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:

23/2012/1358
Ffridd Fawr
Prion

6

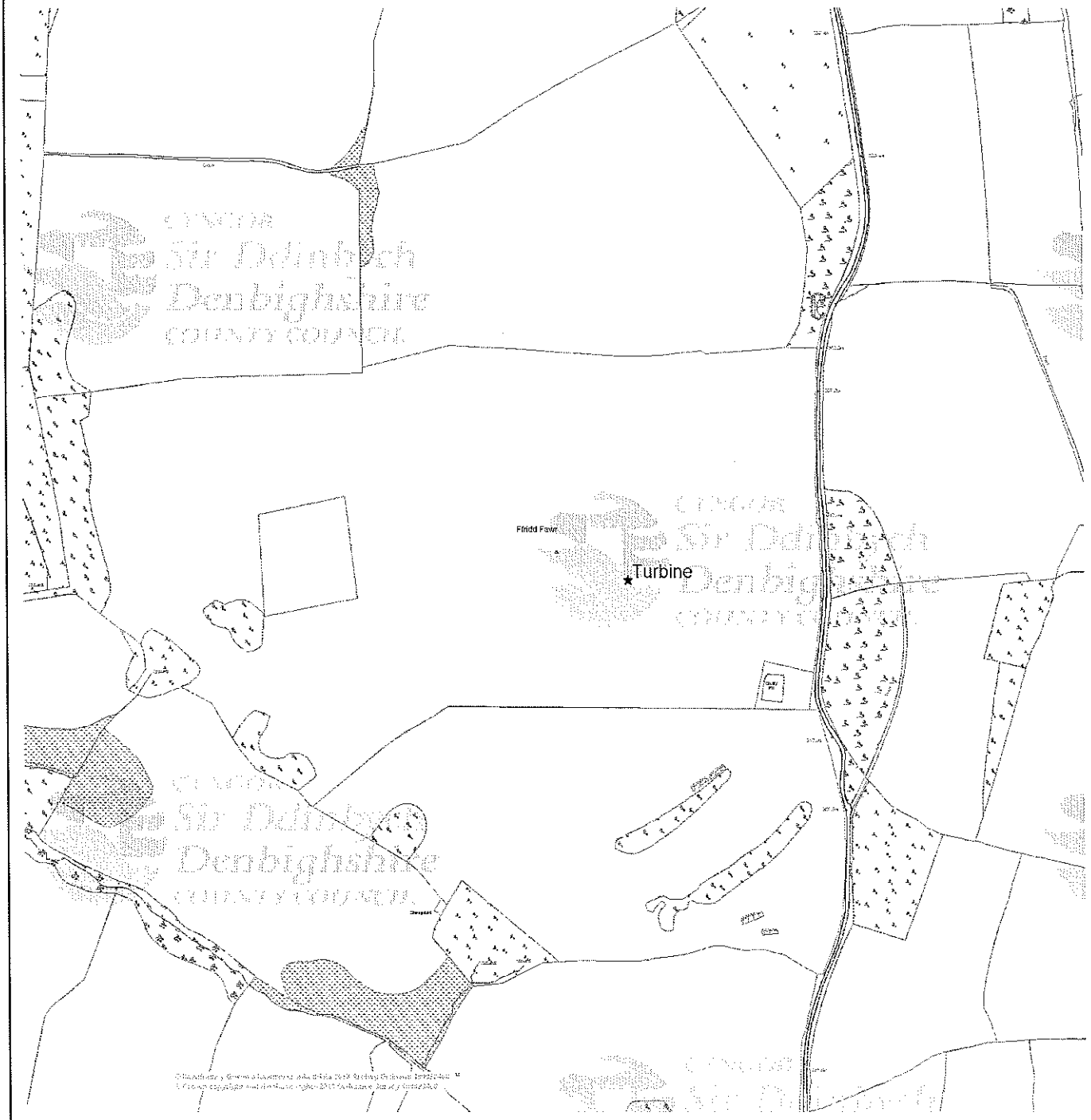
Application Site

N

Date 7/2/2013 Scale 1/5000

Centre = 305538 E 360167 N

This plan is intended solely to give an indiction 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.



LOCATION

23/2012/1358/PF

WindPRO version 2.7.490 Sep 2011

Project:
Ruthin

Printed/Page
15/10/2012 11:44 / 1

Licensed user:
Laurence Gould Partnership
Buchan House Carnegie Campus
DUNFERMLINE KY11 8PL
+44 1383 730538
robin thomson / robinthomson@laurencegould.com

