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14/2015/0854/PFWF

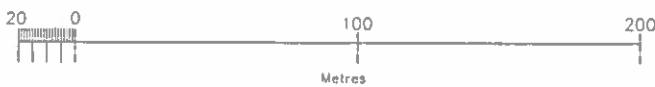
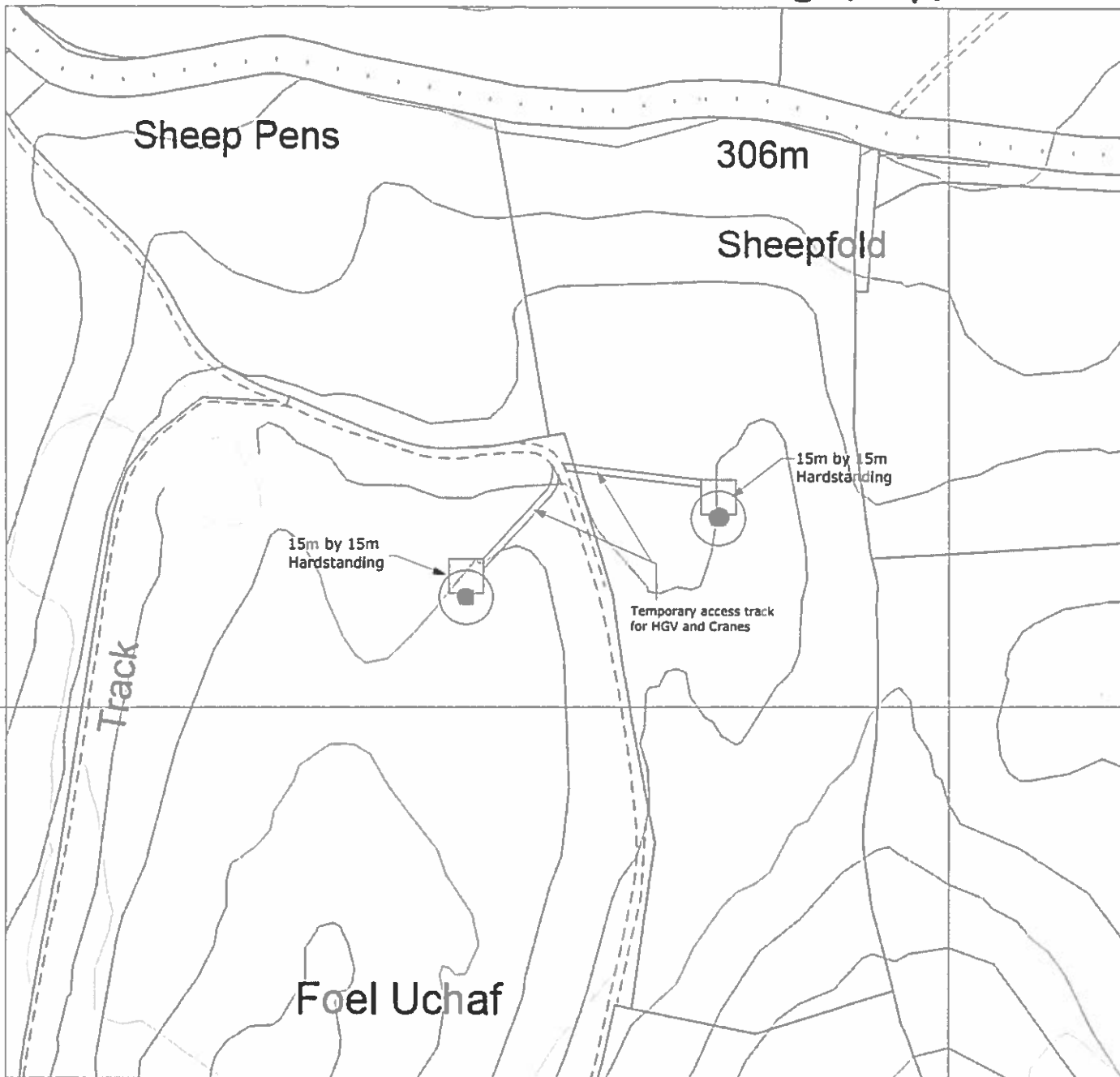
Scale: 1:5000

Printed on: 3/2/2016 at 10:19 AM



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SITE PLAN




Location Plan Scale 1:2500

Location of Wind Turbine= ●
 Grid Reference : 304790 359230
 304900 359265

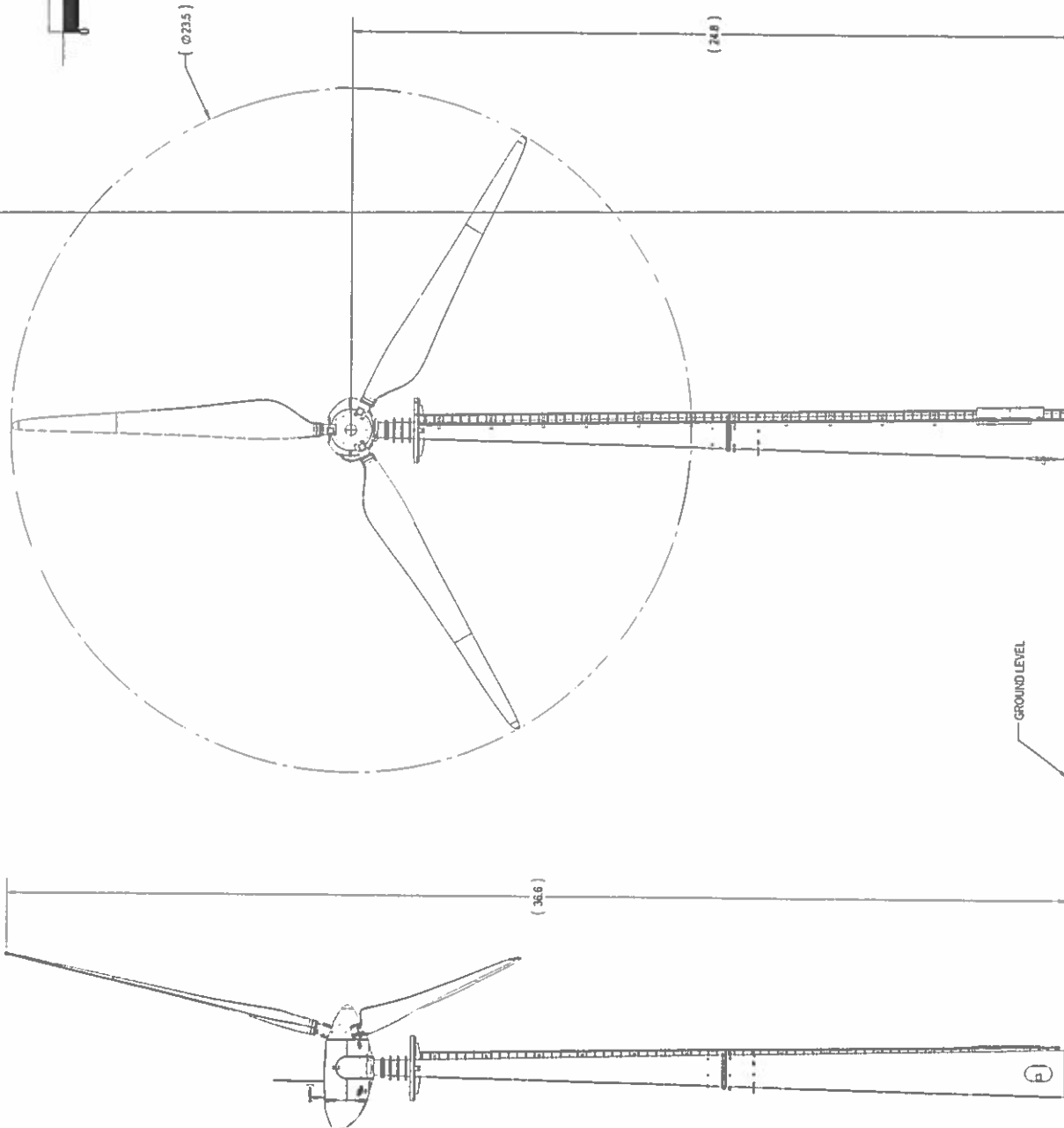
Applicants Land= ◻

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Project 4660 Wind Turbines		Rev. A	Site layout additions	29/07/15
Details Location Plan Scale 1:2500		Issue Planning Application Block Plan		
Plan Ref: Gethin-LP2500A	Scale: 1:2500@ A4 Unless otherwise stated	Client Foel Ucha Cyffylliog Ruthin LL15 2DP		
Date: 6/7/2015	Drawn: SPP	 Richard Adams Associates Ltd. Old Marton Hall Ellesmere Shropshire SY12 9HZ t. 07710065205 e. richard@richardadams.co.uk f. 01691 690689 w. richardadams.co.uk		



