providing the 50m buffer is adhered to.

Following receipt of the revised site plan, the Council's Biodiversity Officer confirmed no objection to the proposal.

In light of the submission documents and comments of the Council's Biodiversity Officer and NRW, Officers conclude the scheme would not have an unacceptable impact on nature conservation, and is not in conflict with VOE 5 and VOE 9.

4.2.7 Highways

LDP Policies VOE 9 require due consideration of impacts of wind energy development on the surrounding area and community, including transport impacts.

The supporting information includes a plan showing the proposed access route for abnormal component loads, which shows construction vehicles would travel to site along the A5, travelling through Llangollen and Cerrigydrudion, and would then turn onto the A543 at Pentrefoelas, and then onto the B4501 to Saron. The construction vehicles would then leave the B4501 and travel to the site along the unnamed lane which passes Bryn Glas touring caravan site, through the cross-roads, past Bryn Golau farm and travels to the site.

Some concerns have been raised from members of the public regarding the suitability of the proposed access route to accommodate construction vehicles, and concern has also been raised regarding the potential for construction vehicles to damage property which abuts the highway.

However, the Council's Highways department have not objected to the application subject to conditions requiring details of this site compound location, vehicular access alternations and traffic management scheme to be submitted prior to commencement of works.

Subject to pre-commencement conditions being applied requiring the submission of a Construction Method Statement incorporating details of the site compound, vehicular access arrangements and traffic management, which should include the need to upgrade the existing highway, Officers conclude there would no unacceptable highways issues raised by the proposal.

4.2.8 Archaeology

Planning Policy Wales (Section 6.5) sets out a range of considerations to be given to the assessment of archaeological issues, including approaches to recording and investigating potential remains in conjunction with new development. Welsh Office Circular 60/96 provided

earlier advice on the importance of archaeological matters in the planning process, stressing the need for due assessment of the nature and importance of any features and their setting.

An Archaeological Supplementary Statement has been submitted and the Council's Archaeologist has not raised an objection to the scheme.

Officers therefore conclude the scheme will not have an adverse impact on any features of archaeological merit.

4.2.9 Aviation and Radar

The impact on aviation and radar equipment is material to the determination of wind turbine applications.

The Environmental Statement confirms the applicant has consulted with the Civil Aviation Authority (CAA), Ministry of Defence (MoD), National Air Traffic Services (NATS), the BBC, the Joint Radio Council (JAC) and OFCOM.

In their consultation response, NATS has determined that although the proposal is likely to impact on electronic infrastructure, this impact can be managed such that it does not effect the provision of a safe and efficient en-route ATC (air traffic control) service. Accordingly NATS has no safeguarding objection to the proposal.

Airbus has not objected to the scheme, and the MOD, at the time of drafting the report, have not responded to the consultation.

It is therefore not anticipated that the proposed turbine would have any adverse effects on aviation and radar interests in the area.

5. SUMMARY AND CONCLUSIONS:

- 5.1 The report sets out a number of considerations Officers suggest are relevant to the determination of this application. As with all wind energy developments, inevitably there will be factors that weigh against and in favour of the grant of planning permission.
- 5.2 Officers retain concerns over the sporadic spread of 'one-off' medium / sub-local authority scale turbines, which will have strategic implications upon the ability to conserve the integrity of wider Denbighshire landscapes in the longer term.
- 5.3 The proposed turbine would be owned and operated by a small number of local shareholders, and the Environmental Statement also cites the farm diversification merits. Officers consider little weight should be apportioned to the farm diversification merits of the scheme, and the application should instead be considered to be a locally owned commercial venture and assessed on its own merits.
- 5.4 A number of public comments both in support and objection to the scheme have been received, and Nantglyn Community Council have objected to the proposal.
- 5.5 The Landscape and visual impact, impact on amenity, and cumulative effects are considered to be the most significant material considerations.
- 5.6 The Site is just within the Clocaenog Forest SSA, and whilst it would be marginally taller than the turbines within the existing Tir Mostyn windfarm, and would have a slight detrimental impact on local views, it is unlikely to be seen in isolation and would mostly be perceived as a continuous with the operational windfarm. The turbine is also unlikely to have an unacceptable overbearing impact on any unrelated habitable dwelling. The landscape and visual impact is not therefore considered to be unacceptable.
- 5.7 A number of nearby residential properties already experience noise effects from the operational Tir Mostyn windfarm. To protect residential amenity from cumulative noise, the noise emissions from the proposed turbine at 8 no. number financially un-related residential properties already exposed to noise from the Tir Mostyn windfarm should not exceed 32dB.

