



CYNGOR  
**Sir Ddinbych**  
**Denbighshire**  
 COUNTY COUNCIL

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Heading:

01/2012/0813  
 Gwaenynog Bach  
 Denbigh



Application Site

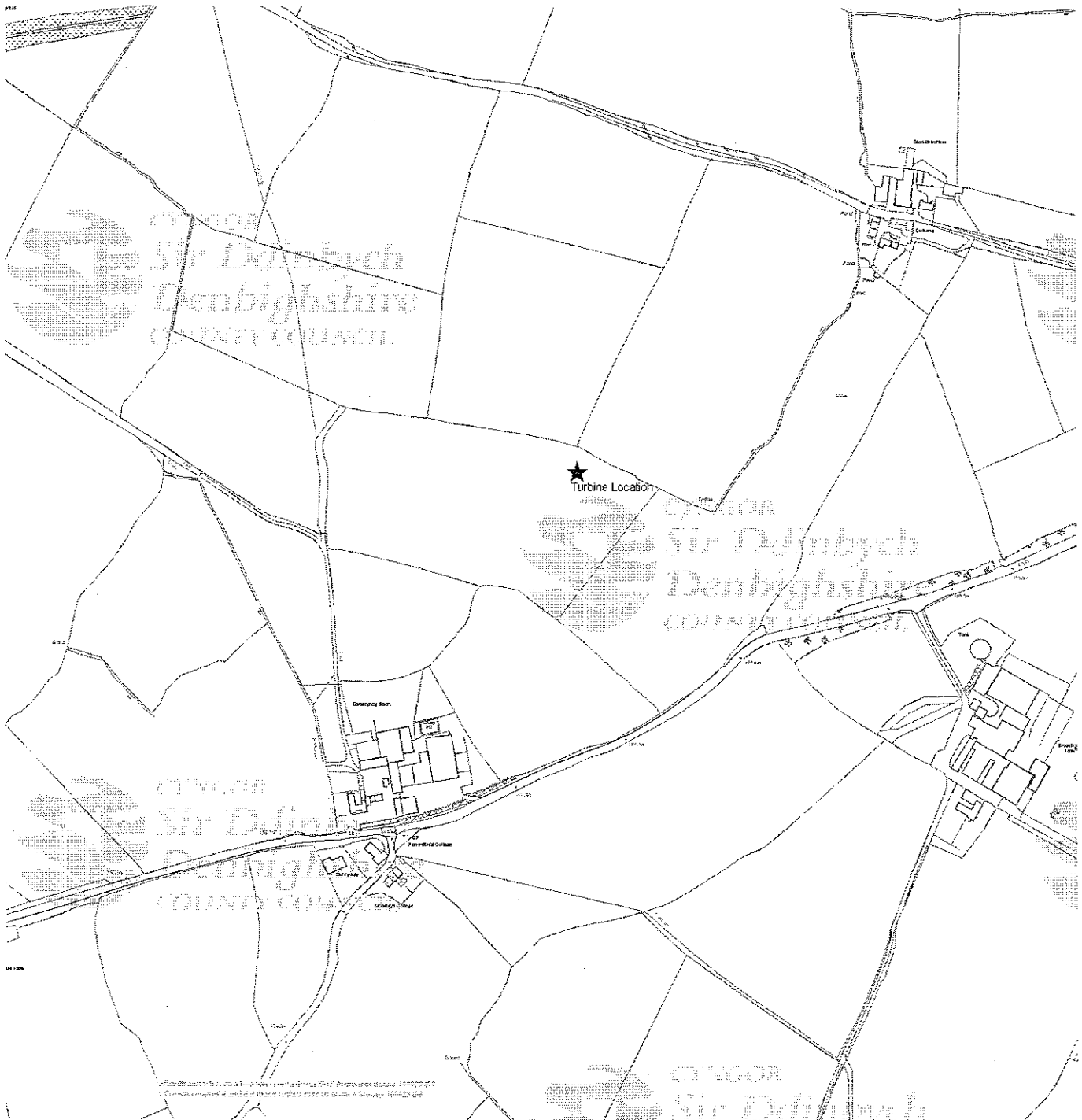


Date 8/11/2012

