

Heading:

REFERENCE 10/2014/1168

HAFOTTY WEN

CORWEN

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

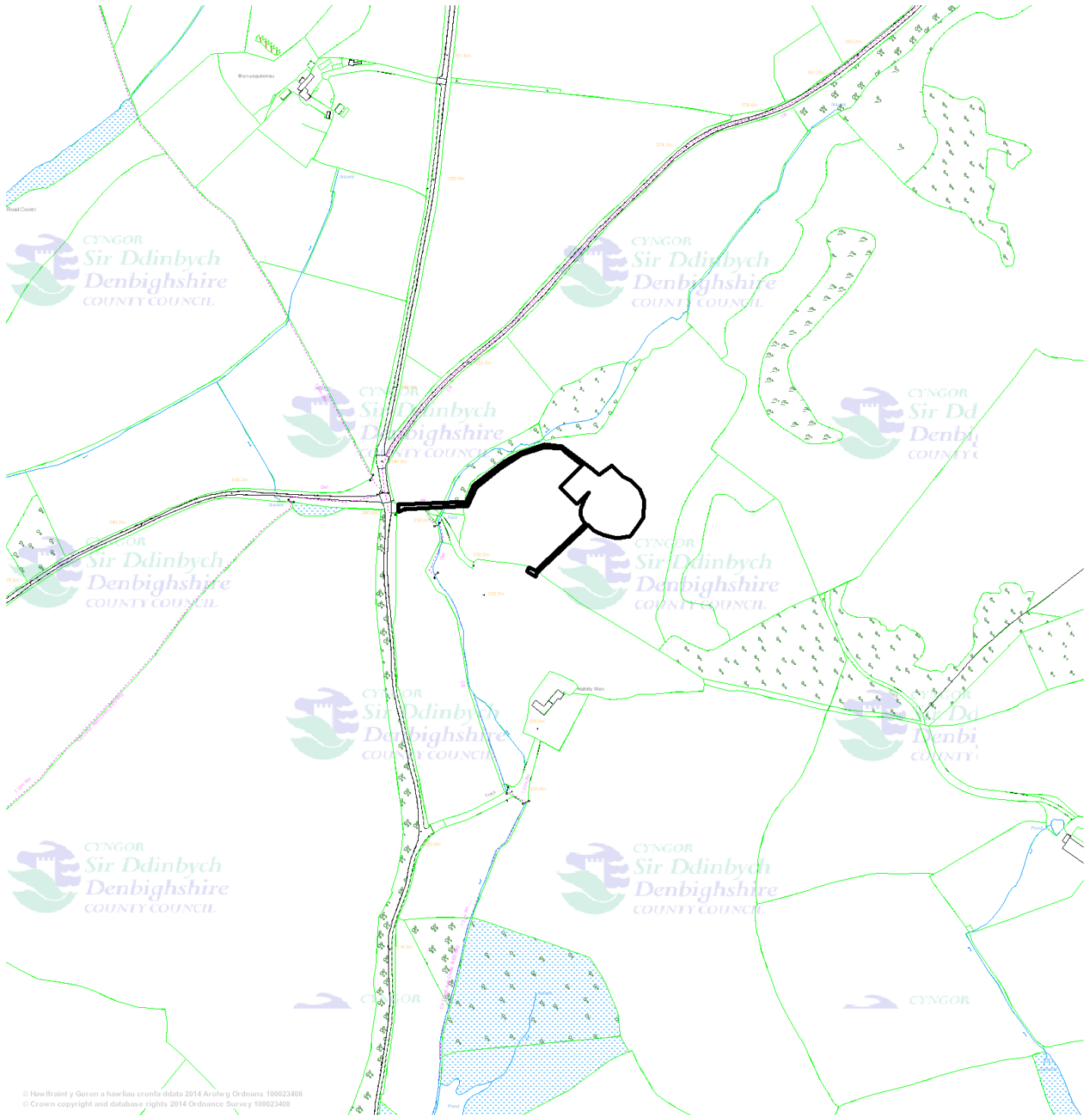


Date 2/3/2015

Scale 1/5000

Centre = 310587 E 346777 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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# SITE PLAN

1.0 Planning Authority  
2.0 Date

1.0 Date

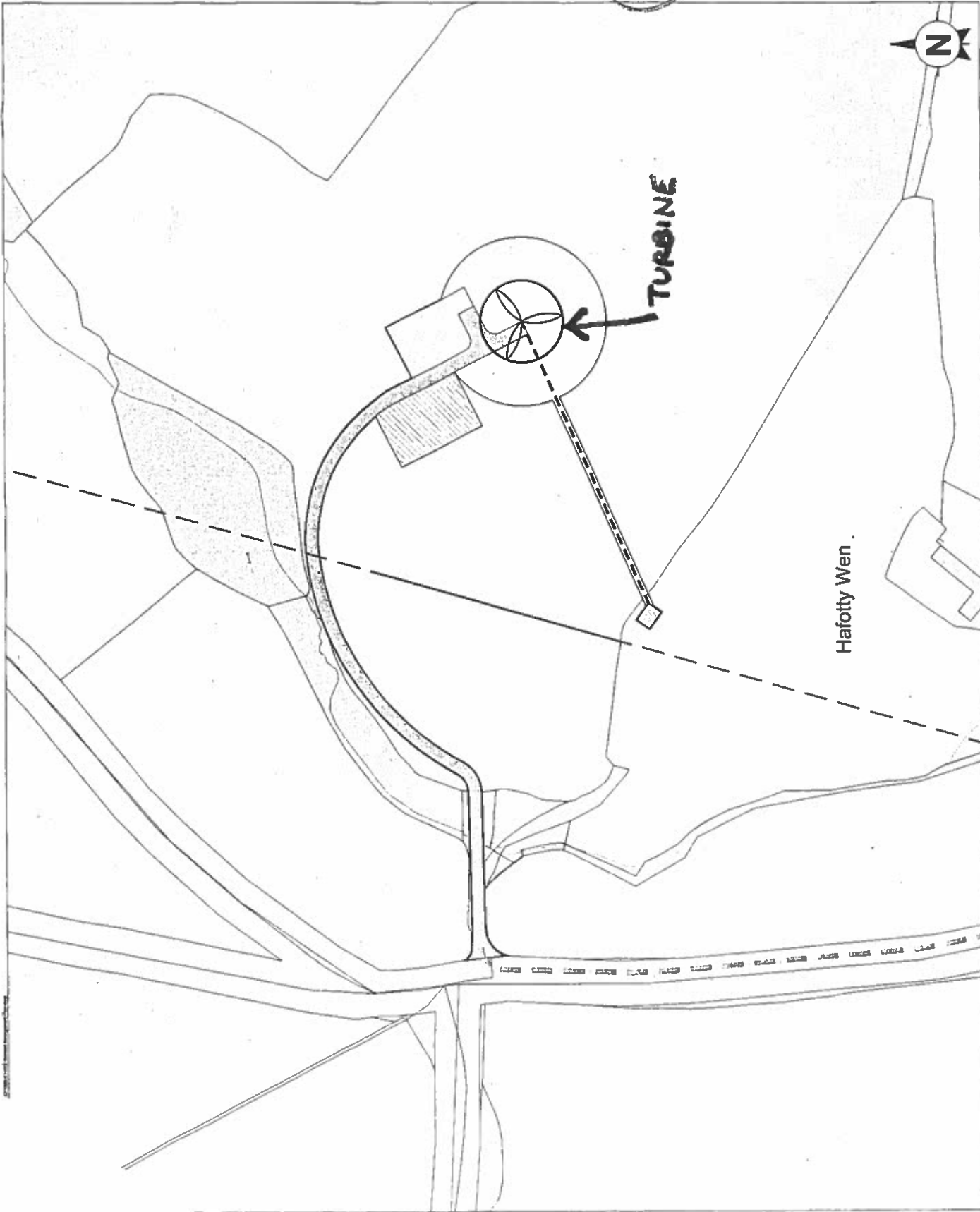
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Publication Approval Authority: HWSO & SLD Limited

