

FLINTSHIRE COUNTY COUNCIL

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

DATE: **21ST JANUARY 2015**

REPORT BY: **CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

SUBJECT: **FULL APPLICATION – ERECTION OF WIND TURBINE (26 M HIGH TO BLADE TIP) AT PARK VIEW GARAGE, ST. ASAPH ROAD, LLOC, HOLYWELL.**

APPLICATION NUMBER: **052396**

APPLICANT: **MR. PETER DAVIES**

SITE: **PARK VIEW GARAGE, ST. ASAPH ROAD, LLOC, HOLYWELL**

APPLICATION VALID DATE: **11TH JULY 2014**

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

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

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

SITE VISIT: **NO.**

1.00 SUMMARY

- 1.01 This application is for the erection of a 26 m high (to blade tip) wind turbine at Park View Garage, St. Asaph Road, Lloc. The main issue is the visual impact of the proposal upon the landscape in this location.
- 1.02 Given that it is located in close proximity to an existing 20 m. high telecommunications mast, buildings and the A55 expressway, it is considered that there will not be a significant increased detrimental impact upon the landscape in this location.

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

2.01 Conditions

1. Time commencement.
2. In accordance with approved plans.
3. Decommissioning of the site upon end cessation of use.
4. No exception below depth of water table.
5. Development not commenced until such time as a scheme for
 - i. The storage of oil/fuels.
 - ii. The proposed method of working (construction method statements).
6. Facilities provided and retained within site for loading, unloading, parking and turning of vehicles to ensure all vehicles enter and leave site in forward gear.
7. Ensure access gained from B5122.
8. Archaeological watching brief.

3.00 CONSULTATIONS

3.01 Local Member

Councillor J.E. Falshaw

Agrees to determination under delegated powers. Preliminary views of concern due to the visual impact upon the AONB.

Caerwys Town Council

Object to the application for the following reasons and concerns.

- Adverse impact to visual amenity on the edge of the AONB. This is an industrial scale development in a rural area.
- Impact and potential damage to trees and hedgerows during delivery and subsequent construction of the proposal.
- Impact to hedgerows and other features in connecting this wind turbine to the National Grid.
- Removal and potential adverse impact to the principal aquifer located in the immediate area.

Highways Development Control Manager

Recommends any permission to include suggested planning condition.

Planning & Environment (Rights of Way)

Public Footpath 25 crosses the site but appears unaffected by the development. Path must be protected and free from interference from construction.

Head of Public Protection

Studied manufacturer's reference material and have also studied information for noise emissions from this and other wind turbines. All information received indicates that a turbine of this design, size and position will not be audible at any neighbouring property at this location. Therefore no objections.

Welsh Government Transport

As Highway Authority for the A55 trunk road, directs that any planning permission should include suggested conditions.

CADW

No direct physical impacts upon nearby monuments, indirect impacts on their settings are a material consideration.

Number of Bronze Age barrows inter-visible. Crown Wood Barrow is closest. Proposed tip height of turbine has limited zone of influence and consequently a reduced effect on the setting of monuments.

Other modern, man made structures are visible to south of this monument and most significantly the A55 which introduces movement and noise to its setting. Impact not considered to be significant due to views in this direction already being compromised, the distance from the proposal and low height of the turbine.

Due to intervening distance, topography and vegetation, proposed turbine will not have an adverse impact upon the setting of the registered historic parks and gardens either.

Clwydian Range & Dee Valley AONB JAC

Given distance from AONB and limited height of proposal set against backdrop of larger development around A55 Caerwys Junction/Service Area, JAC considers impact on distant views from AONB will be minimal. Impact on views of AONB from A55 also be fleeting and limited. Therefore no objections in principle. Suggests local and distant impacts further reduced by suitable landscaping scheme to enclose and break up open character of entire site within applicant's ownership.

Would not want to see it setting a precedent for further applications for wind turbines in this locality.

Clwyd-Powys Archaeological Trust

Predicted Roman road course not confirmed during construction of A55. Possible may be located south of main road and would be appropriate to maintain a watching brief during construction of base of any hardstanding. Therefore recommends watching brief condition upon any planning permission granted.

Natural Resources Wales

No objections in principle to the proposed development subject to the inclusion of suggested conditions in any planning permission granted regarding impact upon the water table and prevent pollution of the water environment.

Denbighshire County Council Planning Section

Due to the size and location of the turbine, the Council have no objection to the proposal.

Civil Aviation Authority

No responsibilities for safeguarding sites other than its own property.

DOI Safeguarding

No response received to date.

Airbus

Has been examined from an aerodrome safeguarding aspect and does not conflict with safeguarding criteria. No aerodrome safeguarding objection to the proposal.