Calculated:
15/10/2012 11:44/2.7.490

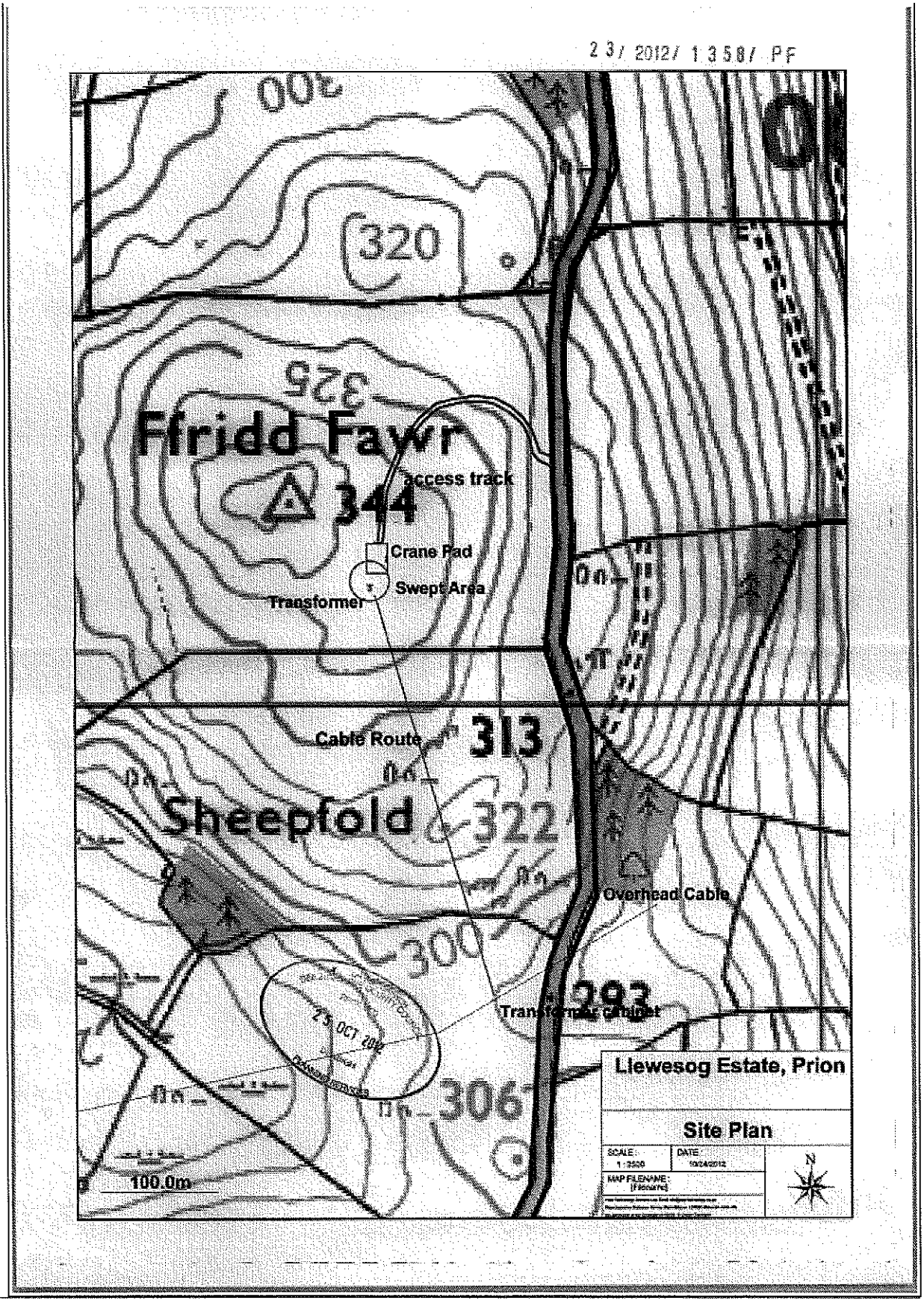
BASIS - Map

Calculation: Site Location

Map: , Print scale 1:12,500, Map center British National Grid (AIRY) East: 305,713 North: 360,162

New WTG

SITE PLAN



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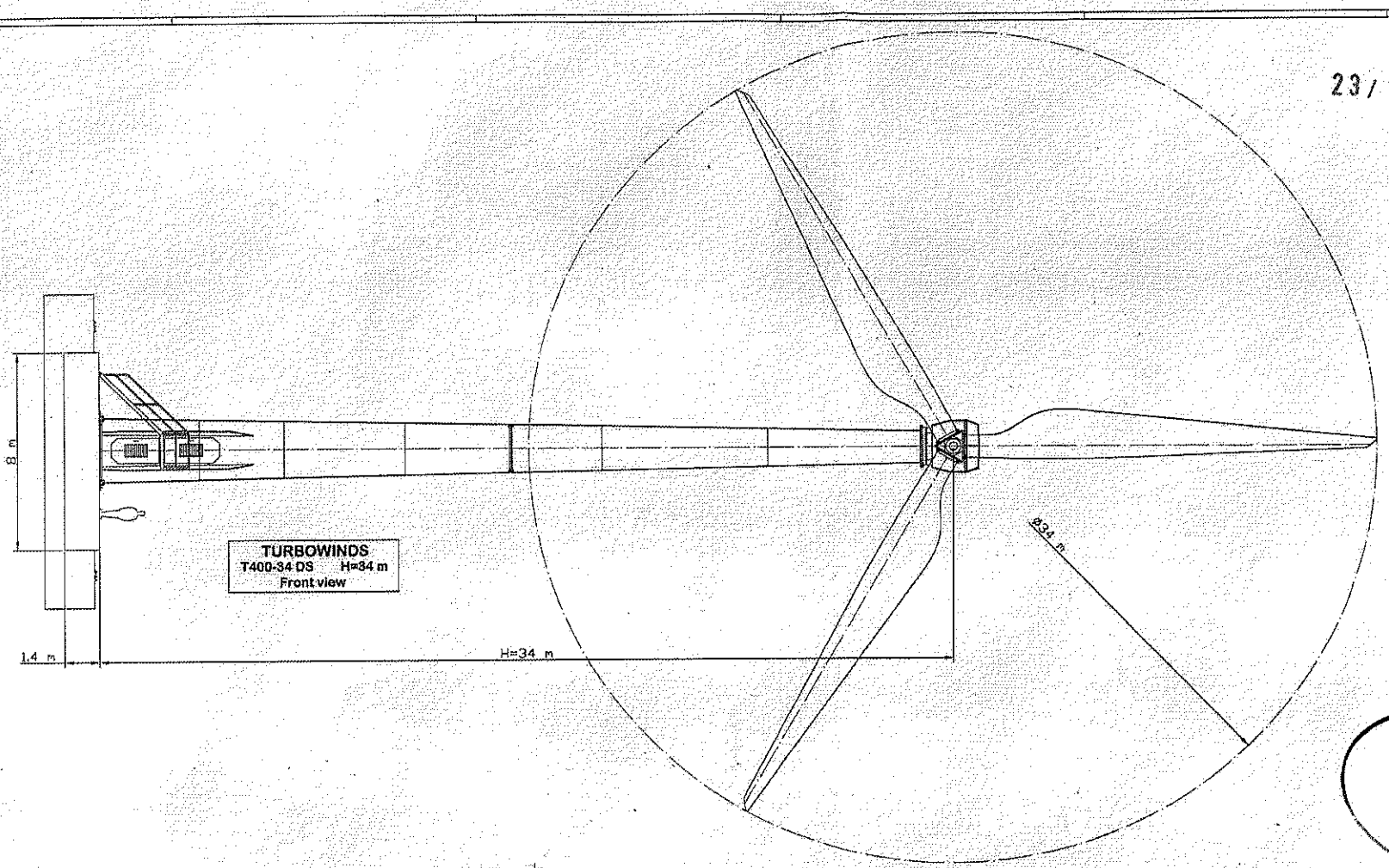