	Planning Application Boundary
	Wind Turbine
	New Access Road (Type A)
	New Access Road (Type B)
	Switchroom
	Cable Route
	Crane Pad
	Overhead Line (Dotted line not surveyed)
	Construction Access Route
	Borrow Pit

15 OCT 2014  
PLANNING SERVICES

<b>axis</b>	
Project No.	1568-01-002
Project Name	HAFOFFY WEN WIND TURBINE
Client	DRIVE WIND JONES
Scale	AS SHOWN
<b>GENERAL INFORMATION PLAN</b>	
Issue	1568-01-002
Issue Date	15 OCT 2014
Author	PLANNING SERVICES
Checked	PLANNING SERVICES
Approved	PLANNING SERVICES





# TURBINE DETAIL

Approved for construction  
 Approved for installation  
 Approved for operation  
 Approved for maintenance  
 Approved for decommissioning

Date: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_

Date: \_\_\_\_\_  
 Name: \_\_\_\_\_  
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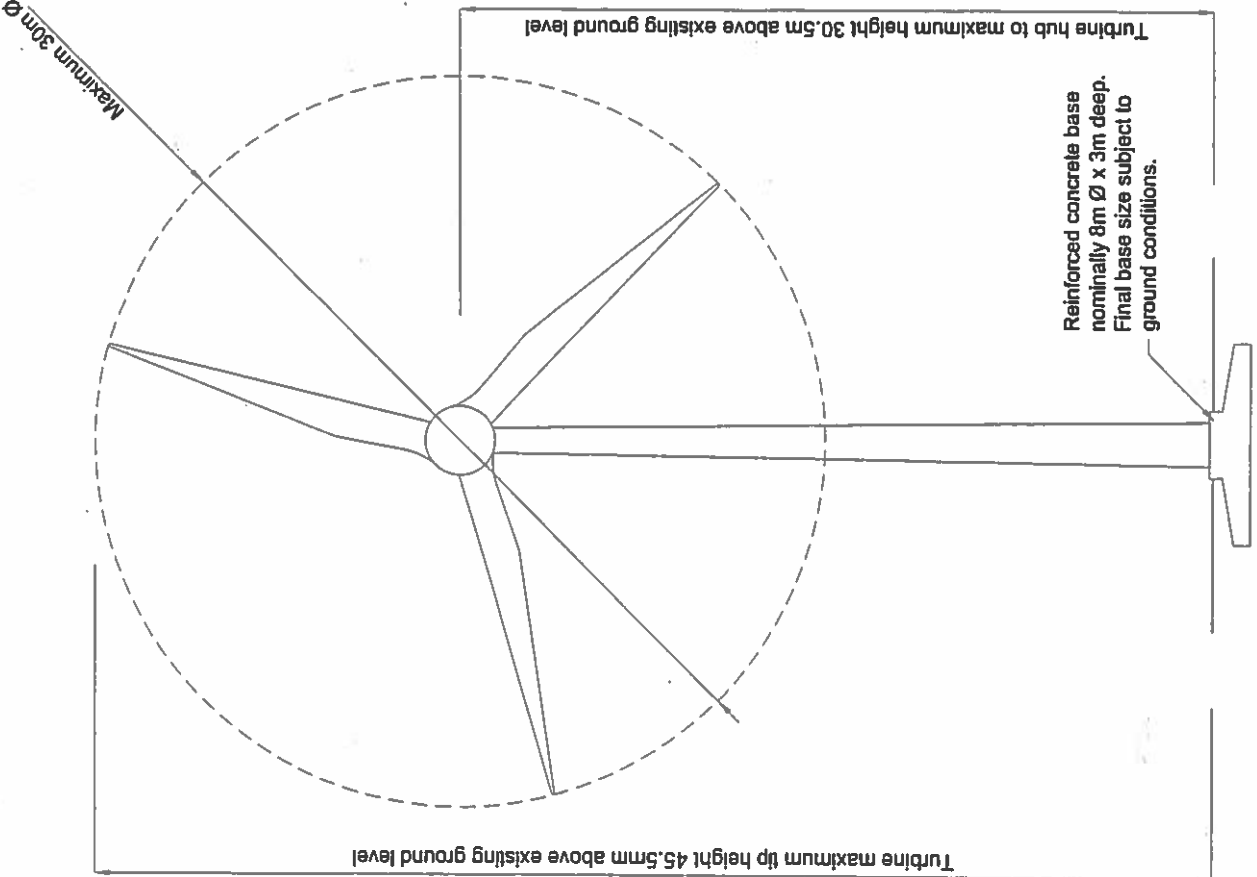
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RECEIVED  
 - 2 OCT 2016  
 DELIVERED  
 PLANNING SERVICES  
 COUNCIL COUNTY OF SAN DIEGO

axts	
Client	DATA WITH LOGS
Project	PROPERTY WITH WIND TURBINE
Contract No.	
TURBINE ELEVATION	
Client/Project No.	1568-01-003
Scale	1:2000
Sheet No.	
Revision	
Drawn	
Checked	
Approved	



5



**WARD :** Llanfair Dyffryn Clwyd / Gwyddelwern

**WARD MEMBER(S):** Cllr Hugh Evans

**APPLICATION NO:** 10/2014/1168/PFT

**PROPOSAL:** Erection of a single wind turbine of up to 250kw output, maximum blade tip height 48m, and associated development comprising construction of access track, hardstanding, borrow pit, grid connection and switchroom

**LOCATION:** Hafotty Wen Corwen

**APPLICANT:** Mr.Emyr Wyn Jones

**CONSTRAINTS:** None

**PUBLICITY UNDERTAKEN:** Site Notice – Yes  
Press Notice – No  
Neighbour letters - Yes

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

- Member request for referral to Committee

**CONSULTATION RESPONSES:**

LLANELIDAN COMMUNITY COUNCIL *“Llanelidan Community Council has no objections to the above Planning Application.”*

**CORWEN TOWN COUNCIL**

Initial consultation comments: *“confirm that members of Corwen Town Council have no observations to make regarding the following applications... 10/2014/1168.”*

Re-consultation comments: *“Please see below observations regarding the above application from Corwen Town Council:*

- *It is unclear how this can be diversification, it is a very small holding that appears to be operated from Bala.*
- *Opposite the access road is a very important Corwen Scheduled Ancient monument BWRDD Y TRIAGLWYDD - TABLE OF THE 3 LORDS which is the point where the old Lordships converged, which has public access and its setting should be protected from all development*
- *The access road is also (part) a public right of way so should be protected.*
- *The farm holding is very small and its agricultural consumption is estimated to be 10MWs and the Turbines output is 611MWs which far exceeds the requirement for this holding. Having been on site the farm buildings are unoccupied.*
- *There are two other wind turbine being constructed on Maes Truan so there are concerns about the further cumulative effect of a further farm.*
- *There is no community benefit to this project.”*

BRYNEGLWYS COMMUNITY COUNCIL *“Following our meeting, councillors have requested that I write to you regarding the above application. We do not have any comments to make regarding the actual application.”*

GWYDDELWERN COMMUNITY COUNCIL – No comments received.

CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY

JOINT ADVISORY COMMITTEE *"The JAC objects to this application. A turbine of this size just 0.8km outside the nationally protected landscape of the Clwydian Range and Dee Valley will be visible from a number of significant vantage points in the AONB and will introduce an intrusive and discordant feature into the landscape. It will have a harmful effect on the setting of the AONB and significant heritage assets and impact on views from the protected landscape and its associated sense of tranquillity, which are recognised special qualities of the Clwydian Range and Dee Valley AONB.*

*The JAC is particularly concerned about the potential impact on the setting, sense of place and views from the important heritage asset of Caer Drewyn Hillfort, which is within the AONB. Views of the surrounding area are an important component of the former defensive purpose of this Ancient Monument and are an integral part of the historic character and atmosphere of the site. A significant part of the ridgeline of the Clwydian Range is clearly visible from Caer Drewyn, including Moel Famau and a number of other hillforts dating from the same period, and the proposed turbine will impact on the intervisibility of these monuments which has been the subject of recent archaeological research. These views have been compromised to some extent by the existing overhead electricity line and the recently permitted Maes Truan turbine (45.07m to blade tip), but the JAC considers that an additional turbine of this size closer to the monument and sited on a more prominent hillside will have a significant cumulative adverse effect on its setting and context. The desktop archaeological evaluation submitted with the application acknowledges that "visual significance" can be attributed to the relationship between the monument and the proposed turbine "as views from the hilltop across the landscape were an important defensive feature, and today it has a relationship to a fairly long-ranging setting." The evaluation concludes that the influence of views of the proposed turbine upon the setting of heritage assets such as Caer Drewyn is unknown and that a more detailed assessment may be required. The JAC is of the view that the development will have an adverse impact on the setting of the monument.*

*The development is described as a farm diversification scheme, but the JAC notes that the land ownership associated with the application site is very limited in extent and has annual energy consumption in agricultural use estimated at approximately 10MWh. The estimated annual output of the turbine is 611MWh. There is one dwelling on the site, but the turbine has the capacity to meet the needs of 145 dwellings. In this context, the JAC would suggest this is a commercial development in a sensitive area of open countryside and should be assessed as such.*

*It is noted that since submitting the application revised plans have been lodged showing the blade tip height of the proposed turbine increased to 48m, but this has not been reflected in the published description of the development.*

*In summary, the JAC believes that this development will have a harmful effect on the special qualities and features of the Clwydian Range and Dee Valley contrary to the statutory purpose of AONB's, which is to conserve and enhance their natural beauty.*

*Finally, the JAC would ask the Planning Committee to note that officers do carry out site visits for significant development proposals affecting the AONB when formulating a response, and have done so in this instance."*

NATURAL RESOURCES WALES – NRW objects to the proposal as the proposal may adversely affect the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB).

Protected Landscapes: The statutory purposes of AONBs are conservation and enhancement of natural beauty.

NRW note the proposed turbine would be seen in middle distance views from the Caer Drewyn hillfort, an important visitor destination within the AONB. The view northwards is panoramic and the viewers attention is drawn towards two notable characteristics – the windfarm landscape to the northwest in the Clocaenog Forest Strategic Search Area and three turbines at Gwyddelwern; and the Clwydian Range to the north east, which forms a dramatic skyline with



lower rural farmed hills in the middle distance crossed by pylons, which whilst evidence do not intrude on the scenic qualities of this view. NRW note a turbine at Maes Truan was granted at Committee in October in 2014 and consider the combination of two turbines at Maes Truan and Hafotty Wen would consolidate the presence and impact of wind development within views from the AONB and result in a cumulative significant adverse effect.

Protected species: NRW has no records of bats classified as being high risk from wind turbine development in this area. As turbine would be in excess of 50m from linear / habitat features, the proposal is unlikely to be detrimental to bat populations.

Protected sites: The proposal will not affect the features, ecological integrity or functionality of any statutory sites of ecological, geological and/or geomorphologic interest.

MINISTRY OF DEFENCE – No response received.

NATIONAL AIR TRAFFIC CONTROL SERVICES (NATS) - The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, no safeguarding objection to the proposal.

AIRBUS – No aerodrome safeguarding objection to the proposal.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –  
Head of Highways and Infrastructure

- Highways Officer – No objection. Advisory Notes to be drawn to the applicants attention.
- Footpaths Officer – Public Footpath 16 (Brynegwlys Community) crosses part of the development area. Hence, this Public Right of Way must not be compromised and the measures to safeguard the public right of way should be applied.

Pollution Control Officer - The applicant has now changed the turbine type to overcome issue of cumulative noise with the Maes Truan turbine. Revised cumulative noise assessment has been submitted and this shows that the turbine should not cause a significant exceedence of the 35dBLA90, 10min cumulative noise limit for wind speeds up to 10m/s at 10m height.

The turbine should therefore be limited to the noise levels stated in Table 4 of the noise assessment submitted in the supporting documentation.

The other standard wind turbine noise conditions should also be added too.

Ecologist - No objection to the proposal providing the recommendations within this Ecological Appraisal report summarised in Section 6 of the report are implemented in full.

## **RESPONSE TO PUBLICITY:**

### **In objection**

Representations received from:

Pauline Baines - Ty Newydd, Cae Du, Corwen  
Mrs Pat Prabhu - Cefn y Bidwal, Bryneglwys  
Maggie and John Brooker, Bryn Ysguboriau, Llanelidan x 2 (consultation and re-consultation responses received)

Michael Skuse on behalf of the Campaign for the Protection of Rural Wales (CPRW) – Clwyd Branch

Summary of planning based representations in objection:

### **Principle / Need**

- Not part of an agricultural holding therefore not diversification – Hafotty Wen is a small holding and turbine of the size proposed is out of scale for the size of the holding.
- Proposal is a commercial enterprise and should be treated as such.

**Landscape / visual impact (including cumulative effects & impact on AONB)**

- proliferation of turbines in south Denbighshire
- extremely prominent and could set a precedent for development along the ridge
- concern that access road and related works would scar landscape
- the position of the turbine should be reconsidered
- close proximity to Maes Truan turbine – visual impact of two large turbines in such close proximity is unacceptable
- cumulative detrimental visual impact
- close to important ancient monument Caer Drewyn and would without question affect views from hillfort
- 0.8km from AONB and close to Maes Truan turbine – would add to the industrial clutter on the hillside.

#### Comments on accuracy of supporting information

- Landscape Assessment concludes impact on views would be adverse, but compares turbines to other structures such as pylons - not valid comparison as pylons are stationary structures.
- Question the accuracy of Noise Report as it uses Manufacturer's standard sound power levels for the turbine for the purposes of the noise assessment, despite the fact that the proposed turbine, and the Maes Truan turbine have both modified since the standard noise data was derived.