NOTE:
DIMENSIONS APPROXIMATE AND PROVIDED FOR PLANNING
PURPOSE ONLY.



TURBINE DETAIL

DO NOT SCALE DRAWING
UNLESS OTHERWISE SPECIFIED

ALL DIMENSIONS ARE IN METERS.
DIMENSIONING AND TOLERANCING AS PER ASME Y14.5M-1994.
DIMENSIONAL LIMITS APPLY AFTER FINISH.

MATERIAL	SCALE
See BOM	1:150
DRAWN BY	FORMAT
Rajesh (CPT)	B
DATE	REVISION
03/Sep/2014	1
APPROVED AND CHECK BY / APPROVAL DATE	DATE
	03/Sep/2014
PROJECT	TURBINE PROJECT
E-4660	

Endurance
wind power

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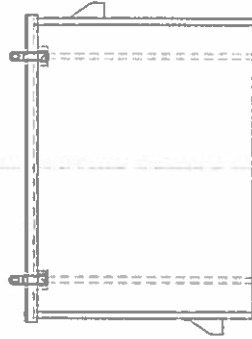
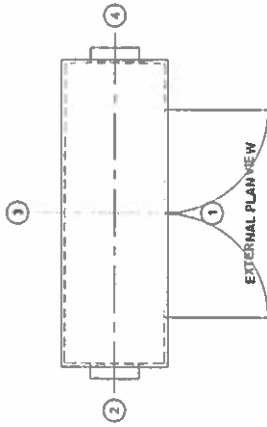
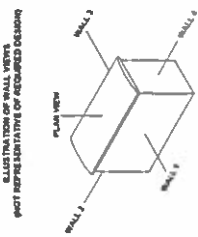
TITLE
E-4660 Elevation, 24m Tower, Class II

PART NUMBER	REVISION	PRINT DATE	SHEET
005668	1	03/Sep/2014	1 / 1

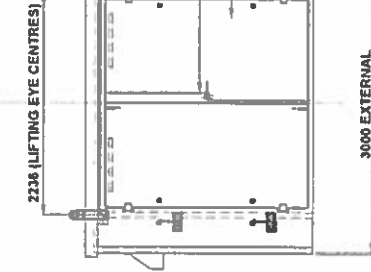
REV.	PAGE	DESCRIPTION	DATE	ASSIGNEE	ECO
1		Initial release	25/Aug/2014	DS	2009

EQUIPMENT HOUSING

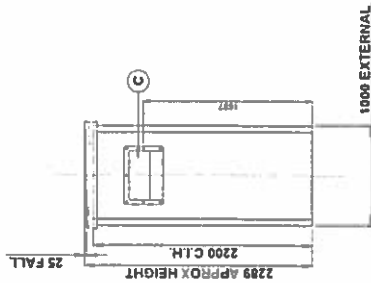
FOR MORGAN MARINE USE
 Release Ref: 102833 Date: 30.10.12
 Released By: M.P. Copies: LAM ASSY
 Checked Design: _____
 Checked Sales: _____



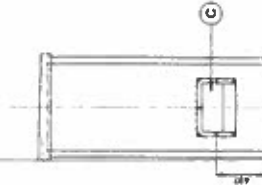
EXTERNAL VIEW WALL 3



EXTERNAL VIEW WALL 1



EXTERNAL VIEW WALL 2



EXTERNAL VIEW WALL 4

FINISH AND COLOUR			
FINISH COLOUR REF. CODE	EXTERNAL SEMI GLOSS 14C 39 TBC	INTERNAL GRP WHITE	ROOF SEMI GLOSS 14C 39 TBC
DOORS	DOORS (3)		

PARTS LIST

ITEM NO.	DESCRIPTION	SOURCE	QTY.	COMMENTS
1	WALL PANELS	LAM	4	
2	ROOF PANEL	LAM	1	
3	DOUBLE DOOR CW	LAM	1	2000W x 2000H
4	ROOF TRUSS	STORES	4	
5	DOOR TRUSS	STORES	4	
6	DOOR TRAY - HOOD & EYE	STORES	4	
7	SPRING TOWER BOLT	STORES	4	
8	3 POINT LOCKING - PADLOCKABLE	STORES	1	LAM INTERNAL
9	SLABING FIBRE REIN. 10mm	LAM	2	FOR ROOF
10	TREATED 18mm PLY MOUNTING BOARD	STORES	1	FOR ROOF

MANUFACTURING INFORMATION	
WALLS:	(2-3) GRP 18mm Ply / (2-3) GRP 70mm BATTENS @ 1000 Cntrs
ROOF:	(2-3) GRP 12mm Core / (2-3) GRP 18mm Ply Ribs @ 400 Cntrs WALL PLATE DEPTH: R1, R2, R3 = 50 : R6 = 50
BUILD TYPE:	READY BUILT
BASE FLANGE:	125mm FLANGE 75 x 50 x 6 UA
MOSK WEIGHT:	552 kg
LIFTING EYE CENTRES:	1734mm
OTHER INFO:	

STEPPED CONCRETE BASE. BE COMBINED.

Properly prepare and level the base. The concrete must be cured for 28 days before the enclosure is placed on it. The concrete must be cured for 28 days before the enclosure is placed on it. The concrete must be cured for 28 days before the enclosure is placed on it.

25 FALL

2200 CLH

2289 APPROX HEIGHT

1897

1000 EXTERNAL

EXTERNAL VIEW WALL 2

REV.	DATE	DESCRIPTION	BY
A	28.10.12	ISSUED FOR APPROVAL	M.P.
B	28.10.12	LIFTING EYE LOCATION ADJUSTED	M.P.