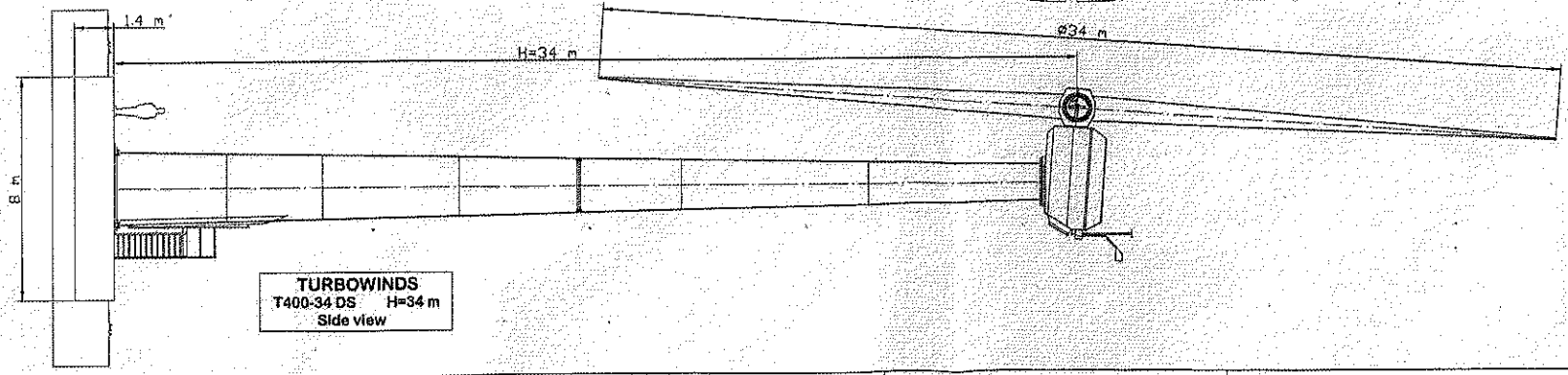

TURBOWINDS
T400-34 DS

TURBINE DETAIL

DMS

ITEM NO:	6
WARD NO:	Llanrhaeadr Yng Nghinmeirch
APPLICATION NO:	23/2012/1358/ PFT
PROPOSAL:	Installation of 1 no. 400kw wind turbine at 51 metres ground to blade tip height and associated grid connection cabinets, access road and hardstanding
LOCATION:	Ffridd Fawr Prion Denbigh
APPLICANT:	Richard William Ffridd Fawr
CONSTRAINTS:	
PUBLICITY UNDERTAKEN:	Site Notice - Yes Press Notice - No Neighbour letters - Yes

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

- Referral by Head of Planning / Development Control Manager

CONSULTATION RESPONSES:

LLANRHAEADR YNG NGHINMEIRCH COMMUNITY COUNCIL
"No objections to the proposal".

COUNTRYSIDE COUNCIL FOR WALES
No objection in principle.

Statutory sites: Proposal will not affect any statutory sites of ecological, geological and / or geomorphologic interest.

Protected species: Turbine will not be within 50m of a bat habitat feature, therefore will not be detrimental to the maintenance of the favourable conservation status of any statutory protected species.

Landscape: Proposal is within a visually attractive area of extensive and relatively remote upland landscape characterised by rounded and undulating hills with exposed tops. Within the LANDMAP and Denbighshire Landscape Strategy the local Landscape Character Area is evaluated as High.

A 51m turbine in this location will have an adverse impact on the local landscape quality and character and will become a visual feature within relatively widespread area, however development does not appear to be contrary to UDP in relation to significant impacts on AONB and Clwydian Historic Landscape, local landscape designations and cumulative impacts with existing consented schemes within SSA-A.

Natural Environment and Rural Communities (NERC) Act 2006: CCW have not considered possible effects on all local and regional assets and authority should have regard to the possible adverse effect on biodiversity interests to comply with duties under section 40 of NERC Act.

ENVIRONMENT AGENCY

Assess application as having low environmental risk. Due to workload prioritisation, unable to make a full response, however standard advice is relevant.

MINISTRY OF DEFENCE
No objection.

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.

AIRBUS OPERATIONS LTD
No aerodrome safeguarding objection to the proposal.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES:

HEAD OF TRANSPORT AND INFRASTRUCTURE – HIGHWAYS
Highways Officer
No Objection.

SENIOR BIODIVERSITY OFFICER
No objection to the proposal. Application site is improved pasture and the turbine would be located over 50m away from any potential wildlife feature.

PUBLIC PROTECTION TECHNICAL OFFICER (POLLUTION)
No objection in principle. If planning permission is granted careful consideration should be given to the noise tolerance levels permitted. Possible reduction to 30dBLA90, 5 min.

LANDSCAPE CONSULTANT
Recommends refusal – would unacceptably harm character and appearance of a landscape of County s.....and set a precedent.

RESPONSE TO PUBLICITY:

In objection

Representations in objection received from:

Ramblers Cymru – North Wales Area, Michael Skuse (Countryside Sec Denbighshire), Caenant, Llangynhafal, Ruthin
CPRW – Clwyd Branch, M.W Moriarty (Hon. Secretary), 7 St Michael's Drive, Caerwys, Mold
Darren Millar - AM for Clwyd West

Pete and Jayne Stephens, Accarlas, Saron, Denbigh
Jo Anne Williamson, Hendre Llan, Cyffylliog, Ruthin
David Insall, Blodnant, Tynant, Corwen
Jeffrey Yates, Hafodty Goch, Saron, Denbigh
Patrick McCormack, Bryn Grugor, Saron, Denbigh
Mr M G Norris & Mrs J I Norris, Ffrith y Geubren, Cyffylliog, Ruthin
Mr D J K & Mrs R A Waltho, Pen y Ffridd, Saron, Denbigh
Ian Gardner, Gwynant, Waen, Nantglyn

Summary of planning based representations in objection:

Principle / Policy: absence of clear national or local strategy to determine acceptability of single turbine applications / outside SSA / fails to conform with UDP policy ENV1, MEW10 and TAN 8

Precedent: reference to multiple turbines and windfarms in supporting documentation – possibly of an intent for additional turbines following this scheme.