#### Amenity / Noise (including cumulative effects)

- Close to Maes Truan turbine – noise level from two large turbines in close proximity is unacceptable.
- Noise Report does not take address amplitude modulation.
- Noise Report does not take into account the fact that there are 3 properties at Cae Du.
- Cumulative noise at Bryn Ysguboriau would be 35.4dB, which is above the recommended 35dB, however this has been rounded down – if turbine is microsituated closer to property, this may increase the noise.
- Value peace and quiet – impact of two turbines within 500m of dwelling would take away quality of life.

#### Residential visual amenity

- affect outlook from neighbours properties and would be bulk of rotating blades would be visible from garden and from habitable windows of neighbour, and due to proximity to neighbours (455m away) would have a significant effect on residential amenity.
- Screening from vegetation is seasonal – will not screen views from neighbouring properties in winter.

#### Highways / access

- Preparations for access road seem excessive.

#### Biodiversity

- Rich biodiversity along ridge would be damaged.

#### Archaeology

- area has rich history and may be of archaeological value

#### **In support**

J Lloyd, J Lloyd and Sons Ltd Structural and Agricultural Engineers, Yr Efail, Bryn S.M, Corwen  
 N. Morris, Bryn S.M Service Station, Bryn SM, Corwen  
 A.G Jones, T.G Jones Plant Hire & Building Contractor, Lletty, Gwyddelwern,  
 M.E Jones, Lletty, Gwyddelwern.  
 G Jones, Tyddyn Angharad, Corwen  
 H Roberts & family, Tyn y Celyn, Gwyddelwern

#### Principle / Need

- Welsh family involved in enterprise and success would mean wider future within more opportunities to remain in area.
- Proposal will support local family to live and work in community
- Will help local economy / create business
- Farm diversification – help to invest in the farm business
- Good for environment

Noise / amenity

- Will not have any noise or visual impact on Tyddyn Angharad

**EXPIRY DATE OF APPLICATION: 09/12/2014**

**REASONS FOR DELAY IN DECISION (where applicable):**

- timing of receipt of representations
- delay in receipt of key consultation response(s)
- additional information required from applicant
- re-consultations / further publicity necessary on amended plans and / or additional information

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 The proposal is for a single wind turbine with a rated capacity of up to 250kW and with a tip height of 48m.
- 1.1.2 The turbine shown on the elevation plan has a maximum hub height of 30.5m, a maximum rotor diameter of 35m and a maximum tip height of 48m which would be erected on a reinforced concrete base with a diameter of approximately 8m and up to 3m in depth.
- 1.1.3 The model of turbine currently being considered which could be installed within the parameters of the proposal is the Endurance X35Q 180kW. This turbine model has been used for the purposes of the noise assessment.
- 1.1.4 The proposal also consists of the following elements:
  - Site access via an existing farm access point which would be widened to accommodate construction vehicles.
  - Approx. 330m of new access track measuring approximately 4.5m in width.
  - A borrow pit close to the turbine location which would be used as a source of stone to construct the access track.
  - Crane hardstanding / laydown area with an area of 500m.sq (20m x 25m). The hardstanding / laydown area would be reinstated following construction and soil removed from site would be bunded onsite to be re-used during the reinstatement.
  - Switch room with a building footprint of 7.2m by 4.7m approximately, 100m from the turbine which would be connected via an underground cable. The building would house the transformer, switch gear and other associated electrical equipment.
- 1.1.5 The turbine would be erected using two mobile cranes and it is anticipated that following construction and curing of the concrete turbine foundation it would take 2 weeks to erect the turbine. Details of construction and operational traffic and routing are set out in the Planning Statement.
- 1.1.6 Following construction of the turbine, the hardstanding / laydown area would be covered over with previously stripped soils and seeded so the field can be reinstated to its former use, with the exception of the access track and turbine base which would remain.

1.2 Description of site and surroundings

- 1.2.1 The proposed wind turbine would be located on land at Hafotty Wen, approximately 2.5km north of Carrog, 4km north east of Corwen and 3.2km east of Gwyddelwern.

- 1.2.2 The land is agricultural pasture forming part of a smallholding associated with Hafotty Wen farmhouse, which is currently unoccupied.
- 1.2.3 The site is part of a wider landscape of undulating hills which separate the valleys of the River Dee to the south and the River Clwyd to the north.
- 1.2.4 There are a number of individual residential properties in the locale of the site, with the following within a 1km radius of the site: Bryn Tangor approx. 450m to the south-west; Bryn Ysguboriau approx. 485m to the north-west; Maes Truan approx. 725 m to the north-east; Ty'n y Mynydd approx. 905m to the north-east; Bryn Eithin, Ty Newydd and Cae-Du approx. 635m to the south; and Highgate approx. 935m to the west.
- 1.2.5 There is one financially involved property – Hafotty Wen farmhouse approx. 175m to the south-west, which is currently unoccupied and Officers understand it has not been occupied for a number of years, however there is extant planning permission for a replacement dwelling.
- 1.2.6 The site is approx. 650m from the site of a 225kW wind turbine at Maes Truan, which is pending planning consent subject to the entering of a Section 106 Agreement.

### 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is outside of defined development boundaries and is in the open countryside.
- 1.3.2 The Clwydian Range and Dee Valley AONB is to the east and south of the site and at its closest point, the site is approx. 0.8km from the AONB boundary.
- 1.3.3 A Public Right of Way runs to the south of the site and is approx. 18m from the proposed access track at its closest point. The access track would need to be traversed to access the Public Right of Way.
- 1.3.4 The site is 650m to the south-west of a 225kW wind turbine at Maes Truan farm, which Planning Committee resolved to grant in October 2014, subject to a Section 106 Agreement.
- 1.3.5 There is 1 scheduled ancient monument within 1km of the site and 13 within 5km site, including the Caer Drewyn hillfort.
- 1.3.6 There are 2 Grade II listed buildings within 1km of the site – Bryn Tangor residential property 450m to the south-east and a medieval boundary stone 550m to the west.

### 1.4 Relevant planning history

- 1.4.1 A replacement farmhouse at Hafotty Wen was granted permission in 2014.
- 1.4.2 Planning Committee resolved to grant a 225kW turbine at Maes Truan farm, 650m to the north-west of the application site at Planning Committee in October 2014, subject to a Section 106 Agreement. The Section 106 Agreement has now been signed and the Decision notice will be issued shortly, and therefore it is likely that this turbine will be consented at the time of the Planning Committee meeting.

### 1.5 Developments/changes since the original submission

- 1.5.1 The proposed turbine type was amended in response to issues of cumulative noise being raised. This resulted in the turbine dimensions being altered and the overall tip height being increased from 45.5m to 48m.
- 1.5.2 As a result, an amended elevation plan, application form and noise report have been submitted together with a 'Further Information' Statement which explains the changes to the proposal and in part supersedes sections of the Planning Statement.
- 1.5.3 The Further Information Statement also seeks to establish the farm diversification merits of the application.

### 1.6 Other relevant background information

- 1.6.1 Officers consider the Appeal Decision on a proposed wind turbine at Lletty is material, given the location of the site and concerns raised regarding the impact of the proposed turbine on the AONB and in particular on the Caer Drewyn hillfort.

## **2. DETAILS OF PLANNING HISTORY:**

- 2.1 10/2014/0613. Demolition of existing dwelling, outhouses and outbuildings, erection of replacement detached dwelling, detached garage / workshop building, installation of a new replacement septic tank and associated works. Granted 02/10/2014 (Delegated).