REV.	DATE	DESCRIPTION	BY
21600-05 77233	28.10.12	M.P.	21600-05 GA

<p>DESCRIPTION: MULTIFORM ENCLOSURES</p> <p>ITEM NO: C/JG0406</p>	<p>CLIENT: AEOLUS POWER</p>	<p>SOFTWARE: AutoCAD 2007 LT.</p>	<p>DATE: 30.10.12</p> <p>BY: M.P.</p>
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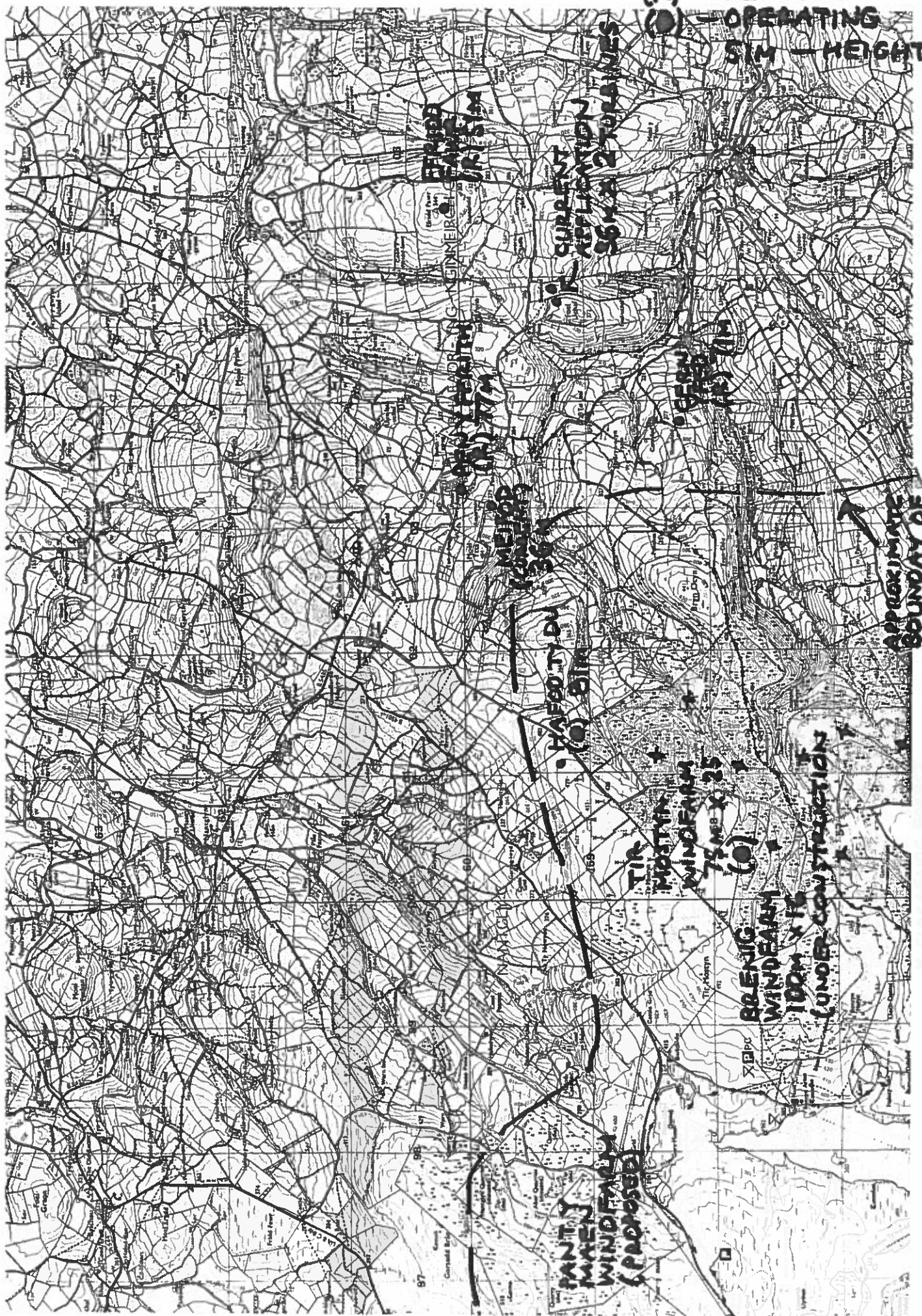
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TURBINE HISTORY IN THE LOCALITY

(R) - REFUSED

(O) - OPERATING

51M - HEIGHT



WARD : Llanrhaeadr Yng Nghinmeirch

WARD MEMBER: Councillor Joseph Welch

APPLICATION NO: 14/2015/0854/ PFWF

PROPOSAL: Installation of 2 wind turbines (hub height 24.8m, ground to blade tip height 36.6m) associated equipment housing and access tracks

LOCATION: Land at Foel Uchaf Cyffylliog Ruthin

APPLICANT: Mr EC Jones

CONSTRAINTS: PROW
Groundwater Vulnerability

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:

LLANRHAEADR Y.C. COMMUNITY COUNCIL

“Llanrhaeadr yng Nghinmeirch Community Council object to the above development for the following reasons:-

The significant negative visual impact on residents and tourists in the Llanrhaeadr yng Nghinmeirch parish.

The impact would be severe in Saron as well as surrounding areas of Peniel.

Consideration has been given to the cumulative impact of the existing Tir Mostyn and Foel Goch wind farms, the three North Wales Wind farms including the consented Clocaenog wind farm and the consented Brenig Wind farm , the proposed tip height extension to the Brenig turbines and the proposed overhead line connection. The community council feel that enough is enough. The proposed development would be in an elevated position and would have a significant negative impact.

Cumulative negative impact on noise when considering all of the above developments. Some residents already complaining of issues regarding noise from the existing turbines. Further development would add to this issue.

We do not feel that the viewpoints give a true representation of the negative impact the development would have on the area.

The areas affected are popular with tourists and walkers. Caer Mynydd caravan and camping site, Bryn Glas caravan club site and several Bed and Breakfast accommodations would be affected when considering the cumulative impact as mentioned previously.”

CYFFYLLIOG COMMUNITY COUNCIL

“...has no objections to the above planning application.”

NATURAL RESOURCES WALES

Does not object to the proposal as it is not likely to adversely affect any of the matters within their remit – statutory designated landscapes, statutory protected sites, protected species and habitat considerations.

In relation to landscape impact, suggests consultation with the Council's Landscape specialist on potential impacts on local / regional landscape interests.

AIRBUS

No aerodrome safeguarding objection.

NATS / NERL

No safeguarding objection to the proposal.

MOD

No objection. Request standard conditions be attached to any permission requiring developers to notify MOD of proposed start of construction and turbine details.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer

The Case officer has indicated there are no objections subject to a condition requiring details of the site compound, traffic management, and any alterations to the site access etc.

- Pollution Control Officer

In response to the original submission, requested the cumulative noise assessment included the Meifod turbine and use of a different approach to levels for cumulative assessment. Has forwarded additional information received from the applicants in early January 2016 to the Council's external noise consultant and his conclusions are awaited at the time of drafting this report. Members will be updated on this matter in the late information sheets.

RESPONSE TO PUBLICITY:

In support

J. Jones, Cern Yfed, Cyffylliog

O. Jones, Gelli las, Bontuchel

Summary of planning based representations in support:

Principle

Young family needs support other than farming / turbines are in a favourable position and low hub height

No tourism impact

Cyffylliog not flooded with tourism

Noise

Noise will not affect neighbouring property

In objection

R.G. Evans, Drws y Buddel, Saron

W. Lyons, Nant Bach, Cyffylliog

G. and M. Lloyd, Rhwng y Ddwy Afon, Cyffylliog

J and N. Williamson, Hendre Llan, Cyffylliog

D. and R. Waltho, Pen y Ffridd, Saron

Summary of planning based representations in objection:

Principle

Precedent / plenty of turbines in the area / Cyffylliog is becoming an area of turbines which people seem to apply for personal gain rather than diversification / questionable need for electricity at applicant's beef and sheep unit at Fynnon Ddu across the valley from the site – suggests all the electricity will enter the grid / site is outside SSA and would encourage sprawl outside the designated area

Landscape and visual impact

Unacceptable impacts on views from hamlets and residences in the area / degradation of view from Moel Famau / turbines would be an isolated, incongruous and distracting feature particularly when blades are turning / would be visible from distance (Rhyl, A55, Vale of Clwyd, Cyffylliog / turbines out of proportion with any natural feature / photomontages are limited – selective and few in number / development would add to cumulative impact of turbine development, with other applications before the Council / turbine would be an intrusive dominant feature on a prominent ridge near the summit of Foel Uchaf./ would further degrade views from the AONB / would create a precedent for resubmissions of schemes previously refused (Pen y Ffridd and Ffridd Fawr)

