



CYNGOR
Sir Ddinbych
Denbighshire
 COUNTY COUNCIL

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

Tel: 01824 706800 Fax: 01824 706709

Heading:

REFERENCE NO. 07/2012/0539/PFT
 SIRIOR FARM
 LLANDRILLO, CORWEN



Application Site

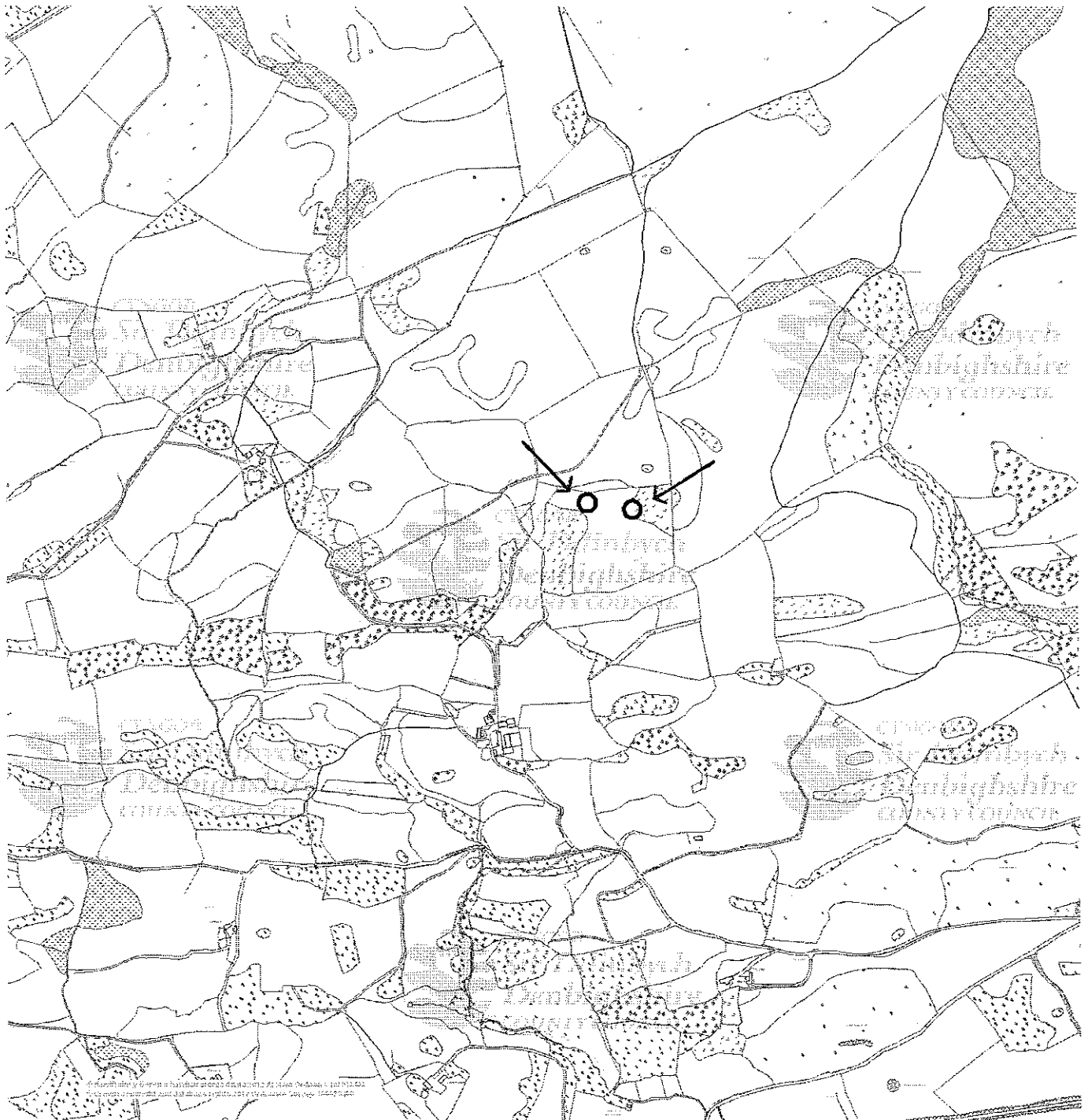


Date 4/10/2012

Scale 1/10000

Centre = 300514 E 338434 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.



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown copyright. Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Denbighshire County Council. 100023408. 2011.

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

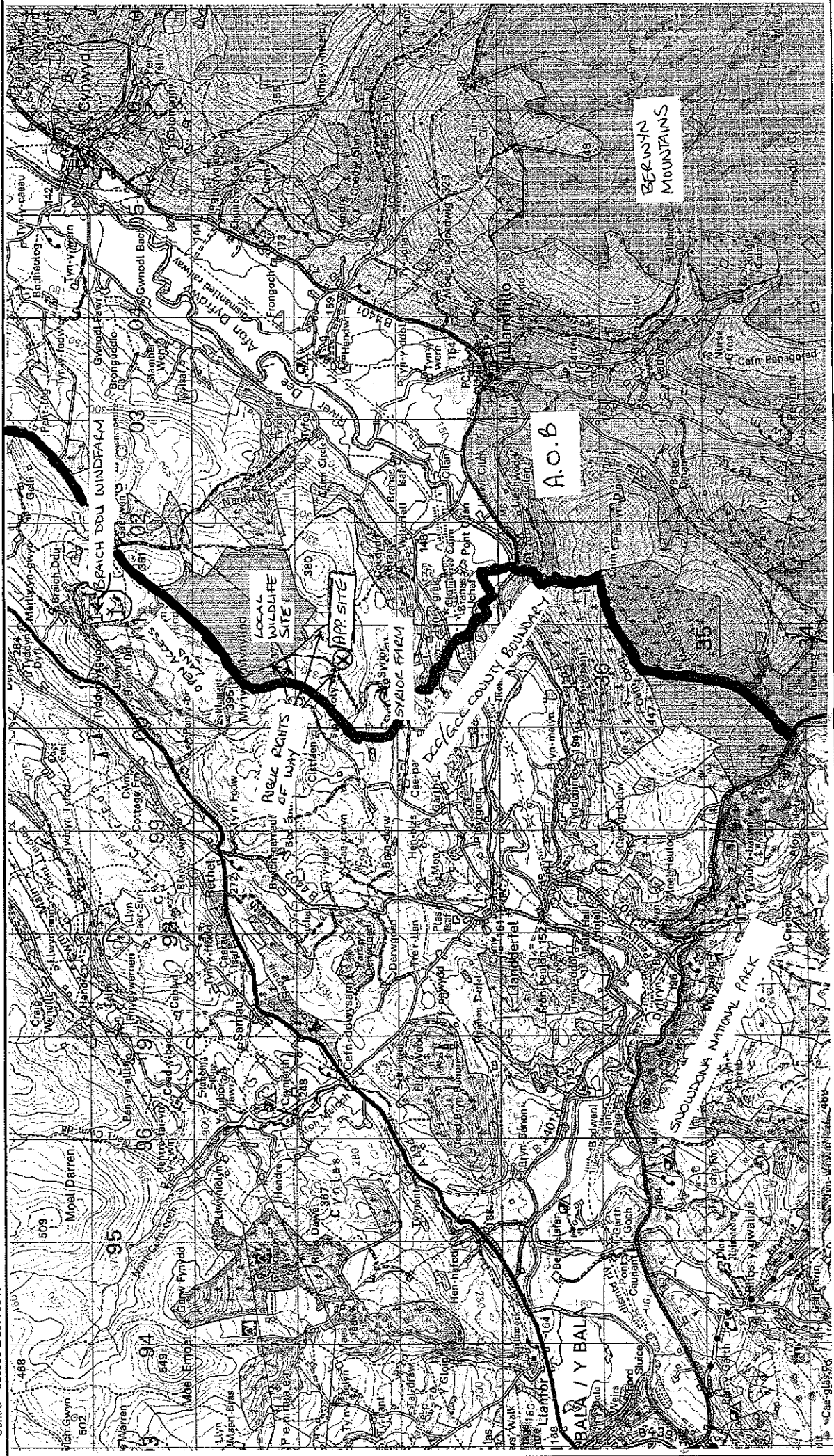
07/2012/0539 2 no. 50kW wind turbines, Synoc Farm, Llandinllo.