Purpose / Farm diversification: not farm diversification / not environmentally motivated / aim is to export energy to grid / not connected to local business or buildings.

Landscape and visual impact: landscape will be degraded / industrialisation of countyside / no landscaping could mitigate the visual effect / visually prominent feature / dominant over large area / out of proportion to any nature features / significant height / would prefer smaller turbines / contrary to Denbighshire Landscape Strategy management object for site to 'maintain open character and high visual quality of prominent hill tops' / natural beauty will be destroyed / detrimental impact on Hirathog region / adverse impact on AONB and Offas Dyke Path

Cumulative impact: 4 no. 50kW turbines already present in Cyffylliog / lead to cumulative visual impact and compromise landscape character / contribute to proliferation of turbines in Cyffylliog area and wider Denbighshire and Conwy landscape / zones of visibility overlap contrary to MEW10 vii).

Visual amenity: 45% of surrounding properties may have views of turbine – large amount of homes impacted / Properties within Vale of Clwyd and the AONB will also be able to see the turbine / significant visual impact from roads / dominance over dwellings in close proximity / from Pen y ffridd residential property, Ffridd Fawr is most promiment feature and turbine will have negative impact on visual amenity.

Biodiversity and nature conservation: protected bird species and bats range, breed and forage in area

Noise, vibration and amenity: close to residential properties / harm quality of life / cumuative noise in combination with 4 no. existing 50kW turbines in Cyffylliog / will cause noise pollution, whipping noise and vibration nuisance

Recreation / tourism amenity: footpaths, bridleways and Hiraethog Trail (800m away) well used, turbine will affect walkers perception of beauty and tranquility of surroundings / when all schemes are operational, will be a falling-off of visitors to area / impact on Hiraethog Trail under estimated in Landscape and Visual Impact Assessment

Transport and highways: transport route contains steep gradients and narrow B roads with limited passing places / route forms part of main local commuting route / route passes close to public rights of way (footpaths and bridleways).

Quality of supporting information: Landscape and Visual Impact Assessment highly subjective / demonstrates little knowledge of the region

EXPIRY DATE OF APPLICATION: 19/12/2012

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 51 metre high Turbowind Energy 400kW 3 bladed wind turbine at Ffridd Fawr, Prion, on agricultural land which forms part of the Llewesog Estate, which consists of approximately 1500 acres of largely tenanted pasture and woodland which is under a forestry management scheme.

1.1.2 The purpose of scheme is to provide a long term estate diversification and environmental project. Reference is also made in the submission to the agricultural diversification merits of the scheme. The Supporting Statement indicates the turbine would generate approximately 1030MWh (1,030,000kWh / units) of electricity per annum, which would contribute to national renewable energy generation and carbon reduction targets.

1.1.3 The application submission includes the following documents:

- Supporting Statement
- Design and Access Statement
- Landscape and Visual Impact Assessment
- Photomontages
- Zone of Theoretical Visibility (ZTV) Plans
- Ecological Assessment
- Noise Assessment
- Site Plan
- Location Plan
- Standard Foundations Plans
- Elevation Drawings and Plans

1.1.4 The proposed turbine would have a hub height of 34m and a blade diameter of 34m, with a maximum blade tip height of 51m. The tower would be of steel construction and RAL9002 grey-white in colour. The blades would be constructed from wood-epoxy and would also be RAL 9002 grey-white in colour. The turbine would be erected on a reinforced concrete foundation pad measuring 8m by 8m, which would be covered with topsoil once the turbine is constructed. At the base of turbine would be a set of steps to allow access to the interior of the turbine. A small anemometer would be mounted on the rear of the turbine.

1.1.5 New permanent access tracks and an area of hard standing are required for delivery, construction and maintenance of the turbine. The hard standing would measure 18m by 25m, would be constructed to a depth of 400mm-800mm (depending on ground conditions) and would be sited next to the turbine. The access track would run from the existing farm gate from the minor road to the east of the site to the turbine location. The access track would be 5m wide, approximately 400mm – 800mm in depth (depending on ground conditions) and approximately 350m in length. Both the hard standing and access track would be constructed using locally quarried shale, to be sourced from a quarry within the estate boundary; once established, these areas will remain for ongoing maintenance purposes, but will be allowed to be colonised by grass.

1.1.6 No landscaping is proposed, however the existing site access would need to be widened and the existing farm gate and fence would be removed during construction; both the gate and fence would be reinstated in the same design and location once the turbine development is completed.

1.1.7 2 no. grid connection / transformer cabinets are proposed; 1 no. cabinet at the base of the turbine, which would house metering equipment and a

transformer, and 1 no. cabinet along side the existing overhead electricity distribution line approximately 500m to the south of the turbine. These cabinets would be dark green in colour with a footprint of 3.11m by 2.26m and be 2.26m in height.

1.1.8 The turbine will connect directly to the local distribution electricity grid via the existing overhead lines approximately 500m to the south of the application site; the cables will be laid in an underground trench across agricultural land between the two grid connection / transformer cabinets; the ground will be re-instated once the cables have been installed.

1.1.9 To enable remote monitoring, a mobile communication link will be used, but no additional cabling is proposed.

1.1.10 The construction phase is anticipated to take over a broken 4-6 week period. Initial groundworks and foundation construction would take place in the first 2 weeks, followed by a 2-3 week period of inactivity whilst the foundation concrete cures. The tower construction and commissioning should take approximately 3-5days.

