

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

**DATE:** **WEDNESDAY, 4 SEPTEMBER 2013**

**REPORT BY:** **HEAD OF PLANNING**

**SUBJECT:** **FULL APPLICATION - ERECTION OF AN ANEMOMETER MAST (UP TO 80M) FOR THE TEMPORARY PERIOD OF THREE YEARS AT LAND AT FFRITH Y GARREGWEN, CAERWYS.**

**APPLICATION NUMBER:** **050880**

**APPLICANT:** **FLINTSHIRE WIND ENERGY LTD**

**SITE:** **LAND AT FFRITH Y GARREGWEN, CAERWYS**

**APPLICATION VALID DATE:** **6<sup>TH</sup> JUNE 2013**

**LOCAL MEMBERS:** **COUNCILLOR J.E. FALSHAW**

**TOWN/COMMUNITY COUNCIL:** **CAERWYS TOWN COUNCIL**

**REASON FOR COMMITTEE:** **SIZE AND SCALE OF DEVELOPMENT**

**SITE VISIT:** **NO**

**1.00 SUMMARY**

1.01 This is a full application for the erection of a 80 m high anemometer mast for the temporary period of 3 years at Ffrith y Garreg Wen, Caerwys. The purpose of the mast is to measure and monitor wind speed and direction for the purposes of assessing the suitability of the site for a proposed wind farm and to assist in the effective design of any subsequent wind farm. The main issues to consider within the determination of this application are the principle of the development in planning policy terms, the highway implications, the effects upon the visual appearance and character of the landscape together with the effects upon the nearby Scheduled Ancient Monument of Ffrith y Garregwen Round Barrow and the effects upon badgers.

1.2 Due to the height, nature and location of the proposed mast it is considered to have a detrimental impact upon both the visual appearance of the landscape including the AONB beyond and the setting of the nearby Scheduled Ancient Monument of Ffrith y Garreg Wen Round Barrow.

## **2.00 RECOMMENDATION: TO REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS**

2.01 1. It is considered that due to the height, nature and location of the proposal it will have a detrimental impact upon the landscape character of the area including the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty and thereby contrary to Policies STR1, STR7, GEN1, GEN3, L1 and L2 of the Adopted Flintshire Unitary Development Plan.

2. It is considered that due to the height, nature and location of the proposal it will have a detrimental impact upon the setting of the Scheduled Ancient Monument of Ffrith y Garreg-Wen Round Barrow and thereby contrary to Policy HE6 of the Adopted Flintshire Unitary Development Plan.

## **3.00 CONSULTATIONS**

3.01 Local Member  
Councillor J.E. Falshaw  
No response received to date.

Caerwys Town Council  
Objects on the following grounds:-

- Mast will be visible over an extensive area (several kilometres in a westerly direction).
- Visual impact upon this location which is on a gateway to Wales' most successful tourist areas.
- Will not enhance character or appearance of the open countryside.
- Due to height and design of the mast, will adversely impact upon the AONB and Offa's Dyke Path. More damage to tourism.
- Not connected with a small scale rural enterprise.
- Adverse impact upon residential amenity.
- Could become a permanent feature of any proposed wind farm

development.

Head of Assets and Transportation

Based on information provided confirms do not raise any objection to the proposal and do not intend to make a recommendation on highway grounds.

Head of Public Protection

No response received to date.

Clwydian Range & Dee Valley ANOB-JAC

Serious concerns. These being:-

- Introduction of a very large utilitarian structure in a prominent and open site location will introduce a discordant and alien feature which will have a harmful effect on the setting of the AONB.
- The proposal could form part of any subsequent larger application for three 100 m high wind turbines in this area which is at EIA scoping stage.

Liverpool John Lennon Airport

No objection. Acceptance not taken as acceptance of a wind farm development at this location.

Defence Infrastructure Organisation

Site outside of MOD Statutory Safeguarding Area. No safeguarding objections to the proposal. Requests structure fitted with aviation warning lighting, fitted with a minimum intensity 25 candela Omni directional red light or equivalent infra-red light at highest practicable point of structure.

D10-Safeguarding (Wind Energy)

No response received to date.

Civic Aviation Authority (Safety Regulation Group) (Non-Wind Turbines)

No response received.

Denbighshire County Council

No objection for a temporary period of 3 years.

Natural Resources Wales

Standard advice applies.

CADW

No response received to date.

Clwyd-Powys Archaeological Trust

No direct impact on any recorded archaeological sites. Mast lies within 150 m of SAM F1110 – Ffordd y Garreg Wen Barrow and CADW should be contacted with regard to any visual impact upon the setting of this monument and others in wider area.