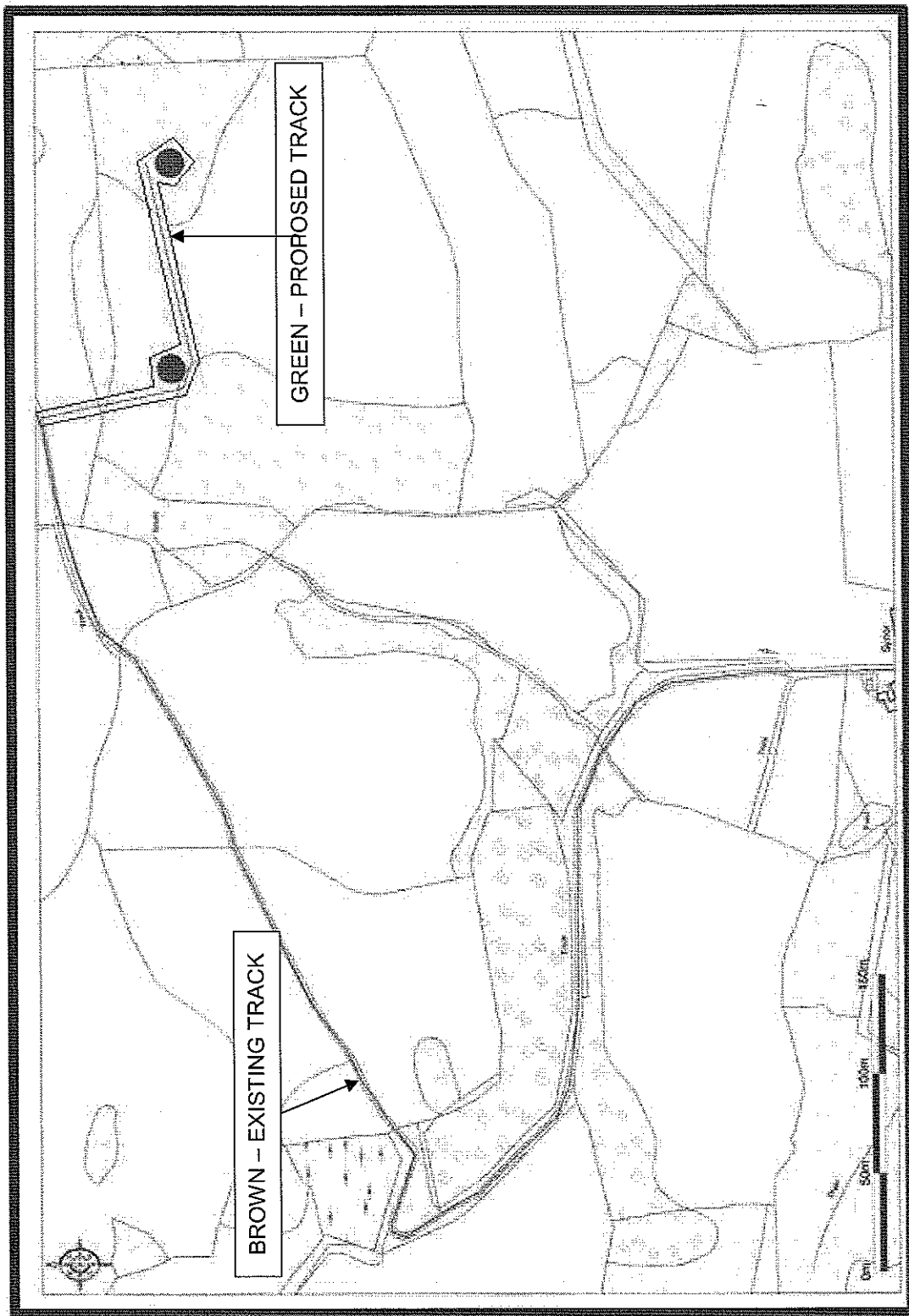


Date 1/10/2012

Scale 1/35000

Centre = 300006 E 337798 N





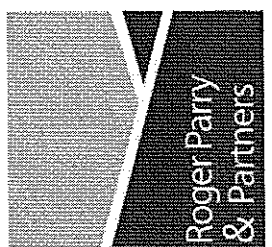
Based on Ordnance Survey with the permission of the Controller of HMSO © Crown Copyright Licence No. 100020449

- = Turbine Location
- = Application Site

JOB:	Proposed Wind Turbines
CLIENT:	DH & DR JONES
TITLE:	Site Plan as Proposed
LOCATION:	Syrflor Farm, Llandrillo, Conwen, LL21 0TA
SCALE:	1:2500
DATE:	May-12
DRAWING NO:	SYRIOR 01
DRAWN BY:	GEL

www.rogerparry.net
 richard@rogerparry.net
 Tel: 01691 655 334

Roger Parry & Partners LLP
 The Property Experts



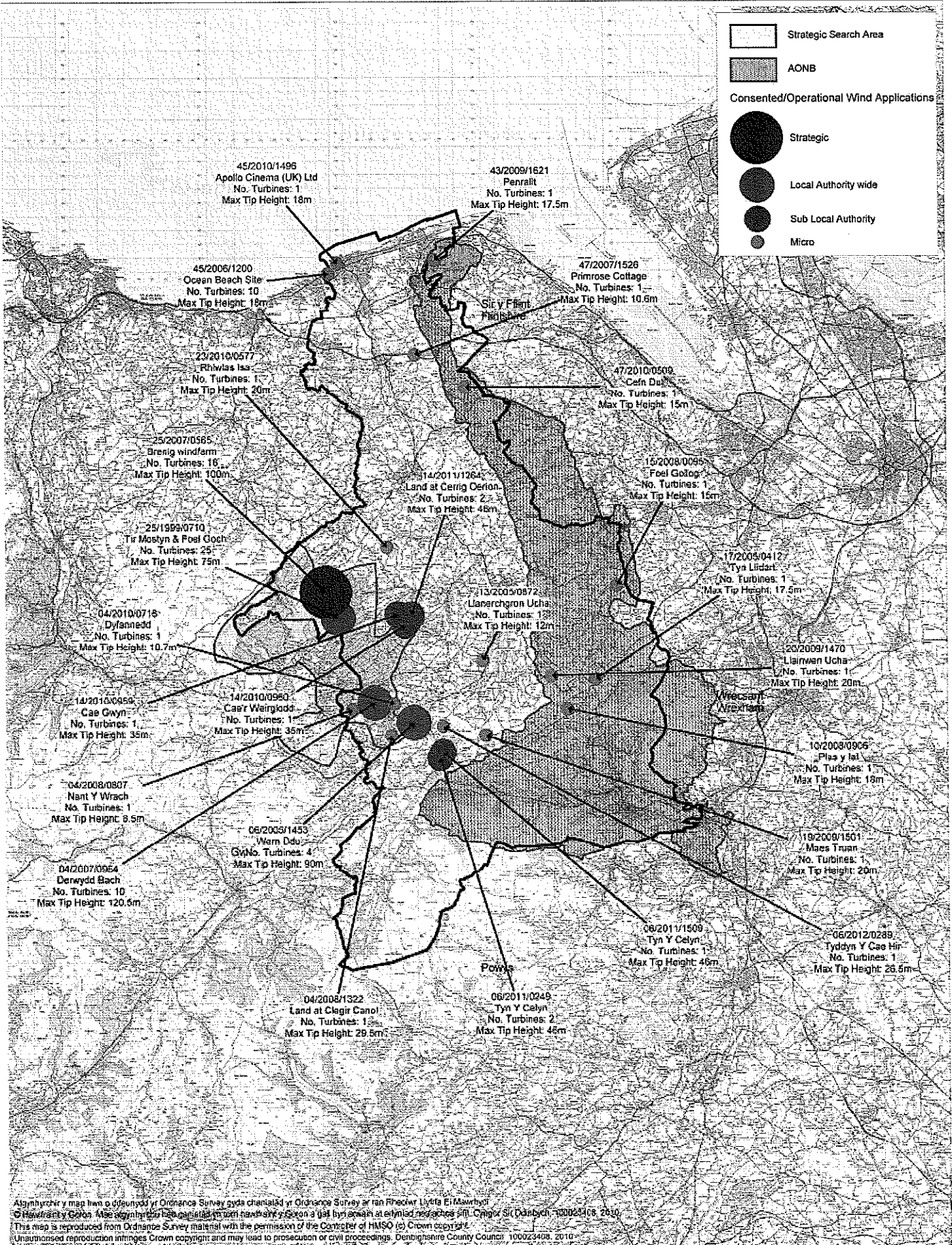


Consented/Operational Wind Applications as of 1st June 2012

Scale: 1: 250000
Date: 01/06/2012
Map Sheet:



Environment Directorate



Allynwch yr map hon o ddiwyd yr Ordnance Survey gyda chanddi yr Ordnance Survey ar lan Rheolwr Llyso Eri Mawrdd.
 © Crown Copyright. Map data by Ordnance Survey. All rights reserved. Denbighshire Council is a registered charity. Denbighshire Council, 100023408, 2010.
 This map is reproduced from Ordnance Survey material with the permission of the Controller of HMSO (c) Crown copyright.
 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Denbighshire County Council, 100023408, 2010.

ITEM NO: 1
WARD NO: Llandrillo
APPLICATION NO: 07/2012/0539/ PFT
PROPOSAL: Installation of 2 No. 50kw micro-generation wind turbines with control box and access track
LOCATION: Sirior Llandrillo Corwen
APPLICANT: Messrs D H & D R Jones DH & DR Jones
CONSTRAINTS: PROW
PUBLICITY UNDERTAKEN: Site Notice - Yes
 Press Notice - No
 Neighbour letters - No

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

- Member request for referral to Committee

CONSULTATION RESPONSES:

LLANDRILLO COMMUNITY COUNCIL

"No objection to the erection of two 50kW wind turbines, but some Members did point out that they are spoiling the natural beauty"

Re-consultation response:

"Following our Llandrillo Community Council meeting, we have no objection to the additional information"

COUNTRYSIDE COUNCIL FOR WALES (CCW)

Proposal has the potential to have adverse effects on landscape and protected species which has not been adequately addressed in additional information. CCW object to issue of consent for this proposal unless additional information can show it would not have adverse effects.

