

FLINTSHIRE COUNTY COUNCIL

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

DATE: **12 FEBRUARY 2014**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **INSTALLATION OF A SINGLE 11KW MICRO WIND TURBINE AT MIDLIST FARM, PANT Y GOF, HALKYN**

APPLICATION NUMBER: **051493**

APPLICANT: **Mr J SIGSWORTH**

SITE: **MIDLIST FARM, PANT Y GOF ,HALKYN**

APPLICATION VALID DATE: **18 NOVEMBER 2013**

LOCAL MEMBERS: **COUNCILLOR C LEGG**

TOWN/COMMUNITY COUNCIL: **HALKYN COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **THE HEIGHT OF THE TURBINE STRUCTURE EXCEEDS THE 15M HEIGHT OF STRUCTURES THAT CAN BE DETERMINED UNDER DELEGATED POWERS**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This application has been submitted as a full application and seeks consent for the erection of one, 11kw wind turbine. The turbine is proposed to be 18.3m to hub height and the height to the tip of the blades being 25m high. The wind turbine is proposed to generate electricity for the farm unit within which it is set.
- 1.02 The main issues to consider in the determination of this application are the impact upon visual amenity, potential noise and any potential adverse impact upon residential amenity and wildlife.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

- 2.01
1. Time limit on commencement of works
 2. In accordance with approved plans
 3. Decommissioning of the site upon cessation of use
 4. Limit on noise emission from the turbine shall not exceed 42 d B LAeq(1hr)
 5. Prior to commencement of development a scheme for Reasonable Avoidance Measures Strategy to be submitted with regard to bats and great crested newts.
 6. Prior to commencement of any works a condition survey of the proposed route shall be carried out in conjunction with the Highways Authority's Street Scene Section.

3.00 CONSULTATIONS

3.01 Local Member

Councillor C Legg

No response received at time of writing.

Halkyn Community Council

Offer no observations.

Head of Assets & Transportation

Raised no objection subject to condition regarding a condition survey of the proposed access route being carried out prior to any works on site.

Airbus

The proposal does not conflict with the safeguarding criteria, we have no aerodrome safeguarding objection to the proposal.

Pollution Control

From the information submitted it indicates that a turbine of this design, size and position will be within the recommended noise levels, however in the interests of amenity it is suggested that any permission should be conditioned to limit the noise level emitted from the wind turbine. Shadow flicker has been considered and due to the distance between the wind turbine and any nearby properties is not considered to be an issue.

Rights of Way

Public Footpaths 46 and 47 cross the site but appear unaffected by the development. The footpath must be protected and free from interference from the construction.

Welsh Government Transport

No response received at time of writing.

Defence Infrastructure Organisation

No objection to the proposal.

Energy Services

No response received at time of writing.

Natural Resources Wales

NRW does not object to the proposal, providing advice with regards to bat and great crested newt protection on the submitted supporting statement are followed, then the proposal is unlikely to adversely affect protected species, or statutory nature conservation sites and protected landscapes.

4.00 PUBLICITY

4.01 Site Notice, Neighbour Notification

No response received at time of writing as a result of this publicity.

5.00 SITE HISTORY

5.01 None relevant to this proposal.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 - New Development

GEN1 - General Requirements for Development

GEN3 - Development in the Open Countryside

EWP4 - Wind Turbine Development

D2 - Design

WB1 - Species Protection

TAN8 Technical Advice Note Planning for Renewable Energy

Planning Policy Wales, Edition No 5 Nov 2012.

PLANNING APPRAISAL

Introduction

7.01 This application is a full planning application for the installation of one 11kw wind turbine, for the generation of electricity for use in connection with the existing farm and wholesale meat processing use, operating from the existing farm unit. The hub height of the turbine is proposed to be 18.3m high and a total height to the tip of the blades being 25m high.

Site Description

7.02 The proposed turbine is to be located in open countryside but not within any designated sensitive site. The location of the turbine is proposed to be sited on a steep grass slope, within the existing farm unit. The topography of the site means that the position of the turbine will not result in sky line development, and will effectively lead to the

turbine being largely viewed against a background of the existing pasture land, which will minimise its visual impact.