Impact on tourism

Impact on the enjoyment of the countryside, e.g. users of nearby trails (Clwydian Trail) / every additional turbine means it is impossible to develop the Denbighshire tourism industry, for a generation as less tourists will visit / less jobs for young people / degrades the community asset

Ecological impacts

Semi natural woodland and wildlife sites in close proximity / many wildlife species in the locality

Residential amenity impacts

Unacceptable visual and noise impact on nearby properties, e.g. Porth Farm , 600m away / visible from dwelling and garden at Hendre Llan / noise report does not mention Hendre Llan or others on the Cyffylliog side as receptors / turbines would be overdominant and oppressive / unacceptable cumulative impact / existing turbines are audible at 2km distance, and Tir Mostyn at 3.5km / noise assessment does not include undetermined planning applications in the locality including Meifod / potential for shadow flicker

Highways impact

Construction route involves narrow roads used as main routes to nearby towns by residents, and in part is poorly surfaced, inappropriate for use by heavy vehicles / Site near link footpath to Clwydian Way / precedent for further development affecting enjoyment of footpaths / Narrow rural approach roads

Other matters

Inaccuracies in application documents

Applicant's address is not Foel Uchaf as stated, but is a property in Cyffylliog / LVIA refers to use of Endurance X35 (225kW) turbines, drawings show Endurance E4660 (85kW) turbines, / acoustic assessment refers to Foel Uchaf , Bwlchau so has this used the correct location?

EXPIRY DATE OF APPLICATION: 14/10/2015

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant
- 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 the proposals

- 1.1.1. The application proposes the erection of two 85kW wind turbines, associated hardstandings and the construction of temporary access tracks for HGV's and cranes off an existing surfaced roadway leading from the public highway to the dwelling at Foel Uchaf near Cyffylliog. The submission includes details of a small equipment housing cabin, which it is indicated would be located at the base of each turbine.
- 1.1.2. The turbine type proposed is an Endurance E-4460 machine with 3 blades. The submitted drawings show these would have a hub height of 24.8 metres, a rotor diameter of 23.5 metres, and a ground to blade tip height of 36.6 metres.
- 1.1.3. It is indicated that the turbines will be connected to the existing 3 phase grid supply nearby.
- 1.1.4. The application is accompanied by a range of supporting documents including a Planning, Design and Access Statement which includes sections dealing with the planning policy context, need, amenity issues and summaries / conclusions on landscape, noise, heritage and related issues. There is a separate Ecological Appraisal, an Historic Environment Assessment, a Noise Assessment, and a Landscape and Visual Assessment. There are a number of plans and drawings showing the site layout, theoretical visibility of the turbine, photomontages and wireframes showing representations of the turbine from viewpoints in the area.
- 1.1.5. The Design and Access Statement confirms the applicant is a livestock farmer and the landholding on which the development site is located is used for livestock farming, being predominantly permanent grassland used for grazing and production of forage crops. It states the farm business uses a reasonable amount of electricity throughout the year which is all provided from the national grid; that generation will be exported to the grid and will develop an additional revenue for the farming business which is becoming vital to help meet the applicant's needs and plans to grow and diversify the business; in turn giving rise to the employment of local labour of a temporary and permanent nature and create jobs in the immediate vicinity.

1.2. Description of site and surroundings

- 1.2.1. The turbines would be sited close to the hilltop of Foel Uchaf, approximately 600 metres to the north of the dwelling and buildings at Foel Uchaf itself.
- 1.2.2. The village of Saron is 2.4km to the north west of the proposed site, and Cyffylliog village is some 2km to the south east.
- 1.2.3. The hilltop at Foel Uchaf is at 372m AOD and the ground level at the foot of the turbines is approximately 350 metres AOD and 340 metres AOD respectively.
- 1.2.4. The nearest operating turbine is the one at Hafod ty du near the Tir Mostyn windfarm, 3.5km to the west.
- 1.2.5. The noise assessment notes the following distances to residential properties in the vicinity :
 - Gwern y Gadfa - 447m from turbine 1 (T1) and 339m from turbine 2 (T2)
 - Porth - 621m from turbine 1 (T1) and 619m from turbine 2 (T2)
 - Tai isaf - 927m from turbine 1 (T1) and 1042m from turbine 2 (T2)
 - Min y llyn - 854m from turbine 1 (T1) and 969m from turbine 2 (T2)
 - Foel Uchaf - 515m from turbine 1 (T1) and 542m from turbine 2 (T2)

- Foel Ganol - 853m from turbine 1 (T1) and 781m from turbine 2 (T2)
- Tegfan - 1224m from turbine 1 (T1) and 1317m from turbine 2 (T2)
- Meifod - 1231m from turbine 1 (T1) and 1322m from turbine 2 (T2)

1.2.6. The plans at the front of the report show the location of the site relative to other properties, the Clocaenog Forest Strategic Search Area and to other turbines in the area, including respective sizes.

1.3. Relevant planning constraints/considerations

1.3.1. The site is in open countryside outside any development boundaries approved in the Local Development Plan.

1.3.2. The proposed location of the turbines is just under 2 km outside the eastern boundary of the Clocaenog Forest Strategic Search Area, some 4km to the east of the operational Tir Mostyn windfarm, and 3km to the north-east of the nearest turbine of the consented Clocaenog Forest windfarm.

1.3.3. The site is not within an area with a statutory landscape designation. The western boundary of the Clwydian Range AONB is some 9km to the east.

1.3.4. There is a public footpath running up from the public highway to the north west of the site, joining the existing access track which runs between the proposed turbines, and down to Foel Uchaf and beyond towards Cyffylliog village

1.4. Relevant planning history

1.4.1. There is no known history of planning applications specific to the hilltop location at Foel Uchaf. A Screening Opinion in relation to the need for Environmental Impact Assessment with an application for a 45.1m high turbine was sought in early 2015. A separate Screening Opinion has been issued in relation to the two turbine scheme now before the Committee.

1.4.2. There have been a number of applications for single turbines in the area around the site.

1.4.3. Planning permission was refused in March 2014 for a 500kW, 77m high turbine on land some 1.7km to the north west next to the poultry sheds adjacent to Pen y Ffridd Bungalow (landscape / visual impact, residential amenity impact on nearby dwellings, noise).

1.4.4. Planning permission was refused in February 2013 for a 400kW, 51m high turbine on land at Ffridd Fawr, some 1km to the north east (landscape / visual, precedent). The subsequent appeal to the Planning Inspectorate was dismissed in August 2013.

1.4.5. Planning permission was refused in October 2015 for a 500kW, 71m high turbine at Cefn Yfed, Cyffylliog, some 1.5km to the south west (landscape / visual, noise).

1.4.6. At the time of drafting this report, there is an undetermined application for a single 80kW, 36.6m tip height turbine at Meifod, Saron, approximately 1.7km to the west (application 23/2015/0773).

1.5. Developments/changes since the original submission

1.5.1. In the course of progressing the application, further information / clarification has been sought in relation to detailed matters such as landscape and visual impact and noise.

1.5.2. Additional information was submitted by the applicant's agent in early January 2016 in the form of a revised Design and Access Statement, a revised noise assessment by the company inacoustic, and further commentary on landscape and visual impact issues. Relevant information from these documents is referred to in the following sections of the report.

1.6. Other relevant background information

1.6.1. None

2. DETAILS OF PLANNING HISTORY:

Foel Uchaf site

2.1. 14/2015/0255 Screening Opinion for a 45.1m to blade tip turbine at Foel Uchaf .

No Environmental Impact Assessment required.

Issued 15/04/2015

Screening Opinion in relation to the current submission

No Environmental Impact Assessment required.

Issued January 2016.

