

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **6<sup>TH</sup> NOVEMBER 2013**

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

**SUBJECT:** **APPEAL BY MR. M. JONES AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR THE ERECTION OF A 11KW MICRO GENERATION WIND TURBINE WITH CONTROL BOX AND ALL ASSOCIATED WORKS ON LAND AT GOP FARM, TRELAWNYD, FLINTSHIRE, LL18 6DG.**

**1.00 APPLICATION NUMBER**

1.01 050049

**2.00 APPLICANT**

2.01 MR. M. JONES

**3.00 SITE**

3.01 GOP FARM, TRELAWNYD, FLINTSHIRE, LL18 6DG

**4.00 APPLICATION VALID DATE**

4.01 4<sup>TH</sup> SEPTEMBER 2012

**5.00 PURPOSE OF REPORT**

5.01 To inform Members of the Inspectors decision in relation to an appeal into the refusal of planning permission under delegated powers for the proposed erection of a 24.9 metre high (to blade tip) 11kW micro generation wind turbine and ancillary works on land to the south of Gop Farm, Trelawnyd. The appeal was held by way of the exchange of written representations and was DISMISSED.

## 6.00 REPORT

### 6.01 The Main Issues

The Inspector considered the main issues for examination in the consideration of this appeal to relate to the following:

1. the impact upon the character and appearance of the locality with the particular effect upon the Clwydian Range Area of Outstanding Natural Beauty (AONB);
2. the impact upon the settings of nearby listed buildings and Scheduled Ancient Monuments; and
3. other material considerations.

### 6.02 Impact upon AONB and landscape character and appearance.

The Inspector noted that the appeal site sits in very close proximity to Gop Hill and its associated cairn which he considered to be prominent and distinctive landmarks within the landscape at this part of the AONB. He considered that the turbine would, by virtue of its location, amount to a prominent visual feature along the adjacent A5151. He took the view that its height, combined with its associated movement would draw the eye.

6.03 The Inspector also considered the impact of the turbine upon views of the AONB from the upper slopes of Gop Hill. He noted the views across the western margin of the AONB from this significant viewpoint were important and concluded that the turbine would appear as a substantial isolated structure which amounted to a prominent and distracting foreground element to the panorama of the AONB, the Vale of Clwyd and the distant views to the mountains of Snowdonia beyond.

6.04 Accordingly he concluded that the proposals would be contrary to the provisions of Policy L2 of the UDP and would result in clear harm to the visual and landscape quality and the natural beauty of the AONB.

### 6.05 Listed Building

The Inspector noted that Gop Farm Dovecote occupies a prominent position in relation to the appeal site. He considered that, notwithstanding other utilitarian agricultural buildings, the dovecote was a striking feature within the landscape with the most striking aspect of its structure, its stepped gables, a clearly visible and prominent feature.

6.06 He concluded that views towards the dovecote would be interrupted by the turbine to such an extent that its setting and the public appreciation of the building would be unacceptably harmed. He concluded that the statutory duty to preserve the setting of such buildings would not be achieved through this proposal and therefore the proposals were also contrary to Policy HE2 of the UDP.

6.07 Scheduled Ancient Monuments

The Inspector noted that the Gop Cairn was a large impressive feature, prominently visible upon the summit of Gop Hill. Whilst he noted that Gop Caves were not, in themselves, especially prominent except at close quarters, they were nevertheless visible as part of the limestone outcrop within the hillside as a whole. He considered that that Gop Hill and its surrounding landscape, including the caves, were a significant element of the settings of the Scheduled Ancient Monument.

6.08 He concluded that the proposed siting of a tall structure with rotating blades within this landscape would significantly detract from and result in harm to the this setting, contrary to Policy HE6 of the UDP.

Other Matters

6.09 Notwithstanding the main issues for consideration, the Inspector had regard to the landscape and visual impact assessment and the accompanying historic asset impact assessment. He shared the view of the Local Planning Authority that these reports were too narrow in their focus and attributed weight incorrectly to the assessment of the significance of Gop Hill and its Cairn to the landscape and AONB.

6.10 The Inspector also noted the recent decision of Denbighshire County Council to allow a 50kW turbine some 1.5km to the south of the site. However, he considered that the appeal site had a completely different relationship to the AONB in a wider sense and in particular to the significant historic assets at and adjoining the site.

6.11 He also noted the arguments advanced in respect of the renewable energy benefit, changes made to take account of the location and the economic benefits to the farming operations.

**7.00 CONCLUSION**

7.01 The Inspector concluded that the other considerations were not such, either in isolation or taken cumulatively, that they would outweigh the harm to the AONB of the settings of the listed building or Scheduled Ancient Monuments he had identified.

7.02 Consequently, and for the reasons given above, the Inspector considered the appeal should be DISMISSED.

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