Re-consultation comments:

Landscape: Proposal is within 4km of Snowdonia National Park, 6.2km from the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) and within 4.4km of two Landscape of Historic Interest Areas (Y Berwyn and Y Bala a Glannau Tegid).

Scheme will generate adverse visual effect from parts of north Berwyn (including parts of Landscape of Historic interest area) and in particular the access land and public rights of way in this area. Photomontages from viewpoint 5 and 'additional' viewpoint confirm this.

Cumulative effect of the proposal has not been considered – CCW advise that a revised landscape assessment to be submitted which assesses cumulative impact of proposal in combination with Braich Ddu windfarm and proposed Mynydd Mynyllod windfarm.

Protected Sites: proposal will not affect any statutory protected sites of ecological, geological or geomorphological interest. Whilst within 3km of the Berwyn SPA, unlikely to impact on ornithological features of SPA.

Protected Species: CCW are aware of several bird species in the environs of the application site, most notably breeding curlew. Wind turbines up to 600m of curlew nesting sites have the potential impact on curlew breeding territories through displacement and/or disturbance.

Ornithological report submitted shows curlew were recorded in area, however it contains no assessment of the possible impact on curlew - CCW advise that further additional information is required in on proximity of the nearest curlew breeding sites, and an assessment of possible impacts on curlew breeding territories.

In conclusion, CCW would object to issue of consent for this proposal until further additional information is provided.

ROYAL SOCIETY FOR THE PROTECTION OF BIRDS

No response received.

NATS (EN ROUTE) PUBLIC LIMITED COMPANY (NERL)

NERL is responsible for civilian en-route air traffic control over the UK and is regulated by the CAA.

No safeguarding objection to the proposal.

MINISTRY OF DEFENCE

No response received.

AIRBUS

No aerodrome safeguarding objection.

GWYNEDD COUNTY COUNCIL

Do not make specific comments on the proposal except to draw attention and consideration in respect of any cumulative effects. Also note that Gwynedd County Council have issued a scoping opinion for the erection of 2 no. 125m turbines at Bodelith Isaf, Bethel, Llandderfel, which is close to the application site.

SNOWDONIA NATIONAL PARK AUTHORITY

Turbine may be visible from areas within the Snowdonia National Park and also newly extended Clwydian Range AONB. Whilst some photomontages have been provided, they are limited to locations close to the development.

There may be viewpoints to east of the proposed site where the two turbines will be seen against the backdrop of the Aran range of mountains and consequently the proposed development may impact adversely on the National Park's setting, and the setting of the AONB. Consider the main impacts to be views out of the National Park down the Dee valley from its eastern boundary on the B4391 at Parc Caletwr and on views into Snowdonia from the public rights of way and open access land on Mynydd Mynyllod.

Note that the visual and landscape analysis does not consider cumulative impacts of turbines with existing (Braich Ddu) and proposed (Mynydd Mynyllod and Bodelith) in the locality.

Consider the visual impact of turbines of different sizes and design would be inharmonious and visually confusing.

Re-consultation comments: no further comments to add.

CLWYDIAN RANGE AND DEE VALLEY AONB JOINT ADVISORY COMMITTEE

The JAC objects to this proposal on the grounds of its harmful impact on important views from the nationally important landscape of Y Berwyn. In particular, the JAC considers the proposal will have an unacceptable industrialising effect on the unspoilt and open views of the wild and remote landscape of Snowdonia and Y Berwyn. Although development is more distance from existing AONB, there will be similar effects on views of Snowdonia from higher ground of the AONB.

Note there are a number of existing turbines visible to the north of the proposed site, and JAC is concerned about cumulative effects of a further spread of such development between Clocaenog SSA and Snowdonia.

Consider the harmful landscape impacts significantly outweigh the renewable energy benefits.

KEN SKATES AM FOR CLWYD SOUTH

Has been contacted by applicant (a constituent) regarding this application. Has clarified that this application has nothing whatsoever to do with Scottish Power Renewables and requests that this application is considered separately from the Mynydd Mynyllod windfarm and the benefits of the proposal are given due consideration.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

TRANSPORT AND INFRASTRUCTURE – HIGHWAYS

No objections in principle, but have concerns regarding construction traffic as it is a difficult route from A roads to the site.

Requested additional information from applicant to clarify the specific access / egress route and specific type and size of vehicles to be used.

Re-consultation comments: No objection to the proposal following re-consultation. Request the applicant's attention is drawn to Advisory Notes should planning permission be granted.

TRANSPORT AND INFRASTRUCTURE - PUBLIC RIGHTS OF WAY

Public Bridleway 6 (Llandrillo Community) will be affected due to the fact it will be used as an access track for heavy vehicles during construction. Planning conditions would be required to safeguard the Public Right of Way (PRoW). Permission from the local highways authority would be required to temporarily close the PRoW.

TECHNICAL OFFICER (POLLUTION)

No objection to the proposal subject to planning conditions being imposed to control the noise emitted from the turbine to ensure it does not exceed 35dB in accordance with industry guidance (ETSU-R-97).

SENIOR SCIENTIFIC TECHNICAL OFFICER

(Consulted in response to public objections raising concerns regarding impact on private water supplies)

The properties referred to in the public representations are in Gwynedd. From Council's mapping, do not think that the spring source would not be in proximity, but Gwynedd County Council would hold the site specific information.

BIODIVERSITY OFFICER

No objection in principle, but more information required to assess ecological impacts.

Mynydd Mynyllod Wildlife Site and other nearby habitat are known to support red and amber list bird species. Limited ecological information submitted with the application was not sufficient to be able to determine the potential impacts of the proposal.

The farm is part of the Tir Gofal scheme and had previously carried out a phase 1 habitat survey. Following discussions with the agent and a site visit, the Council's Biodiversity Officer confirmed that a new phase 1 habitat survey would not be required, but an ornithological survey would be necessary.

Re-consultation comments on Ornithological Desk Survey: The information gathered in survey is fine, however it doesn't go into recommendations (e.g. for surveys). Study does conclude that species from the Berwyn SPA and various protected species could use the site but it doesn't go into potential impacts on these species/sites or any mitigation measures.

LANDSCAPE CONSULTANT

The landscape consultant conducted a landscape and visual assessment focussed on the following issues:

- The effect of the proposal upon the landscape character, locally accessible public views and residential amenity
- How the proposal would relate to existing wind development in the locality, the emerging pattern and implications on cumulative landscape impacts.

Summary of comments:

Landscape and Visual Assessment: Site lies within Mynydd Mynyllod LANDMAP visual and sensory character area characterised as a remote visually distinctive upland hill with high scenic value. It is an important transitional landform between farming lowland to the east and the dramatic upland scenery to the west and is distinctive in its own right. It is of regional / county significance for its High scenic quality, High character, High rarity and Moderate integrity.

Visual change in character to this landscape as a result of the proposal would not be very apparent within Dee Valley due to landform and wooded slopes. Turbines would be evident on the skyline of over 3km, and would result in a small magnitude of change upon visual receptor of moderate sensitivity / slight adverse effect on road users.

Longevity of coniferous woodland along valley skyline is integral – removal of woodland could result in proposal significantly change the integrity and character of Dee Valley.

Views from Berwyn open access land and public rights of way network not been considered within DAS. Berwyn is of Outstanding character and high quality, integrity and rarity. Valued as accessible, scenic, wild and remote landscape of national significance and westerly flanks of ridgeline are part of historic landscape.

Sensitive views and cumulative impacts: number of public rights of way descend from Berwyn ridge and into valley – provide panoramic views of regional scale landscape within which Mynydd Mynyllod and Dee Valley sit.

Braich Ddu windfarm is an established prominent feature and Wern Ddu windfarm evident in the distance to the north. Although proposed turbines are of a smaller scale to Braich Ddu, would give the appearance of the incremental spread of wind development extending the broken line from the Clocaenog plateau.

Consider the pattern of development to have an unacceptable cumulative landscape impact upon views from the Berwyn; sense of expanse and uncontained views associated with Berwyn would be harmed. Would be seen against eastern edge of

Snowdonia mountains, where they would harm the wild, remote perceptual qualities of views into Snowdonia.

Summary: Proposal would:

- adversely affect the perceptual qualities of views from the Berwyns;
- compromise views of Snowdonia affecting the wild and remote qualities of landscape;
- in conjunction with existing wind development, lead to an adverse cumulative impact.

Recommendation: Due to adverse and cumulative landscape impacts, contrary to UDP policy and recommend refusal.