Scale 1/5000

Centre = 302604 E 365850 N

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

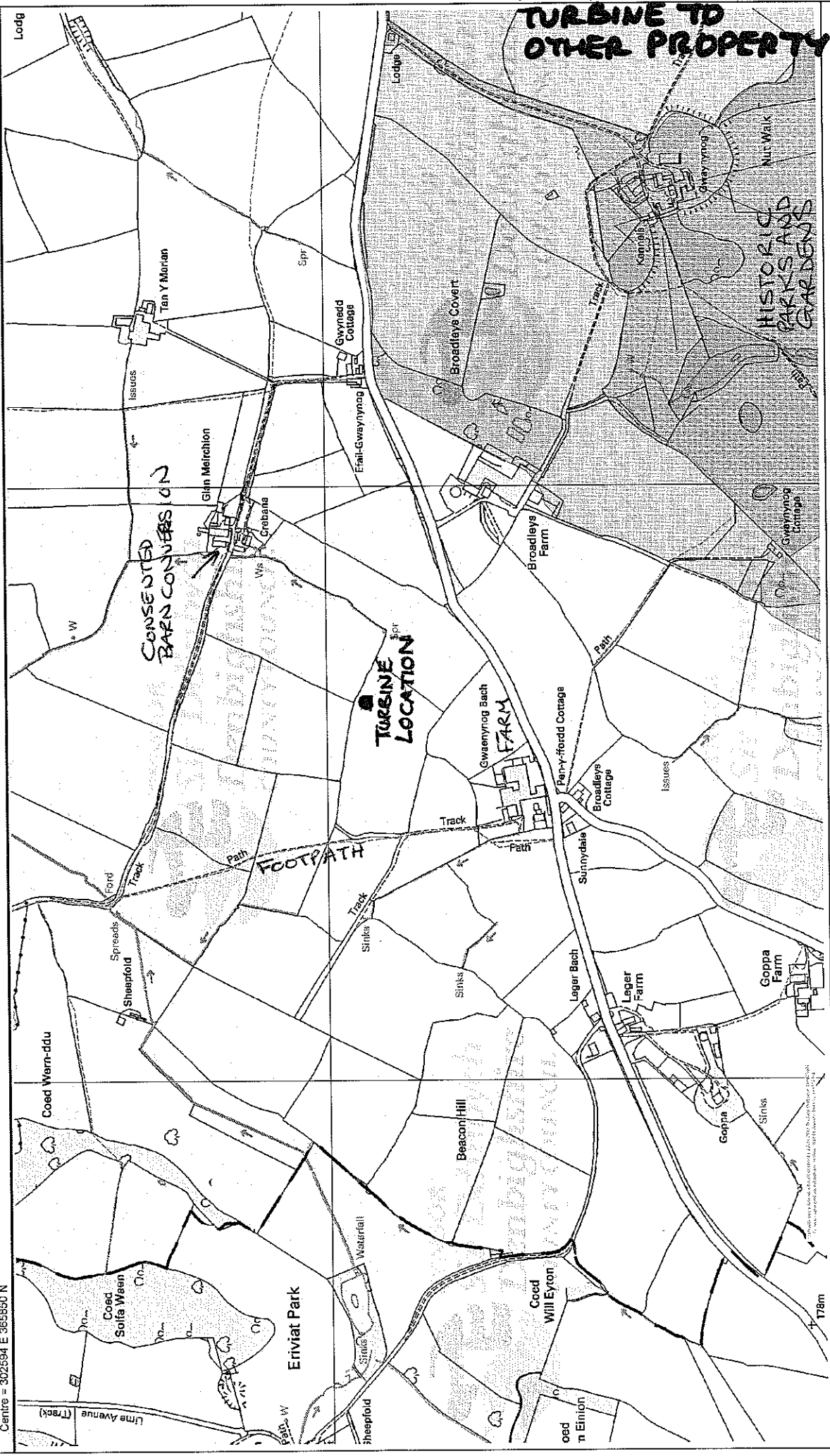


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**PROXIMITY OF  
 TURBINE TO  
 OTHER PROPERTY**