Sites in the locality (see map at front of report for locations)

2.2. 23/2013/1330

Erection of 50m hub height (77m tip height) wind turbine in association with existing farm

Pen y Ffridd Poultry Farm, Saron, Denbigh (2km to the north west)

Refused 03/03/2014

Reasons -

1. In the opinion of the Local Planning Authority, the installation of a single wind turbine with a tip height of 77m in this location would be out of scale with the local landscape, giving rise to an undesirable impact on an area of high scenic value. The development would have a major detrimental visual effect on the local area and would dominate views from Saron, and when viewed from within 2km of the development, the turbine would be a prominent feature which would appear out of scale with agricultural buildings, dwellings and mature trees in vicinity of Moel Ytta. Moel Ytta itself provides an important visual barrier between Saron to the east and the Clocaenog Forest Strategic Search Area to the west, and a turbine in this location would be visually distinct from the windfarm development within the Strategic Search Area. The development would therefore give rise to unacceptable adverse landscape and visual effects, contrary to Denbighshire Local Development Plan Policies VOE 1, VOE 9 and VOE 10.

2. In the opinion of the Local Planning Authority, the turbine would have a major detrimental impact on the outlook from Tan y Foel, Plas Meifod and Ty Newydd, and would have a moderate adverse impact when viewed from other residential properties in close proximity to the site, matters which have not been fully considered in the Landscape and Visual Impact Assessment submitted with the application. The development would therefore have an unacceptable overbearing and oppressive impact on residential visual amenity, contrary to Denbighshire Local Development Plan Policies VOE 9 and VOE 10, and advice in Planning Policy Wales.

3. In the opinion of the Local Planning Authority, the submission documents do not satisfactorily demonstrate that acceptable noise limits can be achieved. The noise reports show that at least 5 properties (Pen y Ffrith bungalow, Plas Meifod, Ty Newydd, Isfryn and Bwlch-y-Gynog) would experience noise levels in excess of 35dBLA90 10min for wind speeds of up to 10m/s at 10m height in accordance with the ESTU-R-97 simplified assessment method, which is the Councils preferred approach for single turbines. The Council do not consider the background noise levels applied in the noise report are representative of the noise sensitive receptors in the locale of the site, and do not consider Pen y Ffrith bungalow meets the tests set out in ESTU-R-97 for financially involved properties. The proposed development would therefore give rise to unacceptable adverse noise effects which would be detrimental to the residential amenity of Pen y Ffrith bungalow, Plas Meifod, Ty Newydd, Isfryn and Bwlch-y-Gynog, contrary to Denbighshire Local Development Plan Policies VOE 9 and VOE 10, TAN 8 and TAN 11.

2.3. 23/2012/1358

Installation of a 400kW wind turbine, grid connection cabinets, access road and hardstanding

Ffridd Fawr, Prion (1km to the north east)

Refused 20/02/2013

Reasons for refusal -

1. In the opinion of the Local Planning Authority, the erection of 1 no. 400KW Wind turbine at 51 metres ground to blade tip height in this location would unacceptably harm the character and appearance of a landscape of County significance and set a precedent allowing for the proliferation of wind turbine development beyond the Strategic Search Area A (SSA A) as identified in Technical Advice Note 8 (TAN 8) and would have adverse cumulative impacts. The potential benefits of increased renewable energy generation are not considered to outweigh national and local policy objectives which seek to conserve and enhance the natural beauty of the County and the proposal is therefore contrary to Denbighshire Unitary Development Plan STRAT 7, GEN 6, ENV 1, NEW 8 and MEW (iii), and the principles set out in TAN 8 and PPW Edition 4.
2. In the opinion of the Local Planning Authority that this development does not amount to a "Farm diversification project" as it has not been demonstrated that it will directly benefit a local farm, it is considered that it is a standalone commercial venture and as such cannot be claimed to be supported by the principles of agricultural diversification outlined in Technical Advice Note 6 (TAN 6).

Subsequent appeal DISMISSED 27/08/2013

The Planning Inspector's decision letter concluded the turbine would cause serious harm to the visual qualities of the surrounding area, having regard to the visual effects, the prominent nature of the site and its place in the landscape, the intrinsic scenic qualities of the locality and the significance of the views affected. He considered the relationship with the nearby Strategic Search Area, but concluded the site was within an area of very different landscape character which sets a different context for the consideration of wind turbine proposals. In concluding, the Inspector took account of the arguments in support of renewable energy generation, the benefits in reducing energy cost overheads and providing an income stream to assist fund investment on the farm, but he did not consider these sufficient to outweigh the particular adverse landscape and visual effects identified - which in his judgement were unacceptable.

2.4.

23/2015/0463 Installation of one 500 kw wind turbine with hub height of 48m and a rotor diameter of 45m and associated works

Land At Cern Yfed Cyffylliog Ruthin (2km to the south west)

Refused October 2015 Planning Committee

Reasons:

1. It is the opinion of the Local Planning Authority that the erection of a 71 metre high 500kW turbine would have unacceptable adverse landscape and visual impacts affecting the sensitivity of the Aled Hiraethog Hills (East) landscape unit, and could set an undesirable precedent for similar medium to large size turbine development outside the Clocaenog Forest Strategic Search Area, with adverse consequences on the aforementioned landscape unit and the AONB further afield, which have high sensitivity to wind energy development. The scale of the turbine is not considered appropriate to the scale of the landscape and the dwellings in close proximity, where it is considered there would be significant adverse impact on visual amenity. The proposal is conflict with national and local policy objectives which seek to protect the local landscape and visual impact, and would further contribute to the spread of wind turbine development in this part of the County's attractive open countryside, giving rise to additional cumulative landscape impacts. The farm diversification merits of the proposal and the potential benefits of increased renewable energy generation are not considered to outweigh these concerns, and the proposal is therefore considered contrary to tests in Denbighshire Local

Development Plan policies VOE 9, VOE 10, and the principles set out in TAN 8 (para. 2.11 - 2.13) and PPW Edition 7, Section 12 (2014).

2. It is the opinion of the Local Planning Authority that the noise assessment information shows the noise level from the turbine is too loud not only from the individual assessment, but also cumulatively. It is unclear how the tables in the cumulative assessment spreadsheet have been populated with levels from the existing schemes, as there is no breakdown of them, and the noise levels that have been used make no allowance for uncertainty and are not derived from consented levels, as recommended in the Institute of Acoustics Good Practice Guide, hence the levels stated will be an underestimation. It is considered therefore that the application does not demonstrate the noise impacts arising from the development in combination with that from other turbines in the area, would be acceptable to occupiers of property in the locality, and it would be difficult to set a reasonable noise condition that would be enforceable, whilst still having confidence that it could actually be achieved. The proposals are considered to be contrary to tests in Denbighshire Local Development Plan policies VOE 9, VOE 10, and the principles set out in TAN 8 (para. 2.11 - 2.13) and PPW Edition 7, Section 12 (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 VOE5 – Conservation of natural resources

Policy VOE9 – On-shore wind energy

3.1. Supplementary Planning Guidance

N/A

3.2. Government Policy / Guidance

Planning Policy Wales Edition 8 January 2016

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 (2015)

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

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 8, January 2016 (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. Aviation and Radar
- 4.1.9. Tourism
- 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 that wind energy development is an acceptable means of securing generation of renewable energy is therefore established in national planning policy.

Technical Advice Note 8 (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 onshore wind in areas outside the Strategic Search Areas in paragraphs 2.11 - 2.14. The contents are of limited assistance to the consideration of applications for single turbines, however, as the advice relates initially to uses of urban / industrial brownfield sites and encourages the development of smaller community based wind farm schemes (less than 5MW), without providing any definition of what these may constitute or what may be appropriate to local circumstances. Para. 2.13 indicates most areas outside SSAs should remain free of large wind power schemes, and suggests local planning authorities may wish to consider the cumulative impact of small schemes in areas outside the SSAs, where there is a balance to be struck between the desirability of renewable energy and landscape protection. TAN 8 suggests that whilst that balance should not result in a severe restriction on the development of wind power capacity, there is a case for avoiding a situation where wind turbines are spread across the whole of a County.