1.1.11 Construction traffic would access the site from the lane running to the east. Vehicles would approach the site from the south, having travelled to the locale along the B4501 via Saron. Due to the size of some of the loads, a police escort would be required and a Traffic Management Plan would need to be in place. Indicative traffic volumes are as follows:

- Average / typical traffic: 1-2 trucks and 2 light vehicles per day
- Approximately 25 loads of local stone for the access track over 2-4days
- 1 delivery for foundation shutter and rebar
- Approximately 20 concrete deliveries over 1-2 days
- Delivery and removal of 1 no. 250-400 tonne crane and 1 no. 90 tonne hydraulic crane
- 6 no. wide / abnormal loads to deliver the turbine components using vehicles between 12m - 24m in length and between 2.5 – 3.15m in width.

1.1.12 A Construction Transport Management Plan would be submitted to the relevant highways authorities when a final route for the construction traffic has been determined.

1.1.13 At the end of the turbine's operational life, the turbine will be removed from the site and the area returned to agricultural use, or planning permission for a new turbine will be submitted.

1.2 Description of site and surroundings

1.2.1 The application site is located on agricultural land, 2km to the south east of Prion, 2.3km to the north of Cyffylliog and 2.7km to the east of Saron. The site is bordered by an unnamed lane to the east and block woodland to the west. The land is undulating in nature and the proposed turbine would be situated in an elevated position at a spot height of approximately 328m AOD (Above Ordnance Datum if above sea level); to the north of the proposed site the land rises to its highest point of 344m AOD.

1.2.2 There is a network of public rights of way (footpaths) within 1km radius of the site, including footpaths 950m to the east and 750m to the south; no public rights of way traverse the application site itself.

1.2.3 There are some isolated residential properties within 1km of the proposed turbine location which includes: Carreg y Gad 680m to the south, Waen Gadfa (Gwern y Gadfa) 800m to the south-west, Porth 970m to the west, Pen y Coed 1250m to the north-west, Bryn Lluarth 1180m to the north, Ffridd y Geubren 1090m to the south-east, Ffridd Fedw to the 1100m to the east and Cae Serwyd 1210m to the north-east.

1.3 Relevant planning constraints/considerations

1.3.1 In planning policy terms the application site lies in open countryside.

1.3.2 There is an area of Ancient replanted woodland approximately 500m to the west and the Porth local wildlife site is 640m to the west, which is an ancient / broadleaved woodland with plant species interest.

1.3.3 The site lies approximately 2.5km to the east of the north-eastern boundary of the Clocaenog Forest Strategic Search Area. Within approximately 5km radius from the site, there are 5 no. operational and consented wind turbines: 1 no. 50kW / 35m high operational at Cae Gwyn, Cyffylliog (4km to the south), 2 no. 50kW / 46m high operational turbines at Cerrig Orion, Cyffylliog (4km to the south), 1 no. 50kW / 35m high operational turbine at Cae Weirglodd, Cyffylliog (5k m to the south) and 1 no. 50kW / 46m high consented turbine at Cil Llwyn, Bontuchel (5.5km to the south-east).

1.3.4 The Denbighshire Landscape Strategy shows the application site lies within the Denbigh and Derwen (Ruthin) Hills 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 Negative Environmental Impact Assessment screening opinion for 1 no. 400kW turbine was issued by the Council in June 2012.

1.4.2 As at December 2012, a total of 92 wind turbines have been granted planning permission within the County.

1.5 Developments/changes since the original submission

1.5.1 None.

1.6 Other relevant background information

1.6.1 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. FIT payments for wind turbines are guaranteed for 20 years.

2. DETAILS OF PLANNING HISTORY:

2.1.1 23/2012/0709/ENQ5. Request for an Environmental Impact Assessment (EIA) Screening Opinion for 1 no. 400kW wind turbine at Coed y Ffridd Fawr, Prion. Negative Screening Opinion issued 12 June 2012 (i.e. no Environmental Impact Assessment needed to accompany the 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 5 Sites of Local Conservation Importance
Policy ENV 6 Species Protection
Policy ENP 1 Pollution
Policy TRA 6 Impact of New Development on Traffic Flows
Policy MEW 8 Renewable Energy
Policy MEW 10 Wind Power

3.2 SUPPLEMENTARY PLANNING GUIDANCE
SPG 18 Nature Conservation and Species Protection

3.3 GOVERNMENT POLICY GUIDANCE
Planning Policy Wales Edition 5, 2012
TAN 8 Planning for Renewable Energy (2005)
TAN 5 Nature Conservation and Planning (2009)
TAN 6 Planning for Sustainable Rural Communities (2010)
TAN 11Noise (1997)

WELSH GOVERNMENT PRACTICE GUIDANCE
Planning Implications of Renewable and Low Carbon Energy (Practice Guidance 2011)

3.4 OTHER MATERIAL CONSIDERATIONS
Denbighshire Landscape Strategy (2003) / CCW 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 development / agricultural diversification
4.1.3 Landscape and visual impact, including cumulative implications
4.1.4 Biodiversity and nature conservation
4.1.5 Noise and amenity
4.1.6 Hydrology
4.1.7 Construction, transport and highways
4.1.8 Communications and 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.

The Supporting Statement states that the proposed turbine would generate approximately 1030MWh of electricity per annum. It goes on to state that this equates to the average annual electricity consumption of 275 households and will offer a carbon emission saving of 487,190kg of CO_2 per annum (compared to the equivalent carbon emissions associated with mains grid

electricity). However the source of these figures has not been stated in the supporting documents.

For verification, Officers have calculated the electricity generation and carbon savings using established conversion factors, and assuming the turbine's averaged electricity output is1030MWh (1,030,000kWh) per annum, this would equate to the annual electricity demands of 312 homes (based on Ofgem average domestic electricity consumption value of 3,300kWh per annum) with a resultant carbon saving of 540,338kg / 540.3 tonnes per annum (based on Defra/DECC 2011 CO_2 conversion factor of $kgCO_2e/kWh$ = 0.5246); the applicant's calculations are therefore not too dissimilar to the figures calculated by Officers, and the benefits of the scheme in terms of the contribution to renewable energy generation and carbon reduction targets will need to be balanced against other the planning considerations set out below.