- 7.03 In addition the colour of the tower being of a galvanised grey steel colour and the white turbine blades further help the turbine assimilate in to the land/sky scape. The site is set within grassed pasture land with mixed woodland copses in the general area, where there are also a number of telegraph poles and a telecommunication mast.
- 7.04 Principle of Development
Development such as this that comes from clean renewable energy generation sources is encouraged under TAN 8 Technical Advice Note Planning for Renewable Energy and guidance offered in Planning Policy Wales, Edition No 5, Nov 2012.
- 7.05 In addition the adopted Flintshire Unitary Development Plan also encourages the use of this type of energy generation, under the above policies and especially in compliance with Policy EWP4 Wind Turbine Development, subject to no significant adverse impact upon visual amenity of the area, noise generation, no adverse impact upon residential amenity or wildlife.
- 7.06 Justification
Development of the installation of one 11kw turbine is considered to be micro generation. The height of the turbine has been designed to achieve the most energy generation for this location, in order to offset the cost of the installation in conjunction with use on the farm unit.
- 7.07 Visual Impact, Shadow Flicker and Potential Noise Impact
The application has been considered by both the Energy officer and the Environmental Health Officer, with regard to the expected energy generation and any potential adverse impact in relation to visual, noise and shadow flicker impact and no objection has been raised in this regard.
- 7.09 The location of the turbine has been carefully considered with regard to the potential impact on visual amenity, being located against the slope of the land using the existing topography of the land as a background to the turbine as a result the proposal does not result in a sky line development.
- 7.10 As such the proposal is not considered to be over dominant or to adversely impact on the open countryside. The potential for shadow flicker, whilst the blades are rotating has been considered by the pollution control officer and he has assessed that due to the distance of the turbine from residential properties that this will not be an issue.
- 7.11 Due to the proximity of the turbine in relation to the A55 I have consulted with the Welsh Government Transportation section and at the time of writing no response had been received. The Highways

section have also been consulted on the application and raise no objection to the proposal, subject to a condition re. a survey of the proposed access route to the development site being undertaken, prior to commencement of works, this is to be carried out in conjunction with the Highways Street Scene Section. Any planning permission shall include a note to the applicant with regard to the applicant contacting the Street Scene Section in order to arrange the necessary traffic management, and the required photographic log of the existing condition of the approach road, and once works have been completed an assessment is to be carried out to establish whether any damage has occurred, if so the applicant will be liable for the cost of any repair works.

- 7.12 The Environmental health officer has had regard to the acoustic details accompanying the application and considers that on the information provided, that a turbine of the design, size and in the position proposed, will be within the recommended noise levels, however in order to safeguard the local amenity it is advised that any permission should be conditioned to ensure that the noise level emitted from the wind turbine shall not exceed 42d B LAeq (1hr) at any nearby residential property.

Protected Species

- 7.13 Due to the open countryside location of the proposed turbine and the potential for adverse impact on wildlife, Natural Resources Wales and the County Ecologist have been consulted on the proposal. Natural Resources Wales have offered no objection to the proposal as the scheme appears to achieve the minimum 20m buffer zone from hedgerows and trees, accordingly the scheme is not considered to adversely impact upon the foraging/commuting routes afforded by hedges / trees, as such the proposal is unlikely to have a detrimental impact on the favourable conservation status of any bat populations.
- 7.14 As great crested newts (GCN) have been recorded within approximately 280m of the site, it is likely that GCN may cross the application site. To ensure that the development has no detrimental impact upon the favourable conservation status of the GCN population, it is recommended that any planning approval should be conditioned to require the submission of a Reasonable Avoidance Measures Strategy (RAMS), prior to commencement of any development on the site. In addition to the above the proposal is not considered to adversely impact upon any nature conservation sites or protected landscapes, due to the distance of the application site from any protected landscapes.
- 715 In view of the above, it is considered that the proposal will not adversely impact upon protected species or habitat and as such is compliant with the above protected species policy of the adopted unitary development plan.

8.00 CONCLUSION

- 8.01 It is considered that the proposed 11kw wind turbine will enable the generation of a clean source of renewable energy to be generated from the site, for use with the existing farm unit and the connected meat processing plant on the farm unit. As such the proposal is considered compliant with the above policies and guidance.
- 8.02 Any potential impacts will be mitigated for, by the sensitive location of the proposed turbine, its design, noise emissions and the materials of its construction, limiting any potential adverse impacts upon the wider area.
- 8.03 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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