The site is some 2km to the east of, and outside the Clocaenog Forest SSA.

Denbighshire Local Development Plan (LDP) 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 development category as outlined in the policy (schemes with a generating capacity of between 50kW and 5MW), 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 9 therefore provides 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.

In terms of representations, there are comments in support of the principle of the

development in support of a farming family. Those in objection consider there are too many turbines in existence or planned in the area, the permission would represent a precedent, Cyffylliog is becoming an area of turbines which people seem to apply for personal gain rather than diversification, there is questionable need for electricity at applicant's beef and sheep unit at Fynnon Ddu across the valley from the site and all the electricity will enter the grid, and that the site is outside the Strategic Search Area and would encourage sprawl outside the designated area.

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.

Local Development Plan policy PSE 5 relating to the Rural Economy supports development which helps to sustain that economy, tourism, commercial development, including agricultural diversification throughout the County subject to detailed criteria, which include making a significant contribution to sustainable development and recognising the special status of the AONB and AOB. The detailed criteria include assessment of appropriateness of scale and nature to the location.

Supporters of the scheme point to the benefits for a local farming family. Objectors suggest this is an income generating development not connected to farm diversification and has no community benefit.

The Design and Access Statement indicates that generation will create an additional income stream to help mitigate the cost of electricity consumption on the farm and will develop an additional revenue for the farming business vital to help meet the applicant's needs and plans to grow and diversify the business; in turn giving rise to the employment of local labour of a temporary and permanent nature and create jobs in the immediate vicinity.

No information has been provided to demonstrate the business case for the turbine proposal as a farm diversification, why it is necessary or justified to construct two turbines, or the relevance at this point of the feed-in tariff. The turbines would not be adjacent to any farm complex and therefore it is reasonable to assume that 100% of the energy generated by the turbines would be exported to the grid.

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, so Officers would conclude that some weight can be apportioned to the farm diversification merits of the scheme, as always, set against other material considerations relevant to the determination of the application.

4.2.3. Landscape and visual impact

The main LDP policy relevant to the visual and landscape impact associated with wind energy development is VOE 9. This requires due consideration of the normal environmental impact tests, including cumulative impacts on the surrounding area and community, which involves assessment of 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 Area of Outstanding Natural Beauty (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, including local areas designated or identified because of their natural landscape or biodiversity value.

PPW and TAN 8 provide the strategic policy framework for assessing wind energy development and contain some specific guidance on the detailed consideration of landscape and visual impact to assist local planning authorities determine planning applications. TAN8 Annex D states that within SSAs, the implicit objective is to accept landscape change i.e. a significant change in landscape character from wind turbine development. However, given the increasing number of consented wind turbine developments within and on the periphery of the SSA, it is imperative that cumulative effects are fully considered when planning applications are assessed.

There are a number of individual representations in objection on the landscape and visual impact of the proposals. These consider there will be unacceptable impacts on views from hamlets and residences in the area, degradation of views from Moel Fammau, that the turbines would be an isolated, incongruous and distracting feature particularly when blades are turning, and that they would be visible from distance (Rhyl, A55, Vale of Clwyd, Cyffylliog). There are also concerns that the turbines would be out of proportion with any natural feature and that the photomontages are limited, being selective and few in number, that development would add to cumulative impact of turbine development, with other applications before the Council, turbines would be an intrusive dominant feature on a prominent ridge near the summit of Foel Uchaf, / would further degrade views from the AONB and would create a precedent for resubmissions of schemes previously refused at Pen y Ffridd and Ffridd Fawr.

There are objections from Llanrhaeadr Y C Community Council, who consider there would be significant negative visual impact on residents and tourists in the Llanrhaeadr yng Nghinmeirch parish. The Council suggest the impact would be severe in Saron as well as surrounding areas of Peniel, and that consideration has been given to the cumulative impact of the existing Tir Mostyn and Foel Goch wind farms, the three North Wales Wind farms including the consented Clocaenog wind farm and the consented Brenig Wind farm , the proposed tip height extension to the Brenig turbines and the proposed overhead line connection. The Community Council feel that enough is enough.

Natural Resources Wales do not object to the proposal as they do not consider it is likely to adversely affect statutory designated landscapes (which is the scope of their interest on applications) but they do note in relation to landscape impact that the Council should have regards to potential impacts on local / regional landscape interests.

The Council's Landscape Consultant has not been consulted on the application but it is of interest that he concluded in relation to a 34m high turbine proposed in 2014 at Meifod (1.7km to the west, and nearer to the Strategic Search Area) that the proposal would have an undesirable impact on an area of high scenic value and could set a precedent for future development of similar sized wind turbines within the area, and recommended refusal of the application.

The Design and Access Statement includes the conclusions of the Landscape and Visual Assessment which reviews the effects on landscape character and designations; visual effects from residential, recreational, and vehicular receptors; and cumulative effects. The conclusions on most aspects reviewed are that the effects of the development will be slight or negligible. The Design and Access Statement concludes by acknowledging that while.. ' the development will impact on the landscape to an extent, it is clear that this impact is minimal when balanced against the overriding need to develop more energy from renewable sources'.

The applicant's agent has also offered comment on the issues raised by refusals of permission in the vicinity at Pen y Ffrith and at Ffridd Fawr. He has referred to the proposed turbines being less than half the height of the Pen y Ffrith turbine, suggesting these are more typical of agricultural scale turbines, and that issues relating to Saron and Moel Ytta are unlikely to be the same, as the proposed turbines are further from both. In relation to Ffridd Fawr, the agent comments that the proposed turbines are 30%

shorter, Ffridd Fawr is a more readily identifiable hill within the landscape, despite not being the highest (Ffridd Fawr being 344m, the top of Foel Uchaf being 372m), and it is suggested it is arguable that Ffridd Fawr is a more prominent hilltop than Foel Uchaf. In addition, the agent notes the bases of the proposed turbines would sit 20-25m below the summit of Foel Uchaf and at a separation of 200m, whereas the Ffridd Fawr turbine was 80m from the summit with a base only 10m below that summit; and that the photomontages indicate the proposed turbines would be more obviously removed from, and below the Foel Uchaf summit. In relation to views from the west towards the Clwydian Range, the agent suggests the turbines would not notably affect them as a result of the separation distances, the scale of the turbines, their location below the summit of Foel Uchaf, and the scarcity of publically accessible views from the west where the turbines and the Clwydian Range would be visible in the same view.

The Conwy and Denbighshire Landscape Sensitivity and Capacity Assessment for Wind Energy Development is a relevant consideration in relation to the application. It reviews and analyses information in the LANDMAP layers, which have been a useful reference for assessment purposes previously. Within the Sensitivity and Capacity Study, the proposed turbine is within landscape unit D17 (Aled Hiraethog Hills (East), which is referred to as an extensive upland landscape, rising immediately to the west of the Vale of Clwyd. The summary of sensitivity to wind Energy developments in D17 is 'high', and the characteristics noted are 'The sensitivity of this strongly undulating upland landscape with its mosaic of pastoral farmland, woodlands and historic settlements is further enhanced by its strong association and intervisibility with the AONB and views to and from important landscapes and cultural heritage features, including the historic town of Denbigh. This, combined with the presence of other sensitive visual receptors imparts a high degree of sensitivity'.