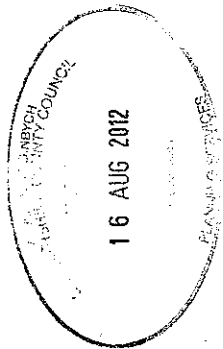
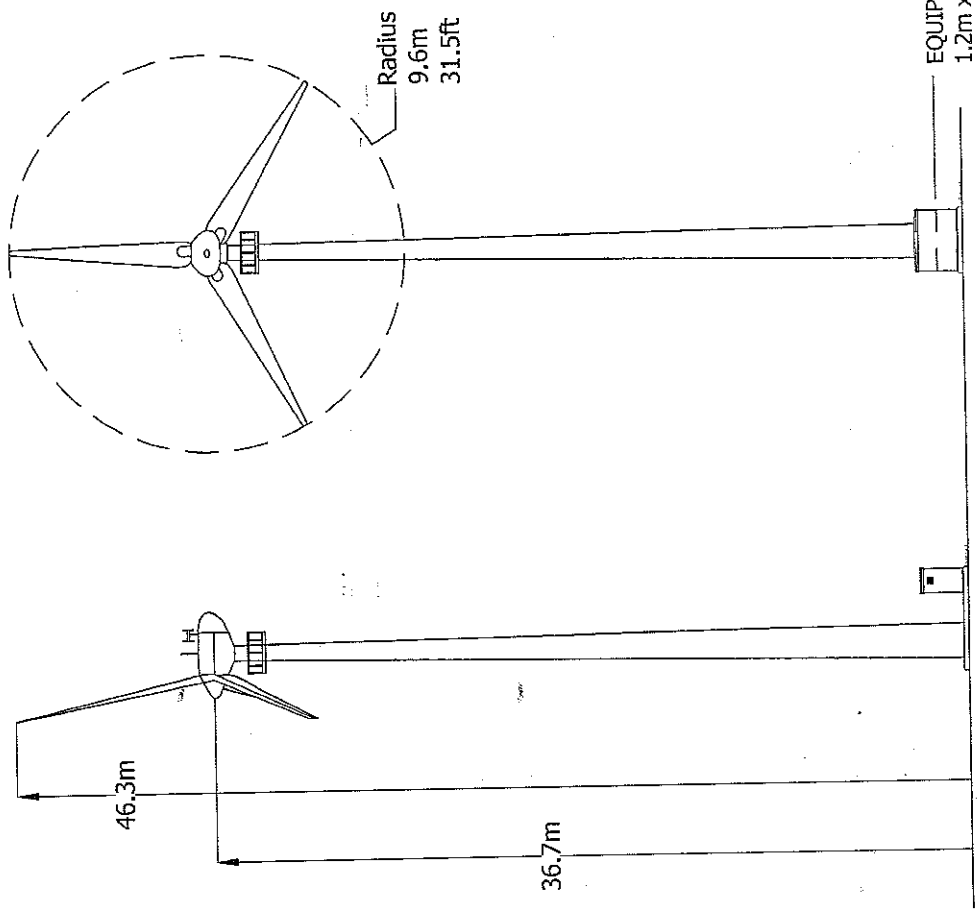
Date 9/10/2012  
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 Centre = 302594 E 365850 N

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THIRD ANGLE PROJECTION DO NOT SCALE

Flange Elevation		Hub Elevation		Max Blade Elevation		Notes
ft	m	ft	m	ft	m	
117.1	35.7	120.4	36.7	151.9	46.3	EU Countries only

Note: Dimensions approximate and provided for planning purposes only. Final construction elevations are subject to site specific conditions and factory tolerances on a per-tower basis.



# DETAILS OF TURBINE

REV	MODIFICATION	DATE	CHKD	DATE
A3	Cabin modification	14/05/11	RV	14/05/11
A2	Cabin modification	29/11/11	JR	29/11/11
A1	INITIAL ISSUE	18/05/11	AB	18/05/11



TGC Renewables Ltd,  
TGC House, Duckmoor Rd, Industrial Estate,  
Duckmoor Rd,  
Bristol BS3 2BJ  
Web: www.tgrenewables.com

DRAWING TITLE	Turbine Elevation 36m TURBINE
SITE LOCATION	STANDARD TURBINE DEVELOPMENT

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DRAWN:	JR	DATE:	30/11/11	CHECKED:	RA	DATE:	30/11/11
ORIGINAL PRINT SIZE A3				SCALE: 1:250			
SHT. 1 OF 3				DRAWING NO TGC/WIND/001			
				REV. A3			