RESPONSE TO PUBLICITY:

IN SUPPORT:

6 no. representations received from:

Dan	Puw	Gwernydd	Parc	Bala	LL23 7YW
John	Jones	Mona Tractor Co. Ltd	Denbigh Road	Ruthin	LL15 2TN
Arwel	Griffiths	Ty'n Ffridd	Sarnau	Bala	LL23 7LG
Iwan	Jones	Wnallt Bach	Maerdy	Corwen	LL21 0PG
Mr S	Nahed	Pale Hall	Pale Estate	Llandderfel	LL23 7PS
Huw T	Jones	Farmers Union Wales	Ty Mawr, Llys Owain	Dolgellau	LL40 1AF

Summary of planning based representations in support:

Principle: Support principle of development, safer option than nuclear power / Feel email campaign to encourage objections to this scheme is not representative of local opinion / corresponds with Welsh Government sustainable energy policy

Farm Diversification: agricultural industry facing difficult times – important that farmers can diversify and are able to employ local agricultural workers / Single Payment Scheme reductions will mean farm faces a huge loss, and need to secure income from other sources / renewable energy schemes way forward for mountain farms

Economic Benefits: will help to secure farming business, which will in turn benefit local agricultural businesses who are dependent on a vibrant rural economy / venture will ensure farm can provide work for local people / will not impact on tourism

Landscape Impact: size of scheme is small and irrelevant / proposed development will suit landscape

IN OBJECTION:

80 no. representations received from:

2 no. representations from Campaign for Protection of Rural Wales (CPRW) local branches:

E Andrews	CPRW - Meirionnydd Branch	26 Seaview Terrace	Aberdyfi	LL35 0LL
-----------	---------------------------	--------------------	----------	----------

Michael Skuse	CPRW - Clwyd Branch	Caenant	Llangynhafal, Ruthin	LL15 1RU
---------------	---------------------	---------	----------------------	----------

69 no. representations from Denbighshire and Gwynedd residents:

David & Bromfield (& Helen Marshall)	Pen y Geulan Bran	Cynwyd	Corwen	LL21 0ET
John Broughton	Blaen Dinam	Llandrillo	Corwen	LL21 0TB
Wayne Carrow	5 Gwern Gwalia	Glan yr Afon	Corwen	LL21 OHG
Chris Cheshire	Pant Teg	Cynwyd	Corwen	LL21 0EU
Ian & Pat Preston Cilan			Llandrillo	LL21 0SY
Peter Cottee	Bryniau Golau	Llangower	Bala	LL23 7BT
Tina Davies	Tyn Llechwedd	Bethel	Bala	
J L Davies	Tyn Llechwedd	Bethel	Bala	
Eirian Davies	Bryn Melyn Farm	Llandderfel	Bala	LL23 7RA
Alun Davies	16 Fron Haul		Ruthin	LL15 1JD
Gordon Dyos	Ysgubor Newydd	Llandrillo	Corwen	LL21 0SY
Peter Field	Pen y Bont Touring Park	Llangynog Road	Bala	LL23 7PH
Mr CJ & Mrs B Foster	Efail y Bont	Llandrillo	Corwen	LL21 0NB
Boris Gold	Hafoty Wen	Llandderfel	Bala	LL23 7RG
Annabel Gravestock	Oak House	Cynwyd	Corwen	LL21 0LW
Andrew & Dilys Wyn Greenough	Pant y Llyn	Llandrillo	Corwen	LL21 0TE
John Griffiths	Cwm Cottage	Bethel	Bala	LL23 7LB
Gareth Griffiths	Bryn Teg	Cae Croes	Bala	
Yvette Gulland	Tyn y Fron	Llandderfel	Bala	LL23 7RG
Brian Gulland	Tan y Fron	Llandderfel	Bala	LL23 7RG
Sheila Harman	Bryniau	Llanuwchllyn	Gwynedd	LL23 7ST
Peter Harman	Bryniau	Llanuwchllyn	Gwynedd	LL23 7ST
L Harrison	Siamber Wen Farm	Cynwyd	Corwen	LL21 0ET
Anna Hayward	Ty Hen	Sarnau	Bala	LL23 7LG
Toby & Stephanie Hickish	Caerau Uchaf	Sarnau	Bala	LL23 7LG
S G Hickish	Caerau Uchaf	Sarnau	Bala	LL23 7LG
Wendy Hollis	12 Bro Helyg	Llandrillo	Corwen	LL21 0TR
W E Hollis	12 Bro Helyg	Llandrillo	Corwen	LL21 0TR
Michael & Norma Horton	Sunnyridfe	Cynwyd	Corwen	LL21 0HP
D H Insall	Blodnant	Tynant	Corwen	LL21 0PS

LesleyJames	Bryn Penllyn	Llandrillo	Corwen	LL21 0TE
Andrew Jedwell	Heol Gaud	Cynwyd	Corwen	LL21 0NE
Wyn & Edna Jones	Fronguddio	Cynwyd	Corwen	LL21 0ET
Tricia Jones	Bod Erw	Llandrillo	Corwen	LL21 0SW
Mair Jones	Hendre Gwalia	Llanuwchllyn	Bala	
David Meyrick Jones	Llawrbetws Uchaf	Glanrafon	Corwen	LL21 0HD
Carol Keys-Shaw	Y Beudy	Measmor, Maerdy	Corwen	LL21 0NS
Mrs P Ledsham	5 Rhodfa Gwilym		Trefnant	
Paul Lines	Penrhos	Llandrillo	Corwen	LL21 0SU
Mrs R Lister	2 Tair Organ	Cynwyd	Corwen	LL21 0LG
Mrs June Lister	2 Tair Organ	Cynwyd	Corwen	LL21 0LG
Hilary Madeley	Coed Moelfa	Cynwyd	Corwen	LL21 0NA
Rachel Madeley-Davies	Fedw Arian	Rhyd Uchaf	Bala	LL23 7SB
Deborah McLarnon-Riches	Y Bwthyn	Faerdref, Cynwyd	Corwen	LL21 0NE
Beverly Moss	Pen Cefn Cottage Holidays	Ty Hen, Sarnau	Bala	LL23 7LG
Adrian Moss	Pen Cefn Cottage Holidays	Ty Hen, Sarnau	Bala	LL23 7LG
Hilary Murray	1 Arenig Street		Bala	LL23 7AH
Fay O'Mailey	Ballia	Waterfall Rd, Cynwyd	Corwen	LL21 0LH
Chris Park	Wern Y Pistyll		Corwen	LL21 0NA
David Poole	Blaen Gwnodl Uchaf	Cynwyd	Corwen	LL21 0ET
Dena Proctor	Ty Isaf Dinam		Llandrillo	LL21 0TB
Wendy Pryce-Jones	Glassblobbery	Glanrafon	Nr Corwen	LL21 0HA
David Pryce-Jones	Glanrafon Hall	Glanrafon	Nr Corwen	LL21 0HA
Dafydd Roberts	Byrgoed	Llandderfel	Bala	LL23 7RE
Colin Roberts & family	Ffron Heulog	Llandderfel	Bala	LL23 7RD
Mrs S Robinson	Branas	Llandderfel	Bala	LL23
Karen Roden	Waen yr Hydd	Cynwyd	Corwen	LL21 0NE
Stephen Rose	Cilgwri	Glanrafon	Corwen	LL21 0HA
Peter & Jennifer Sandle	Llygad-Yr-Haul	Waen	Nantglyn	LL16 5PU
John & Susan Steele	Bryn Hyfryd	Llandderfel	Bala	LL23 7HP
G L Strasst	Fron Goch	Cynwyd	Corwen	LL21 0NA
Peter Stroud & Julia Greaves	Tyddyn Ysgubor	Glanrafon	Corwen	LL21 0HE
Mr K G & Mrs K Boys-Yates	Ty Mawr	Ty'n y Cefyn	Corwen	LL21 0ER
Catherine Upton	Nantyr	Cynwyd	Corwen	LL21 0LY
B W Webb	Tyddyn Llan	Llandrillo	Corwen	LL21 0ST

Melanie Williams	Cysgod y Coed B&B	Llanfor	Bala	LL23 7DU
Mrs E M Williams	Tan y Castell	Llanuwchllyn	Bala	LL23 7TA
Mel Williams	Tan y Castell	Llanuwchllyn	Bala	LL23 7TA
Mrs N Wivell	Pen y Bont Farm	Cynwyd	Corwen	LL21 0ET

9 representations received from members of the public from outside of Denbighshire and Gwynedd:

Del Brown	The Crow	Wrexham Road	Whitchurch	SY13 1JE
Emily Burridge	The Flat	Wincombe House	Shaftesbury, Dorset	SP7 9AB
Rosemary Cooper	Greywings, 7 Cross Likey	Church Stoke	Montgomery, Powys	SY15 6AL
Nina Hansen	26 Oadfield Avenue	Upton Heath	Chester	CH2 1LQ
Gwynn Jones	19 Averil Vivian Grove		Swansea	SA2 0JP
Carys Jones	19 Averil Vivian Grove		Swansea	SA2 0JP
Maria Nelson	25 Oakfield Avenue		Chester	CH2 1LQ
Satch Norton	Slate House	Llanwnnog	Caersws, Powys	SY17 5NE
Helen Povey	78 Wyndham Drive	Cefyn y Bedd	Flintshire	LL12 9YD

Summary of relevant planning considerations in objection:

Principle / Policy:

- Contrary to Welsh Government policy aimed at protecting special scenery in the area
- should be treated the same way as non-energy related schemes (e.g. residential & farm applications)

Precedent:

- Set precedent for wind energy development in this area / open floodgates for larger developments / embolden developers
- Encourage many other farmers to erect turbines / just because other farms in county have installed turbines does not justify them here

Farming need / diversification:

- No farming or business viability justification / too large to be classed as a farm diversification scheme / would be establishment of new business venture unrelated to farm / proposal is for financial gain
- Benefit to individual farm but detrimental to other farms who have diversified into tourism enterprises
- Farm is a livestock farm with modest electricity demand – no activities onsite (e.g. dairy unit) to justify need for such large onsite electricity generation / size of turbines should in keeping with farm's actual energy demand
- Farm is in Tir Gofal scheme and may be conflict.