Section 6 of the Landscape Sensitivity and Capacity Assessment sets out guidance for wind energy development within defined strategy areas, in which Landscape unit D17 is included in Strategy Area 2 – Vale of Clwyd (although the site is close to the boundary with the Clocaenog Forest landscape unit). This section confirms the area has a 'high' sensitivity to wind energy development. It reviews designated features within the strategy area and then provides a Landscape Strategy and guidance for siting wind turbines, within which the 'Indicative Overall Capacity' section states as follows:

'Despite this strategy area's partial AONB status and high sensitivity there may be **capacity for further micro scale development** in addition to the one already present near St Asaph, but only where this relates well to the existing built environment. This could typically comprise **single turbines** up to 20m blade tip height. These should be clearly separated so that their effects remain local and there is no collective / cumulative defining influence on the landscape.'

The proposed turbine at 36 metres high falls outside the 'micro' scale development considered appropriate in the landscape strategy area section of the Assessment.

- Conclusions

The background material above confirms there are a range of factors to consider in relation to landscape and visual impact arising from the Foel Uchaf turbines.

There are clearly strong local concerns over the proposals, including objections from the Community Council and local residents. There is a history of decisions on turbine applications in the vicinity of the site which are material to the consideration of the application, and the agent has provided detailed responses to argue the proposals are acceptable.

In relation to the planning history, this is referred to in section 1.4 and detailed in section 2. There have been refusals on landscape / visual amenity grounds for a turbine at Pen y Ffrith, a turbine at Cefn Yfed to the south east, and a turbine at Ffridd Fawr to the north east. Whilst caution has to be applied to comparisons with other applications for turbines of varying height, these refusals reflect concerns over the spread of turbines

east of the Strategic Search Area and their effects on the quality of the landscape in this area. Hence whilst respecting the comments of the applicant's agent on comparison with other decisions, Officers consider the proposal to locate two 36m high turbines close to a prominent hilltop in this location do raise similar issues to those which were given weight in the determination of the applications at Pen y Ffrith, Ffridd Fawr, and Cern Yfed and which led to the refusal of permissions for those turbines. If a consistent approach is to be adopted towards the consideration of the Foel Uchaf application, then there are legitimate grounds of concern over the acceptability of the proposal for two turbines in terms of their landscape and visual impact.

In the above context, the particular concerns which Officers have here are that Foel Uchaf is visible as a conspicuous landscape feature from a wide area, divorced by some 3km from the Clocaenog Forest Strategic Search Area. The proposal is to site two turbines separated by a distance of some 100m, close to the top of a hill with an elevation of 370m AOD, and the two turbines would project over the top of the hill. The presence of two machines with rotating blades so close to one another in such a prominent location seems likely to create a visual distraction drawing attention to their presence, and there are locations where the turbines would appear as skyline features in the view towards the Clwydian Range. There are no turbines in similar hilltop locations in the vicinity and these would appear as significant isolated structures.

In terms of residential visual amenity impacts, it is to be noted that the turbines would be located relatively close to a dwelling at Gwern y gadfa, with one being within 340m of the property. The Case Officer has visited Gwern y gadfa to assess its relationship with the proposed turbine site. The topography is such in this location that the dwelling and farm buildings are in something of a dip, and whilst the turbines would be seen at virtually full height from the section of the driveway leading up to the public highway, they are not likely to be seen at full height from the dwelling and its garden area at their lower level. The main rear windows of the dwelling face approximately north west, and as the turbines would be located to the south east of Gwern y gadfa, what parts of the turbines that may be seen would not occupy the main view from any windows. With respect to the concerns from the owner / occupier of this property, it is not considered that the two turbines would appear as potentially dominating features, to the extent that a recommendation of refusal could be justified on the basis of residential amenity.

In concluding on this matter, Officers feel obliged to echo previously expressed concerns in relation to proposals for additional turbines on sites stretching out from the Strategic Search Area (SSA), and the effects of spreading the 'windfarm landscape' beyond that which will develop in the designated area, on the quality of the wider Denbighshire landscape. In this case, having regard to the history of refusals in the locality, consultation responses and the submission documents, Officers consider the proposal for two turbines in a prominent hilltop location would have a detrimental landscape and visual impact on an area of high scenic quality, appearing as isolated features extending wind energy development further into the fringes of the Vale of Clwyd, contrary to policy VOE9.

Officers' assessment echoes that of the appeal Inspector who dismissed the single turbine proposal at Ffridd Fawr barely 1km to the north east, on grounds that that development would cause serious harm to the visual qualities of the surrounding area, having regard to the visual effects, the prominent nature of the site and its place in the landscape, the intrinsic scenic qualities of the locality and the significance of the views affected. The Inspector considered the relationship with the nearby Strategic Search Area, but concluded the site was within an area of very different landscape character which sets a different context for the consideration of wind turbine proposals. It is considered the Foel Uchaf proposals for 2 turbines raises most of these concerns, and that landscape and visual impact is a significant negative factor in the weighing up of the application.

4.2.4. Noise

LDP Policy VOE 9 requires due consideration of impacts of wind energy development

on the surrounding area and community.

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, ESTU-R-97 proposes that a simplified noise condition may be suitable and recommends that noise is limited to 35dB_{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, ESTU-R-97 allows a higher level of 45dB limit.

The applicant's revised Noise Assessment, dated December 2015, indicates that the wind turbine noise level is below the criteria given in ETSU-R-97, that noise from the turbines complies with all relevant guidance on noise, and that noise should not be a constraint on the outcome of the planning application.

There are representations expressing objections to the application in respect of the potential noise impacts. These include the Llanrhaeadr Community Council who suggest there will be cumulative negative impacts in combination with other turbine development in the area. Private individuals point to the potential adverse impacts on nearby properties, failure to take account of potential receptors in the noise assessment, the fact existing turbines are audible at 2km distance, and Tir Mostyn at 3.5km, and the noise assessment does not include undetermined planning applications in the locality including Meifod.

Following a request for additional information and clarification of matters relevant to the noise assessment, the applicant's agent has submitted an additional assessment dealing with cumulative impacts. The information received has been passed to the Council's external noise consultant and it is anticipated that his conclusions and recommendations will be received in time for inclusion in the late information sheets for the February Committee meeting. Should noise matters remain unresolved as a result of these exchanges, Officers will request deferral of the item.

4.2.5. Shadow flicker

LDP Policy VOE 9 requires due consideration of impacts of wind energy development on the surrounding area and community.

There is an individual representation expressing concern at the possibility of shadow flicker from the turbines.

It is generally accepted that the incidence of shadow flicker depends on the position of the sun in the sky. Technical studies indicate 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 in this instance is 23.5m, therefore the potential impacts should only be experienced up to 235m from the turbine location, and only then within 130 degrees either side of north. The nearest residential property is approximately 340 metres to the north east of the nearest turbine, so this is unlikely to be affected.

Notwithstanding the above, as shadow flicker analysis is not an exact science, in the event that permission were to be considered, and as a precautionary measure Officers

would advise inclusion of a standard planning condition requiring mitigation measures to be applied should the incidence of shadow flicker be experienced by any nearby unrelated properties. On this basis, it is reasonable to conclude that the proposal would comply with policy VOE 9.

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 Ecological Appraisal concludes the site appears to pose a low risk to species present and visiting it, being in an exposed position. It recognises that there may be some value for foraging for some species of bird, but the improved grassland would not be considered of conservation significance, especially when taken within the context of the overall habitat in the area. It is suggested areas of dry heathland / acid grassland be avoided at construction stage.

Natural Resources Wales have not objected to the proposal. There is an individual representation drawing attention to Semi natural woodland and wildlife sites in close proximity and wildlife species in the locality.

In light of the comments of 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 Policy VOE 9 requires due consideration of the effect of wind energy development on the surrounding area and community, including transport impacts.

There are representations from private individuals noting the construction route involves narrow roads used as main routes to nearby towns by residents, and in part is poorly surfaced, inappropriate for use by heavy vehicles; that the site is near a near link footpath to the Clwydian Way.

The Council's Highways Officer has not objected to the application subject to conditions requiring details of the site compound location, vehicular access alterations and a traffic management scheme to be submitted prior to commencement of works.