Turbine and Equipment Cabin Elevations 1:250

Equipment

**ITEM NO:** 1  
**WARD NO:** Denbigh Upper / Henllan  
**APPLICATION NO:** 01/2012/0813/ PFT  
**PROPOSAL:** Installation of a 50kw micro generation wind turbine with control box and equipment cabin  
**LOCATION:** Gwaenynog Bach Denbigh  
**APPLICANT:** Messrs E Hughes  
**CONSTRAINTS:**  
**PUBLICITY** Site Notice - Yes  
**UNDERTAKEN:** Press Notice - No  
 Neighbour letters - Yes

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

- Recommendation to grant / approve – 4 or more objections received

**CONSULTATION RESPONSES:**

**DENBIGH TOWN COUNCIL**

"The Council does not wish to raise any objection to the application."

**CONWY COUNTY BOROUGH COUNCIL**

Does not wish to make any observations at this time.

**COUNTRYSIDE COUNCIL FOR WALES (CCW)**

No objection in principle, but recommend planning conditions to ensure the turbine is set 50m away from any trees and hedgerows.

Statutory Sites: The proposal is not likely to adversely affect any statutory sites of ecological, geological and/or geomorphological interest.

Protected Species: Turbines should be located a minimum of 50m from habitat features used by bats for foraging and commuting. Plans indicate the turbine would be within 50m of hedges, and therefore recommend turbine is micro-sited to comply with best practice advice.

Landscape: Unlikely to have significant adverse effects on the landscape of the site itself or immediate surroundings. When considering the impacts on the scheme on landscape interests, CCW recommend consideration be given to cumulative impacts of this scheme in combination with other wind energy developments.

Natural Environment and Rural Communities (NERC) Act 2006: CCW have not considered possible effects on all local and regional interests. Advise that it is the local authority's duty to have regard to conserving biodiversity as set out in Section 40 of the NERC Act.

**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 objection to the proposal.

AIRBUS

No aerodrome safeguarding objection.

#### DENBIGHSHIRE COUNTY COUNCIL CONSULTEES:

HEAD OF TRANSPORT AND INFRASTRUCTURE - HIGHWAYS

No objection.

TRANSPORT AND INFRASTRUCTURE – PUBLIC RIGHTS OF WAY

No Public Rights of Way are affected, therefore no comments to make.

PUBLIC PROTECTION TECHNICAL OFFICER (POLLUTION)

No comments received.

SENIOR BIODIVERSITY OFFICER

No objection to the proposal in principle. Best practice suggests turbine should be sited such that there is a 50m buffer between the rotor swept area and any habitat features such as trees and hedges. Turbine should be sited so that it complies with this advice.

CONSERVATION ARCHITECT

No objection. The proposed wind turbine is some distance from the registered historic park and garden at Gwaenynog and outside the designated setting; therefore there will be no detrimental impact on the historic park and garden.

LANDSCAPE CONSULTANT

No objection to the proposal, but recommends landscape mitigation measures.

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 characteristics and resource of the locality make this area one where a single turbine could be accommodated with only localised landscape impact. The limited number of sensitive views in the locality also minimise the potential for adverse visual impacts. In the main, local impacts could be mitigated to an acceptable degree through hedgerow management and tree planting.

Recommendation: recommends a landscape mitigation plan to form part of the proposal and conditions be applied to stipulate a time scale of implementation and the 5 year replacement of any planting which dies, fails to thrive, is removed, or damaged.

#### RESPONSE TO PUBLICITY:

IN OBJECTION:

Representations received from:

Campaign for the Protection of Rural Wales (CPRW) (letter)  
Angie Way and Peter Young, Crebane Farm, Denbigh  
Vic Belshaw, 2 The West Wind, Lleweni, Denbigh  
Beverley Belshaw, 2 The West Wind, Lleweni, Denbigh

Summary of planning based representations in objection:

Principle: A clear national and local strategy to determine the acceptability of single wind turbine proposals should be in place before any more schemes of this nature are approved.

Visual impact: Adverse visual impact on Crebane Farm and Cynefin barn conversion which is currently under construction (adjacent to Crebane Farm) / no image provided in supporting information that shows the true nature of the visual impact from neighbouring properties

Landscape impact: Turbine would have an unnecessarily harmful impact on attractive rural landscape / the turbine would be an alien and unattractive feature in a rural landscape.