This is in accordance with the recommendation of the Council's Noise consultant, and the applicants have demonstrated they can comply with the 32dB limit. Subject to the imposition of noise conditions, it is not considered that the proposed turbine would give rise to unacceptable noise effects.

5.8 Officers therefore consider the scheme would not give rise to unacceptable impacts on the local environment, local community or on residential amenity, and the recommendation is therefore to grant.

RECOMMENDATION: - GRANT subject to the following conditions:-

The Condition(s) is(are):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The planning permission shall be for a period of 25 years from the date of the first generation of electricity from the turbine. Written confirmation of the date of the first generation of electricity from the development shall be provided to the Local Planning Authority no later than 1 calendar month after the event.

Siting & Finish

3. This permission relates solely to the erection of a 3 bladed wind turbine as described in the application plans and drawings with a maximum height to blade tip of 81m from original ground level.
4. The location of the turbine, access track, substation control building and crane hard standing shall be erected in the positions indicated on the approved plans. A variation of a distance of 10m radius around the locations shown on Figure 3 shall be permitted provided a 50m buffer between the turbine and any field boundary is maintained.
5. The finish of the turbine tower, hub and blades shall be semi-matt, and the colour, including any proposals for mitigating the contrast between the tower base section and surrounding vegetation, shall be approved in writing by the Local Planning Authority before the turbine is erected on site.
6. The design and finish of the substation control building and any other additional ancillary equipment required in connection with the operation of the turbine, shall be approved in writing by the Local Planning Authority before the equipment is erected on site.
7. No part of the development shall display any name, logo, sign, advertisement or means of illumination without the prior written approval of the Local Planning Authority.

Cabling

8. All electricity and control cables between the turbine and the substation control building shall be laid underground.

Construction Method Statement

9. **PRE COMMENCEMENT CONDITION** No work shall commence on site until a Construction Method Statement, incorporating a Traffic Management Plan, has been submitted in writing to and approved by the Local Planning Authority. The scheme shall include the following details:
 - a) Programme and description of works.
 - b) Hours of operation.
 - c) Methods for recording the existing state of the site.
 - d) Site management methodologies and pollution, prevention and control measures.
 - e) Materials and plant delivery, loading and unloading areas and on-site storage facilities.

- f) Formation and construction of temporary site compound, internal access tracks and crane hardstanding.
- g) The construction of the access into the site and the creation and maintenance of associated visibility splays.
- h) The carrying out of foundation works.
- i) Method of working cable trenches.
- j) Soil stripping management.
- k) Surface and foul water drainage.
- l) Wheel cleaning facilities and arrangements for keeping the site entrance and adjacent public road clean.
- m) Traffic Management Plan, including:
 - i. Management and operation of construction vehicles and construction vehicle routes.
 - ii. Routing and timing of HGV and abnormal indivisible load movement to site, including any dry runs.
 - iii. The management of junctions to and crossings of the public highway.
 - iv. Details of banksmen/escorts for abnormal loads.
 - v. Temporary warning signs.
 - vi. Temporary removal and replacement as required of highway infrastructure/street furniture and, as required, reinstatement of any signs, verges or other items displaced by construction traffic
- n) Post-construction restoration/reinstatement of the temporary working areas.

The development shall be carried out in compliance with the approved Construction Method Statement, unless otherwise approved in writing by the Local Planning Authority.