Liverpool John Lennon Airport

No objection.

National Air Traffic Services

No response received to date.

Dwr Cymru Welsh Water

No response received to date.

RSPB

No response received to date.

SP Energy Networks

Have plant and apparatus in vicinity. Developer advised to contact them before undertaking any construction works.

CPRW

Objects to this planning application on the following grounds:-

- Height will produce a very prominent and unacceptable feature within surrounding open countryside which will be emphasised by turbines rotating blades.
- No ecological survey has been undertaken (breeding Lapwings are a RSPB red list species).
- Impact upon heritage and cultural assets.
- Impact upon the hydrogeology of the area. Area is sensitive to

controlled waters.

- Telecommunications mast is erected no more than a maximum of 60 m away. Planning guidance indicates needs to be 100 m clearance from swept area of turbine blades.
- Belt of trees forms part of Northern boundary needs to be 50 m away. Questions whether this will be achieved.
- No information provided about effect on application systems.
- No cumulative assessment been made with regard to similar development that has been consented (051315 & 051825). Also 50880 that is intended to support a planning application to erect 3 turbines nearby.
- No information provided to the operational life or decommissioning of the proposal.

Ramblers Association

Does not appear to affect adjacent right of way. Caerwys 25 line should be safeguarded during any construction works.

Concerned to ensure that approval in this case is not seen as a precedent for industrial scale development in the same area.

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification

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

- Proper consultation of proposal not been carried out.
- Not sensitive to needs of community. The turbine would over-dominate and severely impact upon the character and appearance of area through adverse visual intensity.
- Impact upon adjoining occupiers in terms of noise and shadow flicker.
- Would set a dangerous precedent and would lead to a proliferation of similar applications in the locality which the Council would find difficult to refuse.
- Would have a detrimental impact upon geese and Lapwings.
- An EIA should be provided.
- Distract drivers and compromise road safety.

- Impact on emergency services as it is on the route of the air corridor used by Police helicopter.
- Provide an eyesore on main tourist route into North Wales.
- Government policy is now to encourage off shore rather than on shore wind farms.

5.00 SITE HISTORY

5.01 052254

Variation of Condition No. 3 from 3 to 5 years – Granted 26th August 2014.

051303

Retrospective subdivision into 2 No. A1 units – Granted 18th February 2014.

050802

Renewal of application Ref: 044850 for the erection of an extension to existing garage – Granted 2nd July 2013.

044850

Extension of existing garage – Granted 9th June 2008.

043933

Outline provision of an overnight lorry park including access details for a maximum of 20 vehicles together with toilet and washing facilities – Refused 20th December 2010 – Appeal allowed 12th May 2011.

042765

Change of use of garage to B1, B2, B8 uses – Withdrawn.

723/81

New bungalow and garage – Granted 14th September 1982.

Adjacent Site – North West

99/15/01023

Erection of telecommunications pole, antennas, cabin and ancillary equipment – Granted 21st December 1999.

Adjacent Site – Ffrith y Garregwen

050880

Erection of anemometer mast (up to 80 m in height) for temporary period of 3 years – Refused 10th September 2013 – Allowed on Appeal 4th February 2014.

6.00 PLANNING POLICIES

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

National

Planning Policy Wales Edition 6 (July 2014).

Technical Advice Note 5 Nature Conservation & Planning (2009)

Technical Advice Note 8 Renewable Energy.

The proposal is considered acceptable in principle in Planning Policy terms. The details of the proposal are addressed below.

7.00 PLANNING APPRAISAL

7.01 Site Description & Proposals

The site comprises approximately 100m² of a piece of scrubland within the curtilage of Park View Garage.

7.02 It is located approximately 60 m to the South West of the existing building of the commercial vehicle repair business of Park View Garage.

7.03 The business itself is located to the West of other commercial buildings located to the South West of existing Caerwys Junction off the A55 Expressway.

7.04 The proposal is for the erection of a 20KW wind turbine mounted on a free standing galvanised steel tower. It is a three bladed horizontal propeller design. The height to the hub is 20 m with an overall height of 26 m. The proposal does not involve any ground based equipment or compound fencing. It is proposed that the energy generation from the turbine will cover the energy bills of the applicant's buildings on the site.

7.05 Issues

The main issues to be considered within the determination of this planning application are the principle of the development in Planning Policy terms, the highway implications, the effects upon the amenities

of adjoining residents and the effects upon the visual appearance of the area and the setting of Scheduled Ancient Monuments.

7.06 Principle of Development

Current National Policy as set out in PPW and TAN8 encourages the development of renewable energy technology subject to them not having a detrimental impact upon landscape character residential amenities etc.

7.07 In addition, the adopted Flintshire Unitary Development Plan also encourages the use of