RSPB

No response received to date.

BHP Petroleum Ltd

No response received.

Clwyd Badger Group

Object. Active badger sett to the south of the site. Equipment, track etc will cause a great deal of disruption to badgers and other wildlife on site.

Airbus

No response received to date.

Ramblers

Object to proposal on grounds that we would object to any subsequent application for wind turbines on this exposed site where industrial development of this nature would harm the landscape and would be visible from the AONB to the south and Wirral to the north east.

**4.00 PUBLICITY**

4.01 Site Notice, Neighbour Notification

7 letters of objection received. The grounds of objection being:-

- Proposal is the precursor of a wind farm proposal.
- Claims that such a wind turbine saves on carbon dioxide output are not demonstrable when examined on the basis of a complete scheme including back up.
- Allowing proposal would lead to the industrialisation of land leading into the AONB. Encourage other parties to resubmit applications for planning previously refused.
- Impact upon residential amenity.
- Provide physical and visual interference for pilots flying "light aircraft".
- Field is prone to flooding.
- Considerable population of skylarks, curlews, buzzards, hares and swallows.

- Future erection of wind turbines would increase the risk of collisions to model aircraft.
- Detrimental impact upon the AONB.
- Contrary to UDP planning policies.
- No positive benefits for the people of Flintshire.
- Detrimental impact upon people's sleep and mental health.
- Not connected with any small scale rural enterprise or forms part of small scale diversification scheme. First phase of industrialisation of undeveloped countryside that forms no part of any designated development zone.
- No indication that guidelines of CAA's document, CAP 754-CAA Policy and Guidelines on Wind Turbines (as amended) have been followed.

## **5.00 SITE HISTORY**

5.01 **34132** – Siting of a shelter – Granted 3<sup>rd</sup> September 2002.

**96/15/472** – Certificate of Lawfulness – Granted 15<sup>th</sup> October 1997.

**651/86** – Continuation of use as gliding club – Withdrawn 22<sup>nd</sup> December 1986.

### **Adjoining Site – West**

**42657** – A55 Service Facility – Refused 11<sup>th</sup> February 2009.

### **Adjoining Site – South West**

**49042** – Outline – Secure truck parking facility with ancillary development – Refused 16<sup>th</sup> March 2012 & Dismissed on Appeal 1<sup>st</sup> March 2013.

**47840** – Outline – Secure truck parking facility with ancillary development – Withdrawn 10<sup>th</sup> May 2011.

**43612** – Outline – Secure truck parking facility with ancillary & complementary development – Refused 11<sup>th</sup> February 2009.

### **Adjoining Site – South**

**050077** – Erection of a wind turbine with a 55.6m hub, a 24m blade, giving an overall ground to blade tip height of 79.6m and two metering units – Current.

## **6.00 PLANNING POLICIES**

- 6.01 Flintshire Unitary Development Plan  
Policy STR1 – New Development.  
Policy STR7 – Natural Environment.  
Policy GEN1 – General Requirements for Development.  
Policy GEN3 – Development in the Open Countryside.  
Policy D1 – Design Quality, Location & Layout.  
Policy D2 – Design.  
Policy L1 – Landscape Character.  
Policy L2 – Area of Outstanding Natural Beauty.  
Policy WB1 – Species Protection.  
Policy HE6 – Scheduled Ancient Monuments & Other Nationally Important Archaeological Sites.  
Policy AC13 – Access & Traffic Impact.  
Policy MIN8 – Protection of Mineral Interests.  
Policy EWP1 – Sustainable Energy Generation.  
Policy EWP4 – Wind Turbine Development.

National

Planning Policy Wales Edition 5 (November 2012).

Technical Advice Note 5 Nature Conservation & Planning (2009).

The proposal is considered acceptable in principle in planning policy terms. The details of the proposal need to be considered.

**7.00 PLANNING APPRAISAL**

7.01 Site Description & Proposals

The site comprises part of a field used for the grazing of sheep located approximately 600 m to the east of Junction 31 of the A55 (T) and approximately 140 m to the south of the A55 (T). It is also on the eastern side of the B5122 which leads to the town of Caerwys, some 2.5 km to the south west of the site. It enjoys an elevated position, with the land sloping upwards from west to east and from south to north. To its south, east and west, the site is surrounded by other agricultural land.