2.2 19/2014/0702. Installation of a wind turbine 30.5m hub height and 54.07m to blade tip, control box and associated works. Resolution to Grant at Planning Committee October 2014 subject to a Section 106 Agreement (S.106 agreement has been signed and Decision Notice to be issued before March 2015 Planning Committee).

### **3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

#### 3.1 Denbighshire Local Development Plan (adopted 4<sup>th</sup> 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

#### 3.2 Supplementary Planning Guidance

#### 3.3 Government Policy / Guidance

Planning Policy Wales Edition 7 July 2014

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)

#### 3.4 Other material considerations:

Denbighshire Landscape Strategy (2003) / LANDMAP

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

ESTU R 97 and 'A good practice guide to the application of ETSU-R-97 for the assessment and rating of wind turbine noise' (IOAGPG)

### **4. MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 7, July 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 (including impact on AONB)

4.1.4 Residential visual amenity

4.1.5 Noise

4.1.6 Shadow flicker

4.1.7 Ecology

- 4.1.8 Highways
- 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.

##### 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.

A Further Information Statement was submitted with the application which states the proposal is a farm diversification scheme.

The AONB JAC and public objectors have questioned the validity of the farm diversification merits of the scheme and also the relationship the turbine would have with an operational farm complex; however letters in support of the application have made reference to the wider benefits of on-farm turbines to help sustain farming businesses and in-directly support the rural economy.

TAN 6 does not quantify what is meant by a 'small on-farm renewable energy operation', however the Council has previously given weight to the farm diversification merits of turbines with a tip height of less than 50m which are proposed on farms. However, Officers consider this proposal differs from previous schemes where farm diversification merits have been given significant weight as there is no existing farming enterprise operating from Hafotty Wen. Hafotty Wen is a smallholding which forms part of the applicant's agricultural landholdings and at present the land is used for rough grazing by the applicant and neighbouring farmers; the farmhouse is not currently occupied and no other farming activities operate from the site.

The Further Information Statement states that planning permission has been obtained for a replacement dwelling at Hafotty Wen and the intention is for the applicant's son to reside at Hafotty Wen once the replacement dwelling has been built, who will then actively farm the land on behalf of the applicant. The Statement therefore states the turbine would assist Hafotty Wen becoming a viable and sustainable agricultural enterprise and it should be considered to be a viable form of farm diversification.

Officers note however, the replacement dwelling planning application at Hafotty Wen was not proposed as an agricultural workers dwelling and no reference was made to the need for the replacement dwelling in connection with an agricultural enterprise in the application documents. Therefore, once completed, there is no requirement for the replacement dwelling or the land to be used for agricultural purposes and this would essentially be an open market dwelling.

Officers therefore consider little weight should be given to the possibility that the smallholding would be actively farmed in the future once the replacement dwelling is completed, and only the current farming activities should be taken into account. As the land is a smallholding that is used for grazing only, and the turbine would not be physically connected to any farm complex, Officers consider very little weight should be apportioned to the farm diversification merits of the scheme, and instead consider the turbine should be assessed on its own merits having regard to other the other material considerations set out in this report.

#### 4.2.3 Landscape and visual impact (including impact on AONB and on scheduled ancient monuments)

LDP policies relevant to the visual and landscape impact associated with wind energy development are policy VOE 9 and VOE 10. This 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.

The Conwy and Denbighshire Landscape Sensitivity and Capacity Assessment for Wind Energy Development (Sensitivity and Capacity Study) is a material consideration. Officers also consider the Lletty Appeal Decision is a material consideration given the proximity to the AONB and the impact on views from the Caer Drewyn hillfort.

The turbine site is close to the Clwydian Range and Dee Valley AONB which extends to the east and south of the site and at its closest point is 800m from the boundary.

Natural Resources Wales and the AONB Joint Advisory Committee have both raised an objection to the proposal on the basis of it giving rise to an adverse, cumulative impact on the Clwydian Range and Dee Valley AONB, and in particular on views from the Caer Drewyn

hillfort, which is a publically accessible Scheduled Ancient Monument and within the AONB. Public objections have also raise concerns on landscape and visual impact grounds.

A Landscape and Visual Impact Assessment has been submitted in support of the application which has been informed by LANDMAP and the visual impact of the turbine in the study area of 15km radius from the turbine has been assessed.

The LVIA includes a cumulative impact assessment and an assessment of visual residential amenity (the latter is detail with separately in the section below). 5km and 15km Zone of Theoretical Visibility Plans have also informed the application together with wireframes, cumulative wireframes and photomontages from 5 no. viewpoints including the Caer Drewyn hillfort.

In light of the consultation responses, Officers consider the key issues relate to the impact on effects of the development on views from the AONB, and the cumulative effects.

With regards to the impact on the AONB designation, the LVIA considers the effects on receptors within the AONB would not be significant as it would be seen within the context of typically long-rang and panoramic views where other wind turbine and pylons are already visible. The LVIA considers the small-scale change in view would that would derive from the introduction of the proposed turbine would not materially affect the statutory purposes or special qualities of the AONB.

The cumulative assessment in the LVIA has assessed the impact of the proposal in combination with existing and consented schemes. It concludes that the proposed turbine would be seen to be physically separate from the turbines within the Clocaenog Forest SSA and smaller on-farm turbines which are present in the Gwyddelwern area along the A494 corridor. It does consider there would be a localised cumulative impact on landscape character when the proposed turbine is considered with the Maes Truan turbine. Whilst the LVIA argues that landform would reduce the visibility of both turbines together, it does acknowledge that whilst the underlying character of the landscape would remain, the influence of wind turbines upon this would increase incrementally and therefore cumulative effects on character would occur, but would not be significant.

In conclusion, the LVIA considers the proposed turbine would have a limited and localised effect upon landscape character and upon views, but that would not be significant. It also considers views of the turbine would be seen in the context of expansive panoramas where overhead pylons and other larger turbines are already visible.

The site is within the Hills south of Llanelidan LANDMAP Visual and Sensory Aspect Area and within the Sensitivity and Capacity Study, the proposed turbine is within Landscape Unit D5 (Edeirnion Hills), which is in Landscape Strategy Area 3. The Edeirnion Hills Landscape Unit is characterised as being a medium scale landscape comprising a complex pattern of rounded and interlocking hills and valleys and has an overall medium-high sensitivity to wind energy developments due to the number of sensitive visual receptors, some prominent skylines and inter-visibility with adjoining high value landscapes included the Clwydian Range and Dee Valley AONB. The presence of existing wind turbines within both this area and adjacent landscape units slightly reduces the sensitivity of the local landscape to further wind energy development. The objective of the Landscape Strategy Area 3 is 'landscape protection' in areas that lie or contribute to the outlook and setting of the AONB, defined in the Sensitivity and Capacity Study as "*no wind energy development or very infrequent smaller scale development*". Elsewhere the object is for '*landscape accommodation*', which is defined as "*a landscape with occasional wind energy development*". Given the proximity of the turbine from the AONB boundary and the extent of land within the AONB which falls within the theoretical zone visibility, Officers would consider the site would lie within the landscape protection category and therefore the emphasis should be on no wind development or very infrequent smaller scale development.



The statutory purposes of Areas of Outstanding Natural Beauty are conservation and enhancement of natural beauty, and therefore Officers consider special regard should be had on the impact of the proposal on the statutory designation.