Landscape and visual impact:

- Upper Dee Valley is unspoilt area with exceptional natural beauty / will ruin beautiful area / one of last remaining wilderness areas
- Close to statutory designations – would have detrimental impact on Berwyn Mountains, Snowdonia and Clwydian Range AONB / negatively affect views into and out of designated areas / 'Gateway' to Snowdonia National Park and should be protected
- Landscape quality is key asset for Wales – landscape will be spoiled & landscape integrity disrupted / Blight landscape / industrialisation of the landscape
- Tall structures will be visible from Llandderfel to Cynwyd / affect skyline / industrialise Llandrillo skyline / stick out like a sore thumb

Visual amenity:

- Clearly visible from B4401 – negative impact on visual amenity of properties along this road and from other properties in area
- Disrupt the peaceful enjoyment of countryside
- Proposition (in DAS) that chosen turbines will be 'pleasing to the eye' is fatuous

Cumulative impacts:

- Proliferation of turbines on unspoiled Mynydd Mynyllod mountain / proliferation of turbines in Denbighshire, Conwy & Gwynedd
- Intervisibility with existing turbines (Braich Ddu windfarm, Wern Ddu windfarm and turbines in Gwyddelwern & Cerrigydrudion) will degrade landscape
- Turbines being squeezed in between National Park, AONB, & Berwyns SAC, SPA, SSSI - will lead to the industrialisation of those parts of Denbighshire that do not have highest landscape designation
- Adverse cumulative impact on statutory designations
- Contribute to wider adverse cumulative impacts across Wales (North, Mid & South Wales)
- Change character of countryside – will give rise to dispersed windfarm landscape

Quality of supporting landscape information:

- Cumulative impacts not assessed
- photomontages taken in poor light / unrepresentative / diminish size of turbines proposed
- selective viewpoints / viewpoints from nearby dwellings not provided / no viewpoints from tourism businesses, Berwyns, AONB, listed buildings or National Park / additional viewpoint not representative of properties

Economic / Tourism impacts:

- local economy reliant on tourism (visitor accommodation, local shops and services) and is sensitive to prominent development of this nature / tourism is one of few growing economies
- Visitors come for the scenery and tranquillity – wind turbine development will deter visitors and have an adverse impact on vital tourism industry
- Village already lost bank and local school – further damage to local economy will see more facilities close and communities damaged
- Benefit of wind energy development will not compensate job losses
- Many farms have diversified into tourism, and turbine development will have a detrimental impact on other rural businesses in area
- Reduction in tourism will increase rural poverty
- Ramblers and walkers will avoid the area / negative affect on recreational amenity of Mynydd Mynyllod

Environment / Ecology:

- Close to Berwyns (SSSI, SAC, SPA) & Mynydd Mynyllod local wildlife site - haven for rare and threatened species (esp. red kite, hen harriers and nesting curlew)
- Adverse impact on birds and raptors
- Bat species recorded in area
- Wind turbine development is contrary to conservation aims of agri-environment schemes such as Tir Gofal
- Destruction of natural habitat / diverse and delicate ecosystem disrupted

Comments on Bird survey:

- Ornithological impacts not properly assessed / No supporting fieldwork / seasonal surveys should have been carried out
- Identified 48 species that are legally protected / clear inference that protected species (in. red listed species) will be affected
- Survey not objective
- Out of date (dated June 2010)
- Effect to bats not considered
- Dramatic increase in red kite and curlews in area.
- Survey does not make any recommendations or conclusions

Noise:

- Close to dwellings and visitor accommodation– detrimental impact on amenity
- Noise emitted at varying frequencies – adverse health impacts from noise, amplitude modulation & 'whooshing'
- Noise will disturb peace and affect ability of neighbour (a composer) to work from home
- Spoil the quiet enjoyment of the countryside
- Braich Ddu windfarm generates significant noise at night / Gwyddelwern residents experience noise disturbance as a result of wind turbine developments

Shadow flicker:

- Close to dwellings – detrimental impact on amenity & health
- Disagree with DAS ascertain that 'some degree of flicker is acceptable'
- Public Right of Way within 10 rotor diameter – users of PRoW will experience flicker

Hydrology:

- Concern about impact on private water supplies in area (nearby properties have spring feed supply) – may diminish supply / affect drainage
- Groundworks will effect hydrology – not accurately predictable
- Pollution of water courses

Archaeology:

- Affect setting of Caer Drewyn Hillfort / archaeological remains in area

EIA:

- should have been subject to EIA

Decommissioning:

- No certainty that applicant will be solvent when time comes - cost of decommissioning should be set aside and held in escrow by third party
- Decommissioning works should form part of the application and not be subject to a planning condition.

Remediation measures:

- DAS states 'following installation, site will be reinstated to former condition' – incorrect as turbines will remain.

Construction / Access (including re-con comments):

- No information on construction route from A5 - vehicles would pass through Llandrillo and Cynwyd and minor local roads (A5104 & B4401) are narrow, with bad bends and bridges, houses along road and no passing places –unsuitable for construction vehicles / road network cannot cope with traffic
- proposed access route along narrow D road to turbine site is a Public Right of Way (access route and bridleway) which may need to be closed during construction
- No justification for the deletion of Section 4 and Section 6 in revised Construction Method Statement
- No case for Sunday working
- Details of 16 tonne vehicular movements not provided
- Describing site access and egress as 1 vehicle per day is disingenuous
- Should include precise route and delivery times

Misc:

- Should apply minimum separation distances between turbines and dwellings
- Health and safety (blades detaching and fire risk).

NON-MATERIAL CONSIDERATIONS:

Need for wind energy: Objectors also raised comments regarding the need for wind energy development and the associated carbon savings / technical performance of wind turbines, however the need for wind energy development is clearly established in UK and Welsh Government policy and legislation and therefore it is not the role of the local planning authority to debate this issue.

Effect on property prices: A number of objectors also raised concerns with regards to the depreciation of property values close to wind energy development, however the impact on property prices is not material to planning decisions.

Relationship with Mynydd Mynllod windfarm: A significant number of objectors have raised concerns regarding the relationship this application has to the proposed Mynydd Mynllod windfarm, and some objectors requested the application be deferred until such time as the Mynydd Mynllod windfarm proposal has been determined.

However, whilst this proposal would be immediately adjacent to the Mynydd Mynllod windfarm site, it is important to stress the need to assess each planning application on its own merits and without prejudice.

It is also important to note that the Mynydd Mynllod windfarm (which is subject to the Planning Act 2008 regime) is still in the pre-application stages and an application is yet to be submitted to the Planning Inspectorate; it cannot therefore be considered to be 'in-planning' and there is no reasonable basis for deferring this planning application until a decision has been made on the Mynydd Mynllod windfarm proposal.

EXPIRY DATE OF APPLICATION: 05/07/2012

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 to erect 2 no. Endurance E-3120 50kW wind turbines on agricultural land located at Syrior, Llandrillo. Syrior is an upland organic livestock farm, running both sheep and cattle enterprises and the turbine would be sited approximately 400m to the north of the farm house.
- 1.1.2 The application submission includes the following documents:
- Location, Site and Elevation Plans
 - Design and Access Statement (DAS)
 - Construction Methodology Statement
 - Shadow Flicker Constraints Map
 - Noise Constraints Map
 - Zone of Theoretical Visibility Maps (5km and 15km radius)
 - Photomontages and Wireframes
 - Ornithological Desk Study (additional document)
 - Access Plan (additional document)
 - Additional photomontage and written comments on landscape impacts (additional document)
- 1.1.3 The turbine would be mounted on a 36.7m free standing monopole steel tower on a 7m x 7m concrete foundation pad, with the foundations extending approximately 1.7 metres below ground. The proposed three blade rotor has a diameter of 19.2m and the tip blade height is approx. 46.3m. The proposed colour of the turbine blades and hub are signal white (RAL 9003) and the tower is traffic white (RAL 9016).
- 1.1.4 An equipment cabin is proposed at the base of the turbine which will have the following dimensions: 2.95 metres (L) x 1.15 metres (W) x 2 metres (H).
- 1.1.5 The Construction Methodology Statement states that construction vehicles would access the locale from the A5104, however the A5104 terminates where it joins the A494 to the north of Corwen and no details have been provided regarding the local access route from the A494 / A5 to the farm access track.
- 1.1.6 An Access Plan has been provided to clarify the construction route to the site from the public highway. As the existing farm access track is narrow and constrained, the proposed access route would exit the minor public road and initially follow a linear agricultural / forestry track for approx. 800m, at which point the access route would join the farm access track for approx. 340m to the farmhouse. From the farmhouse, the application site will be accessed from along an existing Public Right of Way (bridleway), and a small length of access track from the Public Right of Way to the turbines is proposed.
- 1.1.7 The construction phase is predicated to last 13 working days. Construction vehicles include articulated crane, articulated lorry, rigid flatbed truck, 16 tonne and 2 tonne medium wheel base vehicles, excavations vehicles, cement deliveries by mixer lorry and contractor private vehicles. Once operational, maintenance vehicles will be standard 4X4 SUV vehicles.
- 1.1.8 The turbine would be connected to the electricity grid via the farm's electricity meter. The predicated annual energy output for each of the turbines in this

location is estimated at approximately 189,220kWh per year, which would be a combined output of 378,440kWh per year. No data has been provided in relation to the electricity consumption of the farm enterprise.