Noise: Properties less than 400m to north east of site / turbine will cause noise nuisance.

Ecology: Impact on bats not addressed in supporting information.

Radio interference: Detrimental effect on the already weak radio signal reception.

**EXPIRY DATE OF APPLICATION: 31/10/2012**

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

- timing of receipt of representations
- delay in receipt of key consultation response(s)

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

- 1.1.1 The proposal is to erect a single 46 metre high Endurance E-3120 50kW wind turbine on agricultural land at Gwaenynog Bach. The farm business runs both dairy and sheep enterprises and the turbine would be sited in a rear field approximately 250 metres from the farm complex.
- 1.1.2 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 would be approx. 46.3m. The proposed colour of the turbine blades and nacelle are signal white (RAL 9003) and the tower is traffic white (RAL 9016).
- 1.1.3 An equipment cabin is proposed at the base of the turbine which would have the following dimensions: 2.95 metres (L) x 1.15 metres (W) x 2 metres (H).
- 1.1.4 The application site would be accessed from the existing farm complex along an existing farm track. No new site access arrangements are proposed.
- 1.1.5 The Construction Methodology Statement states that construction vehicles will access the site via a dedicated construction access track and 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.
- 1.1.6 A Landscape Mitigation Plan has been submitted as a mechanism to reduce the localised visual impact of the turbine.
- 1.1.7 The turbine would be connected to the electricity grid via the nearby 11kV 3-phase line. The predicted annual energy output for the specified turbine in this location is estimated at approximately 189,220kWh per year. The annual electricity usage on the farm as stated in the DAS is 72,000kWh.
- 1.1.8 The proposal is put forward as a farm diversification scheme. The 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 additional income stream through guaranteed payments under the Feed-in Tariff.
- 1.1.9 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
  - Landscape Mitigation Plan (additional document)

## 1.2 Description of site and surroundings

- 1.2.1 The application site is agricultural land which lies below the crown of a small rounded hill within an area of gentle undulating valleys, approximately 2.5km to the west of Denbigh, and 2km to the south of Henllan.
- 1.2.2 The turbine would be sited in a field approximately 250m to the north of the farm complex. There are several existing and consented residential properties (including barn conversions / agricultural workers dwellings) within a 1km radius of the application site which includes Crebane, Glan Meirchion and a consented residential barn conversion (Glan Meirchion barn) approximately 350m to the north east; Efail-Gwaynynog, Gwynedd Cottage and a consented barn conversion (adjacent to Gwynedd Cottage) 540m to the east; Broadleys Farm approximately 420m to the south-east; Sunnydale, Pen-y-ffordd Cottage and Broadleys Cottage approximately 380m to the south-west; and Leger Farm, Leger Bac, Llys Ynog and two consented barn conversions (at Leger Farm) approximately 690m to the south-west.

## 1.3 Relevant planning constraints/considerations

- 1.3.1 In planning policy terms the site lies in the open countryside and is not affected by any statutory landscape or nature conservation designations.
- 1.3.2 There is a public right of way (footpath) approximately 220m to the west of the application site.
- 1.3.3 The Gwaenynog Historic Park and Gardens lies approximately 650m to the south east of the site, with the boundary of the historic park and garden essential setting lying approximately 450m away.
- 1.3.4 The Denbighshire Landscape Strategy shows the application site lies within the Limestone Plateau – Denbigh/Henllan LANDMAP Character Area, which is characterised as being rolling countryside dominated by wooded estate. The Character Area has been evaluated as having a ‘Moderate’ Visual and Sensory Aspect.

## 1.4 Relevant planning history

- 1.4.1 A total of 91 wind turbines have been granted planning permission within the County to date, which includes 9 on farm 50kW wind turbines of this type and scale.

## 1.5 Developments/changes since the original submission

- 1.5.1 Following receipt of the Council’s Landscape Consultant’s consultation response, the applicant has submitted a Landscape Mitigation Plan which incorporates the Landscape Consultant’s recommendations.