- 7.02 The proposal involves the erection of an anemometer mast, 80 m in height for a temporary period of three years. The wind recording apparatus, including anemometers, wind vanes and temperature/humidity gauges are sited between 10 and 80 metres along the mast which is of a tubular construction and supported by steel guy wires which are anchored into the ground and which extend to a radius of approximately 40 m. The external diameter of the anemometry mast tapers slightly, being approximately 150 mm at the top and 270 mm at the base. The steel guy ropes which hold the structure in place are 6 mm in diameter.

- 7.03 As part of the assessment into the suitability of the site for wind farm development, the applicant's agent are undertaking several studies to

determine both the suitability of the site for wind energy and the environmental impact of any proposed development. One such study that is necessary in this process is the determination of the wind resource of a site and it is for this reason that an anemometer is required for this site.

7.04 Issues

The main issues to consider within the determination of this planning application are the principle of the development in planning policy terms, the highway implications, the effects upon the visual appearance and character of the area together with the effects upon the nearby Scheduled Ancient Monuments and the effects upon badgers.

7.05 Principle of Development

The site is located within open countryside. As such both Policies STR1 and GEN3 of the Flintshire Unitary Development Plan apply. Both policies allow development which is appropriate to the open countryside and where it is essential to have an open countryside location rather than being sited elsewhere.

7.06 Due to the nature of this development, it is argued that it is essential to have an open countryside location and therefore accords in principle to both policies STR1 and GEN3 of the Flintshire Unitary Development Plan. What needs to be considered are the actual details of the proposals.

7.07 Visual Appearance & Character of Area

The site enjoys an elevated position and is located approximately 140 m on the southern side of the A55 (T) and 600 m eastwards of Junction 31. It is also located on the eastern side of the B5122 which leads to the town of Caerwys and approximately 200 m north of Footpath 11 – Caerwys. Given the above, it therefore enjoys a prominent position.

7.08 It is located also in a rural area, where the agricultural landscape is characterised by gently undulating countryside with an open character that in the immediate area is largely devoid of hedgerows and trees. The Clwydian Range and Dee Valley Area of Outstanding Natural Beauty lies approximately 4,728 m, 3,620 m and 4,471 m to the west, south west, and south of the site respectively.

7.09 The proposal will be 80 m in height and be a structure that is not a feature unusually found in the countryside.

7.10 Due to the proposal's height, elevated site, proximity to the A55 (T), B5122 public footpaths and the open nature of this part of the landscape, it is considered, it will be viewed from a number of public viewpoints.

7.11 Given the above, it is considered that the impact of the proposal on the landscape character of the area and indeed parts of the nearby Clwydian Range and Dee Valley Area of Outstanding Natural Beauty would be high and totally out of keeping. It would be visually detrimental to these areas and result in an unacceptable form of development into the open countryside including parts of the Area of Outstanding Natural Beauty beyond.

7.12 Highway Implications

The Highways Department now finds both the route and method of transportation for the component parts of the mast to be acceptable and thus will not have a detrimental impact upon both highway and pedestrian safety.

7.13 Impact Upon Scheduled Ancient Monument

The Scheduled Ancient Monument of Ffrith y Garreg-Wen Round Barrow lies approximately 100 m to the north of the proposal. The Monument enjoys an elevated position and is a turf covered mound. It has extensive views over the shallow bowl-shaped valley to the south and west.

7.14 Whilst the proposals will not physically affect the monument, it is considered that due to their proximity to it and that it will both be seen from the adjacent public footpath and roads, it will detrimentally affect the setting of the existing mound.

7.15 Wildlife Implications

Clwyd Badger Group raise an objection to the installation of the anemometry mast due to the presence of a badger sett to the south of the proposed mast location. From extensive surveys undertaken in the past together with a recent site visit, the records from the Applicant's Agent show that there is no badger sett on the site to the south of the proposed met mast location. Their records show that the nearest sett is outside of the site boundary to the south of the site and over 700 m from the proposed met mast location.

7.16 Given the above, it is considered that any disturbance associated with erecting the met mast is unlikely to directly affect this sett and furthermore the work would result in only a very small loss of foraging habitat with significant alternative habitat available in the immediate surroundings.

## **8.00 CONCLUSION**

8.01 It is considered that for the above reasons, the proposal will have a detrimental impact upon the visual appearance and character of the landscape including the AONB together with the setting of the nearby Scheduled Ancient Monument. The need to increase renewable energy sources in the local area and nationally by the assumed end development (wind turbines) of helping to reduce carbon emissions



and to provide energy, it is considered, does not outweigh the harm of this development will have upon the landscape including the AONB beyond or Scheduled Ancient Monument.

- 8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

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