- 1.1.9 The proposal is put forward as a farm diversification scheme. The Design and Access Statement (DAS) interprets diversification to mean the entrepreneurial use of farm resources for a non -agricultural purpose for commercial gain. The DAS states the proposed wind turbine would benefit the applicant in two ways; reduce reliance on imported electricity and create an alternative income stream.

1.2 Description of site and surroundings

- 1.2.1 The application site is located on the south western edge of the broad ridge of Mynydd Mynyllod and the turbine would be approximately 400m to the north of the Syrior farm complex.
- 1.2.2 The Gwynedd county boundary is approximately 750m to the west and south-west.
- 1.2.3 There are some isolated residential properties within 1km of the proposed turbine location which includes: Hafoty Wen (600m to the west) Cisfaen (750m to the west) and Tyn y graig (820m to the south).

1.3 Relevant planning constraints/considerations

- 1.3.1 In planning policy terms the application site lies in the open countryside.
- 1.3.2 The application site is within 4km of the Snowdonia National Park, 6.2km from the Clwydian Range and Dee Valley Area of Outstanding National Beauty (AONB) and within 4.4km of two Landscapes of Historic Interest areas: Y Berwyn and Y Bala a Glannau Tegid.
- 1.3.3 The Berwyn Mountains are also a designated Special Area of Conservation (SAC), Special Protected Area (SPA), Site of Special Scientific Interest (SSSI), a National Nature Reserve (NNR).
- 1.3.4 The Mynydd Mynyllod local wildlife site is approximately 400m to the north of the application site and the locally designated Area of Outstanding Beauty (AOB) is approximately 2km to the south east.
- 1.3.5 There are two public rights of way (bridleway and footpath) close to the application site. At its closest point, the bridleway is approximately 60m to the north east of the proposed turbines and the footpath is approximately 450m to the north-east. The bridleway will be used as an access route for construction and maintenance vehicles.
- 1.3.6 The operational Braich Ddu windfarm is approximately 2.2km to the north, and the proposed Mynydd Mynyllod windfarm site is immediately adjacent of the application site.
- 1.3.7 The Denbighshire Landscape Strategy shows the application site lies within the Mynydd Mynyllod LANDMAP Character Area, which has been evaluated as having a 'High' Visual and Sensory Aspect. It is therefore a landscape of county / regional importance.

1.4 Relevant planning history

- 1.4.1 A total of 89 wind turbines have been granted planning permission within the County to date. There is a map of all consented / operational wind turbine development in the County as at 1 June 2012 at the front of this report.

- 1.4.2 The Council has granted planning consent for 8 no. wind turbines of this scale within the County and, including this application, there are currently 4 no. planning applications pending determination for similar 50kW wind turbines

1.5 Developments/changes since the original submission

- 1.5.1 Additional information was requested to clarify the access and grid connection arrangements, and a desk based ornithological report and additional landscape assessment information was requested in response to issues raised by CCW and other consultees. The additional information was subject to re-consultation.

1.6 Other relevant background information

- 1.6.1 A Negative Environmental Impact Assessment screening opinion for 1 no. 50kW turbine was issued by the Council in March 2012.
- 1.6.2 Wind turbines of this scale are eligible for Feed-in Tariffs (FITs), which is a government backed financial incentive designed to encourage renewable electricity generation.

2. DETAILS OF PLANNING HISTORY:

- 2.1 No determined or consented applications are of direct relevance to this application.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)

Policy STRAT 1 General
Policy STRAT 2 Energy
Policy STRAT 5 Design
Policy STRAT 7 Environment
Policy GEN 3 Development Outside Development Boundaries
Policy GEN 6 Development Control Requirements
Policy ENV 1 Protection of the Natural Environment
Policy ENV 2 Development affecting the AONB / AOB
Policy ENV 5 Sites of Local Conservation Importance
Policy ENV 6 Species Protection
Policy CON 12 Historic Landscapes, Parks & Gardens
Policy ENP 1 Pollution
Policy MEW 8 Renewable Energy
Policy MEW 10 Wind Power

3.2 GOVERNMENT GUIDANCE

Planning Policy Wales (PPW Edition 4, February 2011)
TAN 8 Planning for Renewable Energy (2005)
TAN 5 Nature Conservation and Planning (2009)
TAN 6 Planning for Sustainable Rural Communities (2010)
TAN 11 Noise (1997)

WELSH GOVERNMENT PRACTICE GUIDANCE

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

3.3 OTHER MATERIAL CONSIDERATIONS

Denbighshire Landscape Strategy / LANDMAP Study (2003)

4. MAIN PLANNING CONSIDERATIONS:

- 4.1 The main land use planning issues are considered to be:
4.1.1 Principle

- 4.1.2 Context for the development / Farm diversification
- 4.1.3 Landscape and visual impact, including cumulative effects of / with other wind turbines
- 4.1.4 Biodiversity and nature conservation
- 4.1.5 Noise and amenity
- 4.1.6 Traffic and Transport
- 4.1.7 Tourism / economic impact
- 4.1.8 Aviation

4.2 In relation to the main planning considerations:

4.2.1 Principle

Welsh Government policy and guidance

The UK is subject to the EU Renewable Energy Directive, which includes a target of generating 15% of the UK's total energy demand from renewable energy sources by 2020. 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. As illustrated in PPW, the total capacity for energy generation from onshore wind by 2020/2025 is estimated at 2GW.

For planning purposes, PPW defines the following renewable and low carbon energy scales, which is of relevance to the application before Committee:

Scale of development	Threshold (Electricity and heat)
Strategic	Over 25 MW for onshore wind and over 50 MW for all other technologies
Local Authority - Wide	Between 5MW and 25 MW for onshore wind and between 5 MW and 50MW for all other technologies
Sub local authority	Between 50kW and 5MW
Micro	Below 50kW

This application therefore falls within the 'sub local authority' scale of development in PPW. Sub local-authority scale renewable energy projects are applicable in all parts of Wales subject to the assessment of site specific impacts.

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.

Chapter 15 of the Welsh Government Practice Guidance: Planning Implications of Renewable and Low Carbon Energy (2011) defines cumulative effects as '*where more than one renewable energy scheme is proposed by one or more developers or where a single scheme is proposed in an area with existing schemes, the combined effect of all schemes taken together is known as the 'cumulative effect'* (para. 15.1). The Guidance mentions that potential cumulative effects of renewable energy

developments could impact on landscape and visual amenity; viability of bird populations; ecological features; and noise levels.

Given the increasing number of consented wind turbine development both within the Denbighshire and in neighbouring counties, it is imperative that cumulative effects are fully considered when planning applications are assessed.

Denbighshire Unitary Development Plan Policies

The strategic policies contained in the UDP promote a sustainable approach to development, with STRAT 2 supporting the principle of generating energy from renewable sources so far as they are compatible with the Plan's policies.

UDP Policy MEW 8 supports renewable energy development in principle, provided that proposals do not give rise to unacceptable effects on the environmental quality of the locality. Policy MEW 10 is a criteria based policy which specifically deals with wind power developments. It states that wind turbine development will be permitted subject to compliance with the policy criteria.

Policy GEN 6 refers to general development control requirements which applies to all development proposals and ENV 1 relates to the protection of the natural environment. It states "*Development must be designed to maintain or enhance the landscape character of the countryside and biodiversity of the natural environment*".

Taken together, the policies contained in the UDP provide support in principle for renewable energy development subject to the detailed assessment of localised impacts, taking into account the cumulative impact and spread of wind turbine development of varying scales throughout the County.

4.2.2 Context for the development / Farm diversification

The application has been put forward as a farm diversification scheme. TAN6 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.

Public consultation responses raise questions over the farm diversification arguments, given the size of the proposed turbine and the energy needs of the enterprise.

Whilst the County Council has previously given weight to the agricultural benefits of wind turbine development when considering similar on-farm wind turbine applications, each application has to be assessed on its own merits. As there has been a significant increase in the number of proposals for on-farm wind turbine applications either pending determination or in the pre-application stages, there is a need to establish a consistent approach to the manner which the farm diversification merits should be assessed. In this context it is suggested that due consideration should be given to the nature of the farming enterprise, how the turbine would fit into the wider farming picture, the size and siting of the turbine relative to the farm complex, the energy needs of the enterprise and how the energy generated will be used.