## 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 May 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:**

- 2.1.1 No planning history of direct relevant 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 3<sup>rd</sup> 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 6 Species Protection
- Policy ENP 1 Pollution



Policy MEW 8 Renewable Energy  
Policy MEW 10 Wind Power

### 3.2 GOVERNMENT POLICY 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 (2003) / LANDMAP

## 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 residential amenity
- 4.1.6 Aviation

### 4.2 In relation to the main planning considerations:

#### 4.2.1 Principle

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.

PPW, TAN8 and UDP Policies STRAT 2, MEW8 and MEW 10 establish support in principle for wind energy development subject to the assessment of localised impacts, which are addressed in the remainder of this report.

The application falls within the PPW 'sub local authority' scale of development. PPW states that this scale of development is applicable in all parts of Wales subject to the assessment of site specific impacts.

#### 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, 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.

Whilst the Committee has previously given weight to the agricultural benefits of wind turbine development when considering similar on-farm wind turbine applications, each application has to continue to be assessed on its own merits. 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:

- No details have been provided regarding how the wind turbine proposal would fit into the wider farming picture, or what contribution the revenue generated by the turbine would make to the business. Officers feel that to be considered a farm diversification scheme, the financial return from wind turbines should be clearly subsidiary to the main farming business.

- The turbine would be sited in a field less than 250m from the farm complex, and would therefore appear to be physically well related to the farm.
- Gwaenynog Bach is a large mixed farming business which includes a dairy unit; dairy units are acknowledged as energy intensive enterprises.
- Annual electricity consumption of the farm is stated to be 72,000kWh (this is approximately 22 times more electricity than an average residential property would consume in a year). Based on the data provided in the DAS, the turbine proposed would generate approximately 2.6 times more electricity each year than required by the farm enterprise. It is therefore considered to be an appropriate size of turbine to meet the needs of the farming enterprise, when taking into consideration the very high on site electricity consumption.
- The turbine would be directly connected to the electricity grid via the 11kV supply and therefore 100% of the electricity generated by the turbine would be exported to the grid rather than being used by the farm, with only excess electricity exported. The scheme as proposed would not therefore reduce the farm's reliance on imported energy, however it could be considered to offset the farm's electricity consumption.

On balance, taking in account the energy intensive nature of the dairy unit and the physical relationship the turbine would have with the farm complex. Officers suggest it is reasonable to conclude that some weight should be apportioned to the farm diversification merits of the scheme.

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

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 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.

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 Countryside Council for Wales LANDMAP study, which provides useful background material on the essential characteristics and quality of the landscape of the County. The site lies marginally below the crown of a small rounded hill within an area of gentle undulating valleys classified by LANDMAP as Limestone Plateau - Denbigh/Henllan.

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. Revised Zone of Theoretical Visibility (ZTV) maps (5km radius and 15km radius respectively) and a series of photomontages and wireframes taken from 8 viewpoints have been used to inform the Assessment.

The Landscape Impact Assessment includes a visual appraisal of each of the selected viewpoints, which includes roads and lanes and the neighbouring residential property. It concludes the resultant predicted impact of the proposal on the selected receptors to be:

- Medium (A543 between Broadleys Farm and Gwynynog Bach)
- Low (bridge near Branas Lodge, 185m south of Coed Acas Farm / A543, 120m north of Goppa Farm / A543, 100m east of Leger Farm)
- Low to Negligible (Henllan Parish Church / A543 to 190m east of Groes Bach)
- None (Henllan, Chapel Lane)

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; and
- 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 landscape characteristics and resource of the locality make this area one where a single wind turbine could be accommodated with only localised landscape impact and where the limited number of sensitive views in the locality also minimise the potential for adverse visual impacts. In the main, the Landscape Consultant has concluded that local impacts could be mitigated to an acceptable degree through hedgerow management and tree planting and has recommended that a landscape mitigation plan be submitted and planning conditions be applied to ensure the 5 year replacement of any planting which dies, fails to thrive, is removed or damaged within 5 years of the plan being mitigated.

In response to the Landscape Officer's comments, the applicant has submitted a Landscape Mitigation Plan which incorporates his recommendations.

In concluding on the issue of landscape and visual impact, subject to the implementation of the landscape mitigation plan which can be secured through a planning condition, the proposal is not considered likely to give rise to any unacceptable visual or landscape impacts and therefore accords with UDP policies STRAT 7, GEN6 i), iii), v), ENV1 and MEW10 vii), viii).