NRW note that the proposed turbine would be seen in the middle distance of views from Caer Drewyn hillfort, a scheduled ancient monument and an important visitor destination within the Clwydian Range and Dee Valley AONB. The view northwards is panoramic and the viewer's attention is drawn towards two notable characteristics of the view - the wind farm landscape to the north west associated with the Clocaenog Strategic Search Area and three turbines at Gwyddelwern; and the Clwydian Range to the north east, which form a dramatic skyline lined with lower rural farmed hills in the middle distance crossed by pylons. NRW disagree with the LVIA submitted with the application and do not consider the turbine would be seen in the context of pylons, as whilst they are evident in the landscape, pylons do not intrude on the scenic qualities of this view, whereas NRW believe, the turbines would have an adverse effect.

NRW acknowledge the presence of a turbine at Maes Truan farm in close proximity to the site, and consider the combination of the two wind turbines (consented Maes Truan and proposed Hafotty Wen turbine) would consolidate the presence and impact of wind development within views from the AONB and result in a cumulative significant adverse effect.

The AONB JAC has also objected to the proposal and again their comments focuses on the impact of the proposal on important outwards views from a number of significant vantage points within the AONB, which would introduce a discordant feature in the landscape.

The AONB consider the proposal would have a a harmful effect on the setting of the AONB and significant heritage assets and impact on views from the protected landscape and its associated sense of tranquility, which are recognised special qualities of the Clwydian Range and Dee Valley AONB. The JAC have also raised particular concern regarding the potential impact on the setting, sense of place and views from the important heritage asset of Caer Drewyn Hillfort. Views of the surrounding area are an important component of the former defensive purpose of this Scheduled Ancient Monument and are an integral part of the historic character and atmosphere of the site. A significant part of the ridgeline of the Clwydian Range is clearly visible from Caer Drewyn, including Moel Famau and a number of other hillforts dating from the same period, and the proposed turbine will impact on the intervisibility of these monuments which has been the subject of recent archaeological research. The JAC acknowledge that these views have been compromised to some extent by the existing overhead electricity line and the recently consented Maes Truan turbine (45m to blade tip), but the JAC considers that an additional turbine of this size closer to the monument and sited on a more prominent hillside would have a significant cumulative adverse effect on its setting and context.

Given that objections from statutory consultees focus on the impact on the setting of the AONB and on views from the Caer Drewyn hillfort, Officers consider the Lletty Appeal Decision is material. Whilst the Lletty turbine was a larger scale and the Appeal decision was issued before the Maes Truan turbine had been consented, Officers consider the Inspectors comments are still relevant. Specifically:

*8. The appeal site is close to the Clwydian Range and Dee Valley AONB, and the proposal falls to be considered against national and development plan policies that aim to protect the character and appearance of the AONB and its setting. The proposed wind turbine would affect the setting of the AONB, both in terms of views towards it and views from it. The Appellant has carried out a landscape and visual impact assessment of the proposed scheme, including recent work on views from several vantage points within the AONB. The general conclusions of that assessment are that visual impacts from most of the AONB would be slight or negligible. However, the impact is assessed as a "medium" change from the south-western parts of the AONB, including from the important Caer Drewyn Hillfort, and as having a "moderate" cumulative visual effect.*

*9. The Appellant argues that there would be no unacceptable adverse cumulative impacts and that AONB visitor enjoyment would not be adversely affected. I disagree with this broad dismissal. The proposed new wind turbine would be seen in the middle distance from an important part of the AONB, which is particularly sensitive to change; it would appear out of place in its scale and form compared with the group of wind turbines at Tyn y Celyn; and it would intensify the wind turbine landscape in this part of the County. Even though the Appellant's assessment is of a moderate cumulative visual impact, I consider the visual impact on the setting of this part of the AONB to be more substantial and unacceptably harmful, contrary to the aims of the relevant development plan and national policies.*

Therefore whilst the consent for a turbine at Maes Truan has introduced wind turbine features into an area of the county which was previously unaffected by wind turbine development, and to some extent the integrity of the view from the Caer Drewyn hillfort has already been compromised, Officers consider it necessary to ensure every effort is taken to protect the setting of, and views from within the AONB, from adverse cumulative effects that may arise as a result of additional wind turbine development.

The proposed turbine is also in an area of the county which is visually separate from the established windfarm landscape in the Clocaenog Forest to the west, and from the clusters of smaller scale wind turbines in the Gwyddelwern area.

The proposed turbine would be physically closer to the AONB boundary than the consented Maes Truan turbine and, as wireframe images for viewpoint 2 submitted with the LVIA show, the proposed turbine would be clearly visible from the Caer Drewyn viewpoint and the full blade length would cross the skyline which Officers consider would be visually distracting. Officers would also agree with the views of NRW and consider that whilst pylons are visible in the landscape, as they are static and commonplace structures they would not be discordant features in the landscape, whereas turbines are moving structures and would be viewed in a different context, In this case the blades would breach the skyline, which would draw the eye of the viewer towards it, and when viewed in combination with the Maes Truan turbine, the addition of the proposed turbine would consolidate the impact and presence of turbines in this location.

Officers also refer to the Sensitivity and Capacity Study objective for Landscape Strategy Area 3 which is 'landscape protection' in areas that lie or contribute to the outlook and setting of the AONB, which is defined as "*no wind energy development or very infrequent smaller scale development*". Whilst a single turbine at Maes Truan could be considered to be 'very infrequent smaller scale development' Officers would be of the opinion that the presence of two turbines in such close proximity could not.

Officers therefore consider the proposed turbine in such close proximity to a consented turbine at Maes Truan farm would serve to consolidate the presence of wind turbine development in this area of the county, which would have a harmful effect on the setting of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) and would result in a cumulative adverse effect on outward views from the Caer Drewyn hillfort, a scheduled ancient monument and important visitor destination within the AONB. The proposal is therefore considered contrary to Local Development Plan policy VOE 1, VOE 9 and the advice and guidance contained in the Conwy and Denbighshire Landscape Sensitivity and Capacity Assessment for Wind Energy Development.

#### 4.2.4 Residential visual amenity

In referring to what may be regarded as material considerations, Planning Policy Wales 3.1.4 refers to 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. The impact of a development on visual amenity is therefore a relevant test on planning applications. This is emphasised in Paragraph 3.1.7, which states that proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. As the Courts have ruled that the individual interest is an aspect of the public interest, it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties.

Neighbours have raised objections regarding the visual impact of the turbine and the impact this would have on their residential amenity.

Residential visual amenity means visual amenity from residential properties including their gardens. Whilst there is no published guidance on how impacts on residential amenity should be assessed, with respect to wind turbine development, there is a number of planning appeals that have examined the issue of residential visual amenity, which most notably includes the Sixpenny Wood, Enifer Downs and Burnthouse Farm Appeals. Having regard to these Appeal Decisions, Officers would consider the relevant residential amenity test to be whether or not the proposed turbine would have an unacceptable overbearing and / or oppressive impact on a residential property.

The LVIA includes a section on residential visual amenity. Only properties within ten times the rotor diameter of the site have been included in the residential visual amenity assessment–Hafotty Wen, and it concludes that landform and vegetation would screen views from this property and therefore considers the visibility of the turbine would not materially affect living conditions.

Objections from neighbours have also raised concerns regarding residential visual amenity, however no other properties were included in the assessment. The nearest properties other than Hafotty Wen farmhouse are over 450m from the site, and whilst the turbine may be visible from garden areas and from habitable windows in neighbouring properties, given the size of the turbine, the landform and the separation distances, Officers would consider the extent of the effect on these properties could not be considered to meet the threshold of being unacceptably overbearing and / or have an oppressive impact that would make neighbouring properties unattractive places to live.