The DAS states the proposed wind turbine would benefit the applicant in two ways; to reduce reliance on imported electricity and creating an additional income stream through guaranteed payments under the Feed-in Tariff. To assess whether or not this

is an appropriate farm diversification scheme, Officers feel the following points are of relevance:

- Syrior is an upland livestock (sheep and cattle) farm, and therefore cannot be described as an energy intensive enterprise.
- The siting of the turbine is unrelated to the farm complex, and therefore the turbine would appear to be an isolated structure.
- No details of the farm's annual energy consumption have been provided. However based on the data provided in the DAS and Ofgem household electricity consumption data, the two turbines proposed would generate approximately 114 times more electricity each year than an average residential property would consume per annum. It is therefore concluded that the turbine has not been sized to offset the farm's onsite energy demand.
- The turbine would connect to the electricity grid via the farm's meter, therefore the energy generated can be used by the farm with excess electricity exported.

On balance, Officers view is that the above scenario does not suggest this is a farm diversification scheme and that consequently limited weight should therefore be apportioned to the diversification arguments in TAN6. Officers feel the scheme should instead be viewed as a commercial venture and assessed on its own merits accordingly.

4.2.3 Impact on landscape and visual amenity, including cumulative implications.

PPW and TAN 8 provide the overriding 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' determination of planning applications. TAN8 clarifies that outside of designated Strategic Search Areas, the implicit objective is to maintain the landscape character i.e. no significant change in landscape character from wind turbine development, and PPW confirms that, when assessing renewable energy proposals, local planning authorities should ensure that international and national statutory obligations to protect designated areas are observed.

Detailed UDP policies relevant to the visual and landscape impact associated with wind energy development are policy GEN 6 and policy MEW 10. GEN 6 requires consideration of ii) *the effect of development on the form and character of surrounding landscape*; iii) *the effect on prominent views into, out of, or across any area of open countryside*; iv) *incorporating existing landscape features and taking account of site contours and changes in levels and avoids prominent skylines*; and v) *the impact on residential amenity*.

MEW 10 (iii) *requires that proposals do not unacceptably harm the character and appearance of the landscape*, (viii) *requires that proposals would not lead to an unacceptable cumulative visual impact in an area where zones of visibility (with other wind turbine development) overlap, and that particular attention will be paid to the potential proliferation of such developments in any one area*; and vii) *the proposal does not cause unacceptable harm to the enjoyment of the landscape*.

The Denbighshire Landscape Strategy is based on the LANDMAP study, which provides useful background material on the essential characteristics and quality of the landscape of the County. LANDMAP places the site within the Mynydd Mynyllod character area which is of county / regional importance and is characterised as a remote visually distinct upland hill with a high visual quality which overlooks the adjacent Dee Valley. The primary management objective set out in the Denbighshire Landscape Strategy is to maintain the open moorland character and high visual quality of the hill top. The site is also close to statutory and nationally important landscapes including the Snowdonia National Park, Y Berwyn and Y Bala a Glannau

Tegid, both Landscape of Historic Interest Areas, and the newly extended Clwydian Range AONB.

Chapter 4 of the DAS sets out the Landscape Impact Assessment which seeks to examine the potential impacts of the proposed development on the landscape and visual amenity of the study area. Zone of Theoretical Visibility (ZTV) maps (5km radius and 15km radius respectively) and a series of photomontages and wireframes taken from 6 no. viewpoints have been used to inform the Assessment and a visual appraisal of each viewpoint has been undertaken. It concludes that the resultant predicated impact of the proposal on the selected receptors to be:

- Low (B4401 north west of Llandrillo)
- Low to negligible (B4401 near Cilan and B4401 adjoining footpath T52)
- None (Llandderfel, Bridge near Branias Lodge, and B4401 south west of Cynwyd)

However, viewpoints from residential properties and from sensitive locations (such as Y Berwyn or Snowdonia National Park) have not been provided and the cumulative impact of the proposal in combination with the operational Braich Ddu windfarm has not been considered.

Following receipt of consultation responses, additional landscape information was requested and an additional photomontage was provided to illustrate the visual impact from views to the east together with a letter from the agent which responds to the concerns raised by statutory consultees.

The letter from the agent argues that due to the comparatively small scale of the turbines combined with the considerable distance from sensitive receptors and the screening which would be provided by the surrounding woodland, the proposal would lead to a negligible effect on the visual enjoyment of the area and concludes that the proposed wind turbines will have a limited effect on the baseline conditions in terms of both landscape character and visual amenity. The letter confirms the applicant does not intend to fell woodland within his control and has offered to protect a 10m band of trees for the lifetime of the turbines and submit a woodland management plan should planning permission be granted; this could be secured through a planning condition.

However a revised landscape assessment has not been provided and the cumulative impact of the proposal in combination with the operational Braich Ddu windfarm has not been assessed.

The Council's Landscape Consultant has carried out an assessment of the proposal which focussed on the following issues:

- The effect of the proposal upon the landscape character, locally accessible public views and residential amenity
- How the proposal would relate to existing wind development in the locality, the emerging pattern and implications on cumulative landscape impacts

The Landscape Consultant has taken into account LANDMAP data, Denbighshire Landscape Strategy management objectives and the findings of his site assessment and concluded that the proposal would:

- place the wind turbines in a location which adversely affects the perceptual qualities of views from the Y Berwyn - as an accessible landscape of Outstanding character and national historic significance;
- compromise views of Snowdonia affecting the wild and remote qualities of that landscape; and
- in conjunction with existing local and regional wind development, including Braich Ddu windfarm in Gwynedd and Wern Ddu windfarm in Denbighshire, would lead to an adverse cumulative impact.

The Landscape Consultant has therefore objected to the proposal due to the adverse visual and cumulative landscape impacts.

The Countryside Council for Wales initially objected to the proposal and re-requested additional information. Having reviewed the additional information provided by the applicant, CCW still consider the scheme will generate adverse visual effects from parts of north Berwyn, and in particular from access land and public rights of way in the area, and when taking into consideration the potential cumulative effect when viewed in combination with the existing Braich Ddu windfarm and the proposed, Mynydd Mynyllod windfarm, there is potential for significant adverse effects from wind turbine development on the landscape character and quality of the area and settings of the protected landscape area.

In conclusion, CCW would object to the issue of consent until such time as sufficient information has been provided by the applicant to adequately overcome their concerns.

The Snowdonia National Park Authority and the Clwydian Range AONB Joint Advisory Committee have also raised concerns regarding the impact of the proposal on the setting of the Snowdonia National Park, Y Berwyn, and the newly extended Clwydian Range AONB, as well as having concerns regarding the cumulative impact of the proposal. Public objections to the scheme have also cited adverse visual and landscape impacts.

In concluding on the issue of landscape and visual impact, and having regard to the comments of the Landscape Consultant and statutory consultees, it is likely that the proposal will have an adverse impact on the setting of protected landscape areas, including Y Berwyn and the Snowdonia National Park, and have a detrimental impact on the open character and visual quality of Mynydd Mynyllod, a non-statutory landscape of county / regional importance. It would also have adverse visual effects when viewed from parts of north Berwyn, public access land and public rights of way in the area.

On the issue of cumulative impact, whilst Officers consider limited weight should be apportioned to the cumulative impact of the proposal in combination with the proposal Mynydd Mynyllod windfarm on the basis that an application for Development Consent is yet to be submitted to the Planning Inspectorate, Officers have concern regarding the potential adverse cumulative effects of the proposal when taken into consideration with operational Braich Ddu windfarm, which is little over 2km away from the application site, which has not been adequately assessed in the landscape assessment submitted with the application.

In conclusion, Officers consider the harmful landscape impacts significantly outweigh the renewable energy benefits and the proposal is in conflict with UDP policies GEN6 i), ii), iii), ENV1, CON12 and MEW10 iii), vii).

4.2.4 Biodiversity and nature conservation

The general requirement to consider the impact of development on biodiversity interests is set out in PPW Chapter 5, TAN 5, UDP policies STRAT 1, STRAT 7, GEN 6, ENV 5 and ENV 6 and SPG 18. Specific to wind turbine development is policy MEW 10 criterion x) which states that wind turbine development will be permitted provided that *'There is no unacceptable effect on nature conservation.'*

The application site is agricultural land and is outside of any statutory or local nature conservation designation, however the site is less than 400m from the Mynydd Mynyllod local wildlife site boundary, approximately 4km from the Berwyn Mountains, an European and national statutory nature conservation designation (SPA, SAC,

SSSI and NNR) and nearby habitat is also known to supported protected bird species.

The Ecological chapter in the DAS provides generic information only and no site specific ecological data was originally provided, however additional supporting information was requested following consultation with statutory consultees.

Syrrior farm is part of the Tir Gofal agri-environment scheme and a phase 1 habitat survey had previously been completed for the farm; following a site visit and a review of the existing habitat survey, the Council's Biodiversity Officer confirms a new habitat survey would not be required, however CCW are aware of several bird species in the environs of the application site, most notably breeding curlew, and therefore requested a ornithological desk based survey be submitted to enable the impact on protected bird species to be fully considered. However, CCW have confirmed that the proposal is unlikely to have a direct or indirect impact on any statutory protected sites of ecological, geological and geomorphological interest, including the ornithological features of the Berwyn SPA.