#### 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 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. The Ecological chapter in the DAS provides generic information only and no site specific ecological data has been provided by the applicant. However, neither CCW nor the Council's Senior Biodiversity Officer have raised an objection to the development in principle, but in the interests of protecting bat foraging and commuting habitat, both parties have recommended that the turbine be micro-sited so it is set 50m away from any trees and hedgerows.

The turbine as shown on the location plan would be approximately 30m from the existing hedge lined field boundary to the north, and approximately 60m from the eastern field boundary.

Subject to the inclusion of a planning condition to allow the turbine to be micro-sited approximately 25m to the south, south-west or west to ensure the 50m separation distance can be achieved, it is therefore reasonable to conclude that the proposal would not have any adverse impacts on biodiversity or nature conservation interests, and therefore does not conflict with policy ENV 6 and MEW 10 criterion x).

#### 4.2.5 Noise and residential amenity

Policy GEN 6 and MEW 10 seek to ensure development does not have an adverse impact on residential amenity.

Noise: 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. For single turbines ESTU-R-97 proposes that a simplified noise condition may be suitable and recommends that noise is limited to 35dB<sub>LA90,10min</sub> (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.

On site 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 predicted 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 manufacturer (94.8dBA). A Noise Constraints Plan is also submitted as an appendix to the DAS which shows the noise impact of the individual turbine 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 noise constraints map also illustrates that no unrelated property lies within the 35dB noise contour.

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 turbine 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, which is also illustrated on the shadow flicker constraints plan, and therefore it is unlikely that any properties will be affected by shadow flicker. However, shadow flicker analysis is not an exact science, so as a precautionary measure Officers would advise a planning condition is imposed on any permission to ensure any incidence of shadow flicker experienced by nearby properties can be addressed.

Subject to the inclusion of detailed planning conditions to address noise and shadow flicker, Officers consider 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 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.
- 5.2 Officers continue to have concerns over the sporadic spread of 'one-off' medium / sub-local authority scale wind turbine developments across the County, 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; this is to ensure cumulative effects are fully addressed and to prevent the windfarm landscape encroaching beyond the boundaries of the Strategic Search Area.
- 5.3 On the issue of farm diversification, Members have previously accepted in other locations that 50kW 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, however it is important to stress that the farm diversification merits of each scheme need to continue to be assessed on their own merits.
- 5.4 In this instance, taking into account the energy intensive nature of the farming enterprise and the proximity of the turbine to the farm complex, Officers have concluded that it may be appropriate for some weight to be apportioned to the farm diversification merits of the scheme.

5.5 Officers continue to recommend a precautionary approach is taken where adverse landscape and visual impacts have been identified. However, taking into account the views of the Council's Landscape Consultant, Officers' assessment has concluded in this instance the proposal would not give rise to unacceptable adverse landscape impacts, and landscape mitigation measures to reduce the localised visual impacts associated with the development have been proposed in the landscape mitigation plan, which can be secured through the use of a planning condition.

5.6 In conclusion, as no other overriding adverse impacts have been identified which would outweigh the benefits of the proposal in terms of the increase in renewable energy generation, it is considered that there is a basis for recommending favourably.