In respecting the comments raised, on the basis of the Highway Officer's recommendation, subject to conditions being applied requiring the works to be carried out in accordance with the submitted Construction and installation Statement, Officers conclude there are no unacceptable highways issues raised by the proposal.

4.2.8. Aviation and Radar

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

No objections have been received from any aviation authority.

In the absence of objections, it is considered reasonable to conclude that proposed turbine would not have any adverse effects on aviation and radar interests in the area.

4.2.9. Tourism

LDP Policy VOE 9 requires due consideration of impacts of wind energy development on the surrounding area and community, which would include potential effects on the local economy.

There are individual concerns and comments from Llanrhaeadr Community Council regarding the potentially detrimental impact of turbine proposals on local tourism. These refer to impacts on the enjoyment of the countryside, e.g. by users of nearby trails (Clwydian Trail), caravan sites and bed and breakfast businesses, as it is suggested fewer tourists will visit, there will be less jobs for young people as such development degrades the community asset.

Whilst acknowledging points raised in relation to impacts on tourism enterprises, Officers would suggest there is limited evidence to support a refusal of planning permission for a 2 turbine development on this ground. Research has been mainly into the impact of wind farm development and tends to highlight both positive and negative findings in areas where wind farms have been established.

In conclusion, Officers consider that given the size and scale of the development proposed, there is no tangible evidence to suggest that the Foel Uchaf proposal alone would have a direct detrimental impact on the local tourism economy, and without further research on the cumulative impact of wind turbine development on tourism in Denbighshire, there would be no reasonable planning justification to refuse the application on this basis.

4.2.10. Other matters

In acknowledging points raised by individuals over the detailed contents of the application and inaccuracies / omissions, Officers are satisfied that there is sufficient information on which to draw reasonable conclusions on the key issues.

5. SUMMARY AND CONCLUSIONS:

- 5.1. The report sets out a number of considerations Officers suggest are relevant to the determination of this application, which involve factors that weigh in favour and against the grant of planning permission. There are representations in support and in objection to the Foel Uchaf application.
- 5.2. Planning policy at national and local level offer in principle support for suitable wind energy development including on the basis of contributions to green energy generation and farm diversification benefits. The supporting documents indicate that generation will create an additional income stream to help mitigate this cost and will develop an additional revenue for the farming business which is becoming vital to help meet the applicant's needs and plans to grow and diversify the business; in turn giving rise to the employment of local labour of a temporary and permanent nature and create jobs in the immediate vicinity. Unfortunately, no information has been provided to demonstrate the business case for the construction of two turbines as a farm diversification. The turbines would not be immediately adjacent to any farm complex.
- 5.3. Diversification merits may be relevant considerations to weigh in support of an application, but planning policies also caution support for developments with the need to have due regard to local impacts when determining their acceptability. These are matters which have given rise to expressions of concern from Llanrhaeadr YC Community Council and private individuals – which also have to be given due weight in the balancing exercise in determining the application.
- 5.4. Landscape and visual impact considerations are considered to be of some significance in this instance. In terms of basic principle, Members will be aware of Officers' previously expressed concerns over the spread of 'one-off' medium / sub-local authority scale wind turbine developments outwards from the Clocaenog Forest Strategic Search Area, on grounds that this has strategic implications on the ability of the Council to conserve the integrity of wider Denbighshire landscapes in the longer term. The proposal here is for two 36 metre high turbines in a hilltop location some 3km outside the Strategic Search Area, in an area of high landscape quality, and raises the same concerns for Officers.

- 5.5. 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 was to inform the development of Supplementary Planning Guidance (SPG) and assist the task of assessing the landscape and visual effects of wind energy development for development control purposes. The Sensitivity and Capacity Assessment is therefore a material consideration.
- 5.6. The aforementioned Assessment identifies the sensitivity of the landscape in the area of the turbine to wind Energy developments as 'high'. There are strong objections on landscape / visual impact from Llanrhaeadr Community Council and from private individuals, most of whom believe the development would be unacceptable. There have been refusals in the vicinity for individual turbines on landscape and visual grounds, including one at Ffridd Fawr to the north east which was the subject of an appeal, dismissed by the Planning Inspectorate in 2013. Ultimately, Officers believe there are potentially significant implications on the basis of adverse landscape and visual impacts from two 36m high turbines in a hilltop location and consider this to be a legitimate ground for resisting the grant of permission.
- 5.7. The conclusions and recommendations of the Pollution Control Officer and external noise consultant are awaited at the time of drafting this report. Information received in relation to the noise impacts will be included in the late information sheets, with Officers' comments on their significance to the recommendation below.
- 5.8. In concluding, in the light of the assessments and consultation responses, it is considered in respect of landscape and visual impact that in the absence of a clear policy framework which would enable the Council to take a more strategic approach to the determination of sub-local authority scale wind turbine proposals, that the Council should take a precautionary approach where adverse impacts are likely, to ensure the integrity of high quality local landscapes is not eroded by incremental wind turbine development, and to ensure a satisfactory level of amenity is maintained for the residents of the area. Whilst Members have considered smaller turbines (up to 50 metres height) to be acceptable as farm diversification projects in support of green energy, it is not considered farm diversification merits should outweigh the concerns in respect of the impact on the landscape and visual amenity of two 36m high turbines in this exposed location.
- 5.9. Having due regard to the above, and with every respect to the merits of the case, Officers do not consider it appropriate to lend support to the application.

The recommendation in this case is subject to receipt of the formal comments of the Pollution Control Officer and external noise consultant, and resolution of any outstanding matters relating to the issue of noise impacts from the proposals.

RECOMMENDATION – REFUSE for the following reasons:

1. It is the opinion of the Local Planning Authority that the erection of two 36 metre high turbines would appear as an isolated development having an unacceptable adverse landscape and visual impact. The impact would affect the sensitivity of the Aled Hiraethog Hills (East) landscape unit, and could set an undesirable precedent for similar medium to large size turbine development outside the Clocaenog Forest Strategic Search Area, with adverse consequences on the aforementioned landscape unit on the fringe of the Vale of Clwyd and the AONB further afield, which have high sensitivity to wind energy development. The proposal is conflict with national and local policy objectives which seek to protect the local landscape and minimise visual impact, and would further contribute to the spread of wind turbine development in this part of the County's attractive open countryside, giving rise to additional cumulative landscape impacts. The farm diversification merits of the proposal and the potential benefits of increased renewable energy generation are not considered to outweigh these concerns, and the proposal is therefore considered

contrary to tests in Denbighshire Local Development Plan policy VOE 9, the principles set out in TAN 8 (para. 2.11 - 2.13) and PPW Edition 8, Section 12 (2016).

RECOMMENDATION: REFUSE- for the following reasons:-

The reason is:-

1. It is the opinion of the Local Planning Authority that the erection of two 36 metre high turbines would appear as an isolated development having an unacceptable adverse landscape and visual impact. The impact would affect the sensitivity of the Aled Hiraethog Hills (East) landscape unit, and could set an undesirable precedent for similar medium to large size turbine development outside the Clocaenog Forest Strategic Search Area, with adverse consequences on the aforementioned landscape unit on the fringe of the Vale of Clwyd and the AONB further afield, which have high sensitivity to wind energy development. The proposal is conflict with national and local policy objectives which seek to protect the local landscape and minimise visual impact, and would further contribute to the spread of wind turbine development in this part of the County's attractive open countryside, giving rise to additional cumulative landscape impacts. The farm diversification merits of the proposal and the potential benefits of increased renewable energy generation are not considered to outweigh these concerns, and the proposal is therefore considered contrary to tests in Denbighshire Local Development Plan policy VOE 9, the principles set out in TAN 8 (para. 2.11 - 2.13) and PPW Edition 8, Section 12 (2016).

NOTES TO APPLICANT:

None