4.2.2 Context for the development / agricultural diversification

The scheme is put forward as an estate diversification and environmental project. The Supporting Statement also puts forward an agricultural diversification argument on the basis that the proposal would help the estate sustain a viable rural business and reference is made to the policy contained in TAN6. 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.

Whilst the Council has previously given weight to the agricultural benefits of wind turbine development when considering wind turbine applications on agricultural land, each application has to continue to be assessed on its own merits and this application differs from previous proposals on a number of points which are of relevance:

- The applicant is the estate landowner, and not a farmer.
- Whilst the turbine would be sited on agricultural land, the land is tenanted to Bryn Lluarth farm, and the turbine proposal is not economically or physically connected to the farm holding.
- The turbine has a rated capacity of 400kW. Previous applications dealt with by the Council for on-farm wind turbines which had been put forward as a farm diversification scheme involved much smaller turbines, typically with a rated capacity of 50kW of less. A 400kW turbine is a medium scale turbine and could not be considered to be a 'small on-farm operation' in accordance with TAN6.
- The turbine would not be physically related to any farm complex and would connect directly to the electricity grid; therefore 100% of the electricity generated by the turbine would be exported and not used in connection with a farming enterprise.
- The Planning Supporting Statement states that the turbine would generate approximately 1,030MWh (1,030,000kWh) of electricity per annum. The turbine would be eligible for Feed in Tariff (FIT) payments. Based on the December 2012 – March 2013 FIT tariff rates for a turbine of this size published on the Ofgem website, the turbine would generate over £226,000 in FIT payments per annum (based on a generation tariff of 17.50p per kWh and an export tariff of

4.5p per kWh). FIT payments for wind turbines are guaranteed for 20 years; over the 20 year life time, the turbine would therefore yield approximately £5,420,000.

Officers' view is that the above scenario does not suggest this is a farm diversification scheme and it is consequently suggested it is inappropriate for weight to be apportioned to the diversification arguments in TAN6. Officers feel the scheme should instead be viewed as a unrelated commercial venture and assessed on its own merits accordingly.

4.2.3 Landscape and visual impact, 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. The site lies within the Denbigh and Derwen (Ruthin) Hills landscape character area and is identified as an area of High value of county / regional significance for its high scenic quality, high character, with attractive, tranquil setting, and traditional rolling farmland qualities.

The application is accompanied by a Landscape and Visual Impact Assessment (LVIA) which is supported by Zones of Theoretical Visibility mapping and a series of photomontages from 12 no. viewpoints. The LVIA has be produced with regard to LANDMAP and the Denbighshire Landscape Strategy. The LVIA concludes that the wind turbine proposal would have the following impacts:

- Impact on landscape character: medium level of negative landscape character effect limited to a relatively small area, which is not subject to any statutory designation; therefore proposal will not generate an overall level of unacceptable harm
- Cumulative impact: Taking into consideration the proximity to the SSA-A, the additive effect of a single turbine close to a major

accumulation of larger turbines will inevitably be minor in scale, particularly give the location is at a lower level and consequently less visible within the wider landscape. Therefore concludes the proposal would not create unacceptable cumulative visual impact.

- Impact on enjoyment of landscape for recreational and tourism purposes: Area is marketed under North Wales Borderlands brand, but none of the key attractions are located near study area. Whilst there are two recreational trails and a caravan park at Saron near the site, the are does not appear to be heavily used or vulnerable to harm as a result of the installation. Given the existing proximity to the SSA-A and uncertain links between turbine development and negative recreational effects, the LVIA concludes that the proposal would not result in significant or an unacceptable level of harm to the enjoyment of the area for recreational purposes.

The LVIA concludes that, as the scheme will not generate significant visual or landscape character damage other than to a limited area, the turbine complies with local planning policy.

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 the following:-

"Landscape character and resource
The site lies 16m below the summit of Ffrith Fawr, one of several broad plateau hills making up the Denbigh Derwen Hills LANDMAP visual and sensory area. The area is characterised by relatively remote upland of rounded undulating hills often with exposed tops, bisected by valleys with wooded slopes which are particularly scenic. The area has attractive, tranquil, safe, settled and traditional rolling farmland perceptual qualities and lacks intrusive detractive development. LANDMAP assess the area to be of High character and scenic quality and that the area is of regional/county value.

I consider the landscape characteristics and resource of the locality are a valuable resource locally appreciated and need to be conserved and that the scale and movement associated with a 51m tall wind turbine would unacceptably harm the landscape resource. The development would also conflict with the Denbighshire Landscape Strategy management objectives for the area – maintain the open character and high visual quality of prominent hill tops.

Sensitive Views
Whilst the area is a relatively remote, it is a settled landscape with farmsteads and residential property scattered at regularly intervals across the upland area, with settlement focussed within small hamlets at Prion and Saron. The supporting Landscape and Visual Impact Assessment submitted with the planning application estimates that there are 135 residential properties within 3km of the proposed site, of which 72 are not screened by landform and therefore could be visually affected by the proposal.

Representative photomontage viewpoints have been submitted and assessed to present a guide to the nature of visual change likely to be experienced within the area. It is possible to infer from this assessment that it is likely that the turbine would be a prominent feature within views from at least 2km away from the site.

My own visual assessment indicates that views from or within the vicinity of 15 residential properties within 2km of the site would experience a significant Moderate adverse effect – the turbine would be a prominent component of the landscape, which at present provides a valuable scenic outlook to a relatively high number of residents for such a semi-remote area.

What is however apparent from the photomontage viewpoints in views from the AONB is how the medium scale single turbine is evident and steps down beyond the current wind farm landscape of the forested Clocaenog skyline. I have concerns that the approval of this planning application would set a precedent for the future proliferation of single medium scale or taller wind turbines along the Denbigh and Derwen Hills, with a growing dispersed, discordant and unbalanced pattern of wind turbines when viewed against the consented and not yet built 120m high turbines at Derwydd Bach and planned, but not consented Clocaenog forest development within the SSA".

In conclusion, he therefore recommends refusal as follows:-

"I consider the proposal would unacceptably harm the character and appearance of a landscape of county significance and set a precedent allowing for the proliferation of wind development beyond the strategic Search Area, with cumulative impacts – contrary to UDP Policy MEW iii, vii) and ENV1. The proposal is also contrary to Denbighshire Landscape Strategy management objectives for the area".