In conclusion, Officers would consider that whilst the turbine may be visible from neighbouring properties and therefore would alter the outlook from these properties and may effect amenity in terms of having a detrimental impact on the quiet enjoyment of a private dwelling, the impact is not considered to be of an extent that could warrant a refusal of planning permission based on adverse impact to residential visual amenity.

#### 4.2.5 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  $35\text{dB}_{\text{LA90, 10min}}$  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, where a proposed turbine is adjacent to existing wind turbine development, the application of the simplified noise condition alone would be inappropriate, as cumulative noise effects need to be taken into account.

A revised noise assessment has been provided with the application following amended turbine details being submitted. The cumulative effects of the proposed turbine in combination with the consented turbine at Maes Truan have been assessed.

Officers have compared the noise levels used for the Maes Truan turbine in the noise assessment with the current application, with the noise assessment submitted for the Maes Truan turbine to ensure the noise levels used are appropriate. There is some slight variation between the levels and so Officers have checked the cumulative levels using the noise data from both assessments.

The table below contains the predicted noise levels from each of the turbines (*figures in italics are the values from the Maes Truan noise assessment report and the cumulative noise level in italics has been determined by Public Protection Officers*):

Location	Predicated noise levels (dB LA90 at 10 m/s at 10m height)		
	Hafotty Wen (Endurance X35Q)	Maes Truan (Endurance X29)	Cumulative Noise Level
Hafotty Wen (FI property)	41.1	27.9 <i>(29.2 in MT assessment)</i>	41.3 <i>(41.4 using MT level)</i>
Maes Truan (Maes Truan FI property)	27.5	47.2 <i>(not in MT assessment, but conditioned to not exceed 45)</i>	47.2
Ty'n y Mynydd (Maes Truan FI property)	23.9	41.0 <i>(not in MT assessment, but conditioned to not exceed 45)</i>	41.1
Bryn Ysguboriau	32.0	32.8 <i>(31.9 in MT assessment)</i>	35.4 <i>(35.0 using MT level)</i>
Bryn Tangor	30.3	27.4 <i>(28.9 in MT assessment)</i>	32.1 <i>(32.7 using MT level)</i>
Bryn Eithin	29.2	23.4 <i>(24.7 in MT assessment)</i>	30.2 <i>(30.5 using MT level)</i>
Cefn-y-Wern	23.9	33.6 <i>(32.9 in MT assessment)</i>	34.0 <i>(33.4 using MT level)</i>
Ty'n y pant	21.0	33.5 <i>(32.7 in MT assessment)</i>	33.7 <i>(33.0 using MR level)</i>

Hafotty Wen is a financially involved property and ETSU guidance advises a higher level of 45dB can be applied in this instance.

At properties which do not have a financial interest in the turbine the cumulative noise should not exceed 35dB. The consent for the Maes Truan turbine has a planning condition attached which requires the noise from the turbine to not exceed 35dB cumulatively at any unrelated dwelling that legally existed at the date of the planning consent. In respect to the current proposal, the noise from the proposed turbine in combination with the consented turbine should not exceed 35dB cumulatively at any unrelated property.

The noise from the Maes Truan turbine at the two financially involved properties (Maes Truan and Ty'n y Mynydd) is conditioned to not exceed 45dB. At properties which have a financial interest in the consented Maes Truan turbine, but not the proposed turbine, the Council would need to be satisfied that the noise from the proposed turbine would not result in any perceivable increase in cumulative noise.

Whilst the noise assessment presented with the current application indicates that the noise level from the Maes Truan turbine would exceed the 45dB limit at the Maes Truan farmhouse, the noise from the proposed turbine would not result in any cumulative increase – i.e. the noise from the consented Maes Truan turbine would mask any noise from the proposed turbine at this property. With regards to the Ty'n y Mynydd property, the cumulative noise would be only 0.1dB above the noise levels from the consented Maes Truan turbine, and whilst this would be a slight exceedance, Public Protection Officers have advised that a 0.1dB increase would not be perceivable and therefore the very minor exceedance would be acceptable.

With regards to the five properties included in the assessment which have no financial involvement with either turbine – Bryn Ysguboriau, Bryn Tangor, Bryn Eithin, Cefn-y-Wern and Ty'n y pant – the cumulative noise from both the consented turbine and the proposed turbine should not exceed 35dB cumulatively. For the avoidance of doubt, Officers have used the data from the noise assessment submitted with the current application and the noise data from the Maes Truan turbine noise assessment. In either scenario, the only property which would be at, or slightly above the 35dB cumulative limit is Bryn Ysguboriau.

Public Protection Officers have acknowledged the exceedance of 35dB cumulative level, but have advised that it is common practice to round down decimal points to the nearest whole number, and therefore the predicated cumulative noise level of 35.4dB could be rounded down and Public Protection Officers are satisfied that the proposed turbine should not cause a significant exceedance of the 35dBLA90, 10min cumulative noise limit for wind speeds up to 10m/s at 10m height.

Public Protection Officers have therefore requested that the exact noise limits contained in the noise assessment should be conditioned to ensure that the stated cumulative levels are not exceeded.

Public objections have raised concerns regarding the noise from the turbine, including the occupiers of Bryn Ysguboriau, who are particularly concerned with the approach to rounding decimal points down to the nearest whole number. Concerns have also focussed on the use of generic sound power levels for the turbine provided by the manufacturer which objectors feel may not represent the actual noise output of the current model of turbine as the design and specification of the turbine has been modified since the sound power levels were derived.

Officers acknowledge at each of the five unrelated properties the cumulative noise from the consented and proposed turbine is likely to be audible and may impact on residential amenity, and in particular at Bryn Ysguboriau, which would be the most affected unrelated property in terms of noise. However, Public Protection Officers have advised that, based on the information provided in the noise assessment, the proposal has demonstrated that it can comply with the ETSU simplified noise condition guidance as no significant exceedance of the 35dB cumulative limit would occur. On that basis, Officers would therefore conclude that, whilst the proposed turbine would have a noise effect that may impact on residential amenity, the levels at Bryn Tangor, Bryn Eithin, Cefn-y-Wern and Ty'n y pant would not exceed the 35dB level and the exceedance at Bryn Ysguboriau is not of a level that could warrant a refusal of planning permission as Public Protection Officers have advised that 35.4dB would in practice be rounded down to 35dB, and it would therefore not be at an unacceptable level.

It is considered therefore that the proposal would not result in an unacceptable impact on residential amenity in terms of noise which could warrant a refusal of planning permission.

#### 4.2.6 Shadow flicker

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.

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 35m, therefore the potential impacts should only be experienced up to 350m from the turbine location, and only then within 130 degrees either side of north. Only the financially involved property is within 350m of the proposed turbine location, and therefore it is reasonable to conclude that shadow flicker should not occur at any unrelated property.

However, as shadow flicker analysis is not an exact science, 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 this effect, it is reasonable to conclude that the proposal would comply with policy VOE 9 and VOE10 with respect to shadow flicker.

#### 4.2.7 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.

An Ecological Appraisal has been submitted with the planning application which concludes that the proposal would not have an unacceptable impact on any ecological assets subject to a suite of mitigation and enhancement measures being carried out.