An ornithological survey has subsequently been provided by the applicant, which concludes that a wide range of bird species have been recorded in the study area, including 48 legally protected species, and many of these potentially could use the site to a greater or lesser degree. Whilst the Council's Biodiversity Officer and CCW are satisfied with the extent of the information gathered, the survey does not address the potential impact on protected species or put forward any mitigation measures which could be implemented to overcome any adverse impacts identified. CCW are particularly concerned with possible impact on curlew which the survey shows were recorded in the area. Wind turbines located up to 600m of curlew nesting sites have the potential to impact on curlew breeding territories through displacement and / or disturbance to local populations of curlew. In the absence of further information on the proximity of the nearest curlew breeding sites, and an assessment of possible impacts on curlew breeding territories, CCW would object to this proposal.

In concluding on the issue of biodiversity and nature conservation, insufficient information has been provided to justify that there will be no adverse impacts on protected species, and it is therefore reasonable to conclude that the proposal has the potential to have adverse impacts on biodiversity and nature conservation interests. In the absence of further information and assessment of the possible impacts on curlew breeding territories, the proposal is in conflict with policy ENV 6 and MEW 10 criterion x)

4.2.5 Noise and amenity

Noise

Policy GEN 6 and MEW 10 seek to ensure development does not impact on residential amenity. The latter requires that particular consideration has to be given to noise and shadow flicker. 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 industry standard for the Assessment and Rating of Noise from Wind Farms. The guidance sets out indicative noise levels thought to offer a reasonable degree of protection to wind farm neighbours, without placing unreasonable restrictions on the development. The levels are set relative to background noise limits, rather than absolute limits, with separate limits for day-time and night-time. They are presented in a manner that makes them suitable for noise related planning conditions.

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.

Onsite noise assessments have not been carried out and the noise section in the DAS makes general assumptions about background noise levels. However Chapter 2.8 of the DAS has been informed by a desk based assessment of predicated noise levels at nearby residential receptors. The assessment has been conducted using software which predicts the noise effects of the turbine based on the sound power level provided by the turbine manufacture (94.8dBA). A Noise Constraints Plan is also submitted as an appendix to the DAS which shows the noise impact of the 2 turbines proposed.

The desk based assessment contained in the DAS concludes noise attributable to the turbine will not exceed 35dB at any of the properties assessed and therefore meets the criteria set by ETSU-R-97.

The Council's Technical Officer (Pollution) has raised no objection to the proposal and is satisfied that a suite of planning conditions can be imposed to limit noise levels emitted from the turbine to below 35dB_{LA90,10min} for wind speeds of up to 10m/s at 10m height when cumulatively measured freefield at the nearest noise sensitive receptor should planning permission be granted.

Shadow flicker

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 Design and Access Statement contains a short section on shadow flicker and is accompanied by a shadow flicker constraints map which shows the area around the turbines which may be susceptible to the occurrence of shadow flicker. The DAS concludes that there are no dwellings within 10 rotor diameters of the turbine, it is unlikely that any properties will be affected by shadow flicker which is illustrated on the shadow flicker constraints map. Shadow flicker analysis is not an exact science, so as a precautionary measure a condition can be imposed to ensure any incidence of shadow flicker experienced by nearby properties can be controlled.

Subject to the inclusion of detailed planning conditions to address noise and shadow flicker, it is reasonable to conclude that the proposal would comply with policy GEN 6 criterion v) and MEW 10 criterion iv) and v).

4.2.6 Traffic and Transport

Policy TRA 6 seeks to ensure new development proposals do not unacceptably affect the safe and free flow of traffic, and the capacity of the surrounding road networks are satisfactory.

A significant number of representations from the public have raised concerns regarding the impact of the proposal on the local road network. Whilst the Council's Highways department raised no objection the proposal, additional information was requested to clarify the access route from the public highway to the application site, and to provide further details of the construction traffic.

Following submission of a site access plan and a revised Construction Method Statement, the Council's Highways department have confirmed they have no objection to the proposal on highways grounds.

The access route to the site will follow an existing Public Right of Way (bridleway). The Council's Footpaths Officer has not objected to the proposal, but has advised planning conditions be applied to safeguard the right of way, and there is a separate regulatory process to be followed should it be necessary to temporarily close the Public Right of Way during construction.

Subject to the inclusion of planning conditions to safeguard the Public Right of Way, it is reasonable to conclude that the proposal would comply with policy GEN 6 criterion vii) and MEW 10 criterion iv) and v).

4.2.7 Tourism & Economic Impact

Policy MEW 10 criterion vii) seeks to ensure wind energy proposals would not cause an unacceptable harm to the enjoyment of the landscape for recreational and tourism purposes.

A significant number of public consultation responses have raised concerns regarding the detrimental impact of the proposal on local tourism based businesses and noted the importance of the tourism economy in the Dee Valley.

There is limited research which relates to this issue, however the Wales Tourism Board did commission an investigation into the potential impacts of windfarms on tourism in Wales in 2003, and the Tourism Company completed a literature review focussing on the tourism impact of wind turbine development on behalf of Anglesey County Council earlier this year (The impact of wind turbines on tourism – a literature review, February 2012).

However, the Wales Tourism Board investigation reported both positive and negative findings, and the Tourism Company literature review found very little evidence about the actual impacts on tourism volume and value in areas where windfarms have been established. It is also of note that the literature that is available focuses on large windfarm development, rather than smaller scale proposals.

In conclusion, Officers consider that given the size and scale of the development proposed, there is no tangible evidence to suggest that the 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.

4.2.8 Communication and aviation

In certain locations wind turbines can affect communication and aviation infrastructure which may also need to be addressed. Airbus, who operate Hawarden Airport, the NATS (en route) public limited company (who are responsible for civilian en-route air traffic control over the UK) and the Ministry of Defence have been consulted on this application.

No objections have been raised by the aviation authorities and therefore Officers are satisfied that the proposal will not have any adverse effects on communication and aviation infrastructure

5. SUMMARY AND CONCLUSIONS:

- 5.1 The report sets out a number of considerations Officers suggest are relevant to the determination of this application. As with all wind energy developments, inevitably there will be factors that weigh against and in favour of the grant of planning permission.

- 5.2 Officers continue to have concerns over the sporadic spread of 'one-off' medium / sub-local authority scale wind turbine developments outside of the Strategic Search Area, which will have strategic implications upon the ability to conserve the integrity of wider Denbighshire landscapes in the longer term. Officers continue to stress the need for Members to take a strategic approach to the determination of one-off applications such as this. It is important to consider the landscape and visual impact of wind turbine development in combination with operational, consented and in-planning wind turbine proposals to ensure cumulative effects are fully addressed, in order to prevent the windfarm landscape encroaching beyond the boundaries of the Strategic Search Area.
- 5.3 The application site is within a high quality landscape of county / regional importance and is also close to the Berwyns Mountains, which is a nationally important landscape of outstanding character and a statutory nature conservation area of European importance. Concern has also been raised regarding the impact of the proposal on the setting of the Snowdonia National Park and the extended AONB. CCW, our own landscape consultant, neighbouring authorities and the AONB JAC have all raised concerns as to the impact this proposal will have on landscape interests.
- 5.4 Mynydd Mynyllod is a designated as a local wildlife site and nearby habitat is known to support protected bird species. Whilst an ornithological survey has been submitted which concludes that protected bird species are likely to be found at the application site, it makes no reference to the likely impact of the proposal, and nor does it recommend mitigation measures to overcome any identified adverse impact. Officers consider this to warrant refusal of the proposal.
- 5.5 Members have previously accepted in other locations that 50kW/55kW wind turbines maybe of a suitable scale, size and capacity to qualify as a form of farm diversification and have used this as a basis of support for the farming community. Respectfully, Officers do not consider the Council is bound by previous decisions and have suggested a number of tests against which applications may be assessed to determine the farm diversification merits on a case by case basis.
- 5.6 Officers continue to recommend a precautionary approach is taken where adverse landscape and visual impacts have been identified, to ensure the integrity of high quality local landscapes is not eroded by incremental wind turbine development. It is therefore suggested in relation to the application that limited weight is given to the farm diversification merits, and that the benefits of the proposal in terms of the increase in renewable energy generation do not outweigh the identified adverse landscape, visual and ecological impacts.

RECOMMENDATION: - Refuse for the following reasons:

1. It is the opinion of the Local Planning Authority that the erection of 2 no. 46 metre high 50kW turbines in this location would have an adverse impact on the setting of protected landscape areas, including Y Berwyn and the Snowdonia National Park, and have a detrimental impact on the open character and visual quality of Mynydd Mynyllod, a non-statutory landscape of county / regional importance, resulting in adverse visual effects when viewed from parts of north Berwyn, public access land and public rights of way in the area. It is also the opinion of the Local Planning Authority that insufficient information has been provided to demonstrate the proposal will not give rise to adverse cumulative effects when considered in combination with operational and consented windfarm development, and in particular the Braich Ddu windfarm. In conclusion, the harmful landscape impacts are considered to significantly outweigh the benefits of increased renewable energy generation and the proposal is in conflict with UDP policies GEN6 i), ii), iii), ENV1, CON12 and MEW10 iii), vii) and the principles set out in TAN8 and PPW Edition 4.

2. Insufficient information has been provided to justify that there will no adverse impacts to protected species, and in particular, on curlew. In the absence of further information and assessment of the possible impacts on curlew breeding territories, the proposal is in conflict with policy ENV 6 and MEW 10 criterion x) and the principles set out in TAN5 and PPW Edition 4.

NOTES TO APPLICANT: None