CCW have noted the proposal is within a visually attractive area of extensive and relatively remote upland landscape characterised by rounded and undulating hills with exposed tops, in a High value local Landscape Character Area. CCW acknowledge that a 51m high turbine in this location will have an adverse impact on the local landscape quality and character and will become a visual focus within a relatively widespread area. CCW are of the opinion that the development would not have a significant adverse impact on the setting of the AONB, the Clwydian Historic Landscape or on any local landscape designation, nor do they consider that a turbine of the scale proposed in this location would give rise to unacceptable cumulative impacts when considered in combination with the existing consented windfarm schemes within SSA-A.

TAN8 states that, "*within (and immediately adjacent to) the SSA, the implicit objection is to accept landscape change i.e. a significant change in landscape character from wind turbine development.*" (Annex D par. 8.4). Whilst the SSA boundary presented in TAN8 are at a 'broad brush' scale, and the Council should avoid an arbitrary application of the SSA boundary, in this instance, given that the application site is 2.5km from the SSA eastern boundary, and is characterised as rounded and undulating hills with exposed tops, rather than a conifer plantation, Officers would consider in this instance the site is physically and visually distinct from the SSA, and is therefore considered to be outside of the SSA rather than 'on the periphery'. Whilst the proposed turbine is of a scale which may be acceptable in terms of principle, outside of SSAs the implicit objective is to maintain landscape character, and as such

the development proposal should not result in a significant change in landscape character.

The applicant's LVIA and comments from CCW have concluded that the proposed turbine would not result in a unacceptable cumulative impact when viewed in combination with the windfarm development within the SSA, however neither the LVIA or CCW have assessed the potential cumulative impact of the turbine when viewed in combination with the existing and consented individual turbines within the locality. There are 5 no. 'sub-local authority' scale turbines within an approximate 5km radius of the application site (all on-farm 50kW wind turbines with a tip height ranging from 35 – 46m), and Officers have concern that further incremental development of individual turbines outside of the SSA will contribute to the perceived spread of wind turbine development into the wider Denbighshire countryside, which in combination may significantly change the character of high quality local landscapes.

It is the opinion of Officers that the wind turbine proposed would be visually prominent and would have an adverse impact on the local landscape, and the impact is considered to be significant enough that it would dramatically alter the local landscape character and quality. It is also considered that the turbine would be inter-visible with the existing individual turbines within the Cyffylliog area and the wider windfarm development within the SSA and the cumulative visual impacts would be significant that the local landscape would be perceived to be increasingly a 'windfarm landscape' contrary to the guidance in TAN 8, and UDP policy MEW10 which states that wind turbine developments will be permitted, providing iii) '*there is no unacceptable harm to the character and appearance of the landscape...*' vii) *the proposal would not lead to an unacceptable cumulative visual impact...*'.

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 1, 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.*' Policy ENV 6 deals with species protection and states '*development which would unacceptably harm species given special protection by law will not be permitted unless appropriate steps can be taken to secure their protection*'.

The application site is agricultural land and is outside of any statutory or local nature conservation designation, however there is a local wildlife site approximately 640m to the west of the proposed turbine location.

The Ecological Assessment accompanies the application has been informed by a desk study and a walkover survey. The results identified the site as exposed open improved pasture land. No European or UK protected species were observed. Patches of wax cap fungi species were found below the site, but these are unlikely to be affected by the proposal. There were no suitable features for bats within 50m of the proposed turbine, no evidence of badger activity and no suitable habitat for water vole or otter. The assessment concludes that as there is no evidence of sensitive habitats or protected species at the site, the proposed development would not have a significant adverse impact on the ecology of the site.

Neither the Council's Senior Biodiversity Officer nor CCW have raised an objection to the proposal. 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 UDP policies ENV 1, ENV 6 and MEW 10 criterion x).

4.2.5 Noise and amenity

UDP Policy GEN 6 and MEW 10 seek to ensure development does not have an adverse impact on residential amenity. TAN 11 relates to the assessment of noise in relation to development proposals. The general guidance is that local planning authorities should ensure noise-generating development does not cause an unacceptable degree of disturbance, but in some instances it may be acceptable to allow noise-generating activities near to noise sensitive receptors.

Noise: 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 $_{LA90,10min}$ (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.

A Wind Turbine Noise Performance Assessment has been submitted with the application, and section 6 of the Supporting Statement addresses noise impacts. The noise impact of the turbine on 10 no. dwellings surrounding the proposed turbine has been modelled and the results are contained in the Supporting Statement. The results show that the maximum noise predication (expressed in DB_{LA90}) for wind speeds between 4 – 12 metres / second at each of the properties would not exceed the 35dB limited recommended in ETSU-R-97, and therefore the proposal is in compliance with industry best practice.

Advice from the Council's Public Protection Technical Officer (Pollution) is for a suite of planning conditions to be applied to wind turbine developments to ensure adequate measures are in place to limit and control noise emissions, and that consideration should be given to a reduced noise level limit of 30dBLA90, 5 min to ensure against cumulative noise impact.

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.

Section 6 of the Supporting Statement also deals with shadow flicker. The Supporting Statement includes a computer model illustrating the worst case scenario shadow flicker caused by the proposed turbine, and concludes that no residential properties will be impacted by the worst case scenario, however the model does show that the shadow flicker could theoretically extend across the road. However, shadow flicker analysis is not an exact science, and should planning permission be granted, as a precautionary measure Officers would advise a planning condition is imposed requiring mitigation measures to be applied should the incidence of shadow flicker be experienced by any nearby properties.

Detailed planning conditions can be attached 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 Hydrology

UDP Policy ENP1 seeks to protect the environment and the amenity of nearby properties in terms of i) pollution of sea, surface water or groundwater. Excavation and construction works associated with wind turbine development can have an adverse impact on they hydrological and geological regime of the site. In addition, a number of properties within rural areas of the County are reliant on private water supplies. Depending on the geology of the site and the proximity to the source of supply, excavation activities carried out during the construction of a wind turbine development has the potential to cause adverse impacts on the quantity, quality and colouration or water supplies.