The Council's Biodiversity Officer has not raised an objection subject to a condition being applied requiring the recommendations, mitigation and enhancement measures being carried out. NRW has also not raised an objection to the proposal with regards to impact on Protected Species.

In light of the comments from statutory consultees, subject to a planning condition being applied to ensure the recommendations, mitigation and enhancement measures set out in Chapter 6 of the Ecological Appraisal are complied with, Officers conclude the scheme would not have an unacceptable impact on nature conservation, and is not in conflict with VOE 5 and VOE 9.

#### 4.2.8 Highways (including access and parking)

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

The Planning Statement contains details of the construction and operational traffic required in connection with the construction and operation of the turbine and also details of the proposed traffic routing along the public highway to the site. No changes or improvements to the local highway are proposed for construction / decommissioning or during operation and the Statement states that it is not anticipated that an abnormal indivisible load (AIL) would be required.

The site would be accessed via an existing gated field access point, which would be widened to accommodate construction traffic and approx. 330m of new access track is required which would be 4.5m in width and would be semi-permeable compacted stone over a geo-textile membrane with crushed stone finished surface slightly above ground level.

The Council's Highways Officer has not objected to the application and has not requested any additional information to be provided either pre-application or by way of a pre-commencement condition. Officers would therefore conclude that the proposal would not have an adverse impact on the local highway or have any other adverse transport impacts.

#### 4.2.9 Aviation

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

No objections from an aviation authority have been received. Specifically, NATS and Airbus has not objected to the scheme, and the MOD, at the time of drafting the report, have not responded to consultation however the applicant had provided a copy of their correspondence with the MOD as part of the application which confirms the MOD has no concerns with the proposal.

In light of the consultation responses from aviation authorities and the information provided by the applicant, it is therefore reasonable to conclude that proposed turbine would not have any adverse effects on aviation and radar interests in the area.

#### 4.2.10 Archaeology / Historic assets

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. Local Development Plan Policy VOE 1 seeks to protect sites of built heritage from development that would adversely affect them.

An Archaeological Desk-Based Assessment has been submitted with the application. Within 1km of the site 1 scheduled ancient monument (Bwrdd y Traglwydd) and 13 within 5km of the site including the Caer Drewyn hillfort. There are two Grade II listed buildings within 1km of the site.

Whilst there would be no direct effect on any historic assets, the proposal may affect the setting of historic assets, and in particular on scheduled ancient monuments (SAMs).

Both the AONB JAC and Corwen Town Council have raised concerns regarding the impact of the proposal on archaeological assets, specifically the Caer Drewyn hillfort scheduled ancient monument and the Bwrdd y Triaglwydd scheduled ancient monuments (SAMs).

The desktop archaeological assessment that "visual significance" can be attributed to the relationship between the Caer Drewyn hillfort SAM and the proposed turbine "as views from the hilltop across the landscape were an important defensive feature, and today it has a relationship to a fairly long-ranging setting." The evaluation concludes that the influence of views of the proposed turbine upon the setting of heritage assets such as Caer Drewyn is unknown and that a more detailed assessment may be required. The AONB JAC is of the view that the development will have an adverse impact on the setting of the monument.

Corwen Town Council note that *opposite the access road is* a very important Corwen Scheduled Ancient monument 'Bwrdd Y Triaglwydd - Table Of The 3 Lords' which is the point where the old Lordships converged, which has public access and its setting should be protected from all development.

The applicant has responded to the concerns of the Town Council; they have stated that the proposed development would not have any direct impact on the Bwrdd y Triaglwydd monument, given its location within a field to the west of the road. Considering the setting of the applicant considers the existing tree and hedgerow boundary treatments and the presence of roads and farm properties limits the magnitude of impact to the monument.

With regards to from the Caer Drewyn Hillfort, there would not be any direct impact, however as stated in the Landscape and Visual impact section above, Officers consider the proposal would have an adverse impact on views from the monument. As the views from the hillfort across the landscape were an important defensive feature, Officers would therefore conclude that the proposal has the potential to also adversely affect the setting of the monument.

## **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 The proposed turbine has been put forward as a farm diversification scheme. Whilst the Council has previously given weight to the farm diversification merits of wind turbine applications which have been put forward as on-farm schemes, Officers consider this scheme differs from previous proposals. The agricultural unit is a smallholding that is currently used for rough grazing. The farm buildings are redundant and Officers understand the farmhouse has been unoccupied for some time; however there is an extant planning permission for a replacement dwelling at Hafotty Wen. The replacement dwelling however was not put forward as an agricultural workers dwelling or in connection with any farming enterprise and the majority of the redundant agricultural buildings would be demolished. The supporting information states the intention is for the applicant's son to live at Hafotty Wen once the replacement dwelling has been constructed and actively farm the land, however potential future uses of land cannot be given significant weight, and there is no requirement for the replacement dwelling to be occupied by an agricultural worker and it would in effect be a market house. Officers recognise that there is no definition of 'small scale renewable energy operations' referred to in TAN6, however as there is not an existing operational farm complex at Hafotty Wen and the land is used for grazing purposes only, Officers consider very little weight should be attributed to the farm diversification merits, but acknowledge the benefits need to be considered against other material considerations.
- 5.3 The Landscape and visual impact, including the cumulative effects of the proposed turbine in combination with the consented 225kW turbine at Maes Truan farm and impact on residential amenity, specifically noise, are considered to be the most significant material considerations.
- 5.4 The noise report submitted with the application has demonstrated that the turbine could comply with the 35dB cumulative noise limit at four unrelated neighbouring properties, and would only result in a slight exceedance of the 35dB at Bryn Ysguboriau, which Public Protection Officers have not raised an objection to. Whilst the cumulative noise from the consented and proposed turbine would be audible from neighbouring properties and may have an impact on amenity, subject to the application of specific planning conditions to control the noise levels at neighbouring properties, the proposal should not give rise to any unacceptable impact on residential amenity in terms of noise which would be of a level which would be detrimental to quality of life.
- 5.5 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 and in particular the impact of wind energy development on protected landscapes such as the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty.
- 5.6 In concluding on the issue of landscape and visual effects, Officers consider the installation of a single wind turbine with a tip height of 48m in this location in close proximity to a consented turbine at Maes Truan farm would serve to consolidate the presence of wind turbine development in this area of the county, which would have a harmful effect on the setting of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) and would result in a cumulative adverse effect on outward views from the Caer Drewyn hillfort, a scheduled ancient monument and important visitor destination within the AONB.



5.7 The benefits of the scheme in terms of increased renewable energy generation are material; however Officers consider on balance the benefits do not outweigh the adverse visual impacts, and therefore recommend the application is refused.

**RECOMMENDATION: - REFUSE** for the following reasons:-

1. It is the opinion of the local planning authority that a wind turbine proposed in such close proximity to a consented turbine at Maes Truan farm would serve to consolidate the presence of wind turbine development in an area of the county which is visually separate from the established windfarm landscape within the Clocaenog Forest area to the west and from the clusters of smaller scale wind turbine developments in the Gwyddelwern area, which would have a harmful effect on the setting of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) and would result in a cumulative adverse effect on outward views from the Caer Drewyn hillfort, a scheduled ancient monument and important visitor destination within the AONB. The proposal is therefore considered contrary to Local Development Plan policy VOE 1, VOE 9 and the advice and guidance contained in the Conwy and Denbighshire Landscape Sensitivity and Capacity Assessment for Wind Energy Development.

**NOTES TO APPLICANT:**

None