Noise

- 10. Noise from the turbine hereby permitted when measured in free field conditions at any dwelling which lawfully exists or has planning permission for construction at the date of this planning permission shall not exceed $32\text{dB}_{\text{LA90},10\text{min}}$ for wind speeds of up to 10m/s at a height of 10m above ground level.
- 11. If justified complaints of noise nuisance are received by the Local Planning Authority, the developer shall be notified in writing and the developer shall employ a suitably qualified acoustic consultant to undertake a noise assessment within 1 month of notification to ensure that condition 10 is being complied with. A copy of the report shall be submitted to the Local Planning Authority within 14 days of its completion. Where the Applicant fails to undertake a noise assessment within 1 month of notification, the Local Planning Authority shall undertake an independent noise assessment and the Applicant shall be required to cover the cost incurred by the Local Planning Authority.
- 12. If the turbine is found to exceed $32\text{dB}_{\text{LA90},10\text{min}}$ for wind speeds of up to 10m/s at 10m above ground level when measured freefield at any dwelling which lawfully exists or has planning permission for construction at the date of this planning permission, the turbine shall be shut down and mitigation measures that will ensure compliance with condition 10 shall be agreed in writing with the Local Planning Authority and implemented prior to the turbine re-commencing operation.
- 13. To aid cumulative impact and complaint investigations, the applicant shall temporarily turn the turbine off (braked to stop the rotors) to facilitate noise investigations being undertaken in nearby locations, when requested in writing by Local Planning Authority.

Shadow flicker

- 14. If justified complaints of shadow flicker are received by the Local Planning Authority from any dwelling which lawfully exists or has planning permission for construction at the date of this planning permission, the developer shall be notified in writing and mitigation measures to control, re orientate, or shut down the turbine until the conditions causing those shadow flicker effects have passed shall be agreed with the Local Planning Authority and implemented within 3 months of notification.

Decommissioning

15. No later than 6 months after the turbine hereby permitted permanently ceases to operate or 12 months before the expiry of this permission, whichever is the sooner, a scheme for the remediation and restoration of the site to its former profile and condition, including the dismantling and removal of all elements above ground level, and the removal of turbine foundations down to a minimum depth of 1.0m below ground level, shall be submitted for the consideration of the Local Planning Authority. The scheme approved in writing by the Local Planning Authority shall be implemented within 12 months from the date that the planning permission hereby granted expires.

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in order that the Local Planning Authority retains control over the longer term uses of the land.
3. For the avoidance of doubt and in the interests of visual amenity.
4. For the avoidance of doubt , to allow the Local Planning Authority to retain control over the development and in the interests of residential amenity and nature conservation.
5. For the avoidance of doubt and in the interests of visual amenity.
6. For the avoidance of doubt and in the interests of visual amenity.
7. In the interests of visual amenity.
8. In the interests of visual amenity.
9. To ensure proper controls over the matters referred to minimise the impact of the development
10. In the interests of the protecting the amenity of occupiers of residential property in the locality from cumulative windfarm noise.
11. To ensure adequate measures are in place to monitor and assess noise from the turbine in the event of complaints and in the interests of the amenity of occupiers of residential property in the locality
12. To allow the Local Planning Authority to retain control over the development and in the interests of the amenity of occupiers of residential property in the locality.
13. To ensure adequate measures are in place to monitor and assess noise from the turbines in the event of complaints, and in the interests the amenity of occupiers of residential property in the locality.
14. In the interests of the amenities of occupiers of residential property in the locality.
15. To ensure the long term reinstatement of the site, in the interests of visual amenity.

NOTES TO APPLICANT:

Interpretation of Condition 10, 12 and 14

The following properties are exempt from the definition of “any dwelling which lawfully exists or has planning permission for construction at the date of this planning permission”:

- Hafody Ddu as it is considered to be a financially involved property.
- Hafod Olygfa as it is considered to be a financially involved property.
- Hafody Las as it is considered to be an abandoned derelict property.

Highways Advisory Notes:

Your attention is drawn to the following Highways Advisory Notes:

- (i) Highway Supplementary Note Nos. 1,3,4,5 & 10.
- (ii) New Roads and Street Works Act 1991 – Part N Notice.
- (iii) Highways Act 1980 Section 184 Consent to Construct an Access Over a Verge.