A Hydrogeological Impact Assessment accompanies the planning application. The scope of the assessment includes a review of the baseline hydrogeology of the area around the site; identification of potential impacts on relevant receptors; and development of appropriate monitoring and mitigation measures. The report identifies 4 no. potential receptors:

- Groundwater in the Elwy Formation – risk considered low due to nature of the development.
- A private water supply from a spring serving Parc Postyn Cottage approximately 610m to the east of the site – no risk of source derogation or pollution as there is no potential groundwater patherway to the spring.
- A spring serving Bryn Llarth approximately 960m to t he north of the site as well as a licensed abstraction in the same vicinity, also from the spring – risk is considered negligible because of the distance from the site and likely groundwater flow direction from the site towards Nant y Pryf.
- The Nant y Pryf is located about 500m to the east (tributary of the Nant Mawr) – this is a potential pathway to the Nant y Pryf via contaminated groundwater and surface water runoff. Risk is considered low, but it is considered that the potential impacts on water quality can be adequately mitigated by standard good practice measures and planning conditions to prevent release of any fuels.

In conclusion, the Assessment recommends standard good practice measures are applied, with planning conditions to prevent the release of any polluting substances as well as adherence to Environment Agency pollution prevention guidance.

It is possible that a pre-commencement condition(s) could be included obliging the applicant to submit a Construction Management Plan which details the pollution prevention and control measures to be applied during the construction phase, and further planning conditions to prevent any release of polluting substances which could lead to groundwater contamination.

Therefore, subject to the inclusion of appropriate planning conditions, it is reasonable to conclude that the proposal would comply with policy ENP1.

4.2.7 Construction, transport and highways

UDP policy GEN 6 vii), TRA 6 and MEW10 vi) seek to ensure new development proposals do not unacceptably affect the safe and free flow of traffic, and the capacity of the surrounding road networks can satisfactorily serve the development.

New permanent access tracks and an area of hard standing are required for delivery, construction and maintenance of the turbine. The existing site

access would need to be widened and the existing farm gate and fence would be removed during construction; both the gate and fence would be reinstated in the same design and location once the turbine development is completed.

The construction phase is anticipated to take over a broken 4-6 week period, and the construction activity is summarised in section 1.1. Construction traffic will access the site from the lane running to the east. Vehicles will approach the site from the south, having travelled to the locale along the B4501 via Saron. Due to the size of some of the loads, a police escort will be required and a Traffic Management Plan will need to be in place.

A Construction Management Plan has not been submitted with the application.

The Council's highways officers have not raised an objection to the proposal and a Construction Transport Management Plan would be required to be submitted to the relevant highways authorities when a final route for the construction traffic has been determined.

Therefore subject to the inclusion of a planning condition requiring a construction management plan to be submitted prior to commencement of the development, it is reasonable to conclude that the proposal would comply with policy GEN6, TRA 6 and MEW 10.

4.2.8 Communications and aviation

In certain locations wind turbines can affect communication and aviation infrastructure which may also need to be addressed. The application site falls within the 30km Hawarden Airport Safeguarding Zone, and accordingly Airbus, who operate Hawarden Airport, together with 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 The benefits of the scheme in terms of the contribution it would make towards national renewable energy generation and carbon reduction targets needs to be balanced against other material planning considerations.

5.3 Officers continue to have concerns over the sporadic spread of 'one-off' medium / sub-local authority scale wind turbine developments outside the Strategic Search Area, which will have implications upon the ability to conserve the integrity of wider Denbighshire landscapes in the longer term. Officers therefore 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 in this context 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 significantly beyond the boundaries of the Strategic Search Area.

5.4 The application site is within a high quality landscape of county / regional importance. The officers' view is that the proposal would unacceptably harm the character and appearance of this landscape and set an unacceptable precedent which if allowed to continue would have adverse cumulative effects.

5.5 Whilst the applicant has made reference to the agricultural benefits of the scheme in the supporting information, Officers do not consider the proposal falls within the definition of a farm diversification scheme as set out in TAN6 and as such consider it inappropriate to apportion weight to farm diversification benefits; the application has therefore been treated as a commercial scheme and assessed on its own merits.

5.6 Ultimately, the view is that the erection of a wind turbine in this particular location would be visually prominent and would unacceptably harm the character and appearance of a landscape of County significance.

Furthermore it is also considered that the proposal would set a precedent for allowing the proliferation of wind development beyond the Strategic Search Area (SSA) which if allowed would have serious cumulative effects on the locality.

It is therefore concluded that the proposal is contrary to National Guidance and to UDP Policies MEW 10 iii, vii) and ENV 1, Stat 7, GEN 6, and MEW 8. It is also contrary to Denbighshire Landscape Strategy Management objectives .... the area.

5.7 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 the benefits of the proposal in terms of increased renewable energy generation do not outweigh the identified adverse landscape and visual impacts.

RECOMMENDATION:- REFUSE – for the following reason:-

1. In the opinion of the Local Planning Authority, the erection of 1 no. 400KW Wind turbine at 51 metres ground to blade tip height in this location would unacceptably harm the character and appearance of a landscape of County significance and set a precedent allowing for the proliferation of wind turbine development beyond the Strategic Search Area A (SSA A) as identified in Technical Advice Note 8 (TAN 8) and would have adverse cumulative impacts. The potential benefits of increased renewable energy generation are not considered to outweigh national and local policy objectives which seek to conserve and enhance the natural beauty of the County and the proposal is therefore contrary to Denbighshire Unitary development Plan STRAT 7k, GEN 6, ENV 1, NEW 8 and MEW (iii), and the principles set out in TAN 8 and PPW Edition 4.

2. In the opinion of the Local Planning Authority that this development does not amount to a "Farm diversification project" as it has not been demonstrated that it will directly benefit a local farm, it is considered that it is a stand alone commercial venture and as such cannot be claimed to be supported by the principles of agricultural diversification outlined in Technical Advice Note 6 (TAN 6).

NOTES TO APPLICANT:

None