**RECOMMENDATION: - Grant subject to the following conditions:-**

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The planning permission shall be for a period of 25 years from the date of the first generation of electricity from the turbine. Written confirmation of the date of the first generation of electricity from the development shall be provided to the Local Planning Authority no later than 1 calendar month after the event.
3. The location of the turbine, site access and track shall be erected in the positions indicated on the submitted plans, subject to a permitted variation of the indicated position of the turbine by up to 25 metres to the south, south-west or west to ensure a 50m buffer between the turbine and the northern and eastern hedglined field boundary can be achieved. Any variation greater than 25 metres shall require the written approval of the Local Planning Authority.
4. This permission relates solely to the erection of 3 bladed wind turbine as described in the application plans and drawings with a maximum height to blade tip of 46m from original ground level.
5. The finish of the turbine towers, hub and blades shall be semi-matt. The turbine blades and nacelle shall be RAL 9003 Signal White and the tower shall be RAL 9016 Traffic White, or as approved in writing by the Local Planning Authority prior to the commencement of any work on their erection on site.
6. The equipment cabin shall be erected in accordance with the approved plans and no additional external ancillary equipment required in connection with the operation of the turbine, such as metering boxes, switchgear and overhead lines and poles shall be permitted without the prior written approval of the Local Planning Authority.
7. No part of the development shall display any name, logo, sign, advertisement or means of illumination without the prior written approval of the Local Planning Authority.
8. All electricity and control cables shall be laid underground.
9. All temporary construction access tracks and the construction site compound shall be removed and the land shall be restored to its former profile and condition within a period of 6 months of the date of the first generation of electricity from the development.
10. The approved landscape mitigation plan shall be implemented and all supplementary tree and hedgerow planting completed before first generation of electricity to the grid. Any trees or hedgerow plants which die, are severely damaged or diseased, are removed or which fail to thrive within five years of the first generation of electricity to the grid shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing with the Local Planning Authority.
11. Noise from the turbines shall not exceed  $35\text{dB}_{\text{LA90,10min}}$  for wind speeds of up to 10m/s at 10m height when cumulatively measured freefield at the nearest noise sensitive receptor in accordance with ETSU-R-97.
12. In the event of complaints to the Local Planning Authority over noise attributable to the operation of the turbine, and after initial investigation by the Authority to assess that there is justification for such complaint:
  - a) The Authority shall notify the applicant, in writing, of the complaint.
  - b) Within one month of notification by the Authority the applicant shall organise, at their own expense, a noise assessment by independent acoustic consultants, in accordance with a brief to be set by the Authority, to establish whether the terms of Condition 11 are met.
  - c) A copy of the noise assessment undertaken in accordance with b) shall be submitted to the Authority no later than two months from the date of notification.

13. In the event that noise attributable to the turbine is found to be exceeding the levels set out in Condition 11, mitigation measures to ensure compliance with Condition 11 shall be submitted to and agreed in writing with the Local Planning Authority and implemented within 3 months. Where mitigation measures have not been implemented within 3 months, the turbine shall be shut down and shall not commence operation until the mitigation measures have been implemented.

14. To aid cumulative impact and complaint investigations, the applicant shall temporarily turn the turbine off (braked to stop the rotors) to facilitate noise investigations being undertaken in nearby locations, when requested in writing by Local Planning Authority.

15. If justified complaints of shadow flicker are received by the Local Planning Authority from any occupied dwelling which existed or was consented at the time that this permission was granted, the developer will be notified in writing and mitigation measures to control, re orientate, or shut down the turbine until the conditions causing those shadow flicker effects have passed shall be agreed with the Local Planning Authority and implemented within 3 months of notification.

16. If the wind turbine hereby permitted ceases to operate for a continuous period of 6 months, the wind turbine and ancillary equipment shall be dismantled and removed from the site, and the foundations shall be removed down to a minimum depth of 1.0m below ground level, and the land shall be restored to its former profile and condition within a period of 6 months from the end of the 6 month period unless otherwise agreed with the Local Planning Authority.

17. No later than 12 months before the expiry of the 25 year operational period of this permission, a scheme for the remediation and restoration of the site to its former profile and condition, including the dismantling and removal of all elements above ground level, and the removal of turbine foundations down to a minimum depth of 1.0m below ground level, shall be submitted for the consideration of the Local Planning Authority. The scheme approved in writing by the Local Planning Authority shall be implemented within 12 months from the date that the planning permission hereby granted expires.

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

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

- 15: In the interests of the amenities of occupiers of residential property in the locality.
- 16: To ensure adequate arrangements are in place to reinstate the site, in the interests of visual amenity.
- 17: To ensure the long term reinstatement of the site, in the interests of visual amenity.

**NOTE TO APPLICANT:**

Your attention is drawn to:

- Denbighshire County Council Highway Supplementary Notes Nos. 1,3,4,5 & 10
- New Roads and Street Works Act 1991 - Part N Form
- Environment Agency "Standard Advice" Guidance Note for Developers

**MOD**

You are reminded of the need to advise the Ministry of Defence of the date construction starts and ends; the maximum height of construction equipment; and the latitude and longitude of the turbine.

MOD contact details: MOD Safeguarding, Defence Infrastructure Organisation, Kingston Road, Sutton Coldfield, West Midlands, B75 7RL Telephone: 0121 311 3781 Fax: 0121 311 2218 Email: DIO-Safeguarding-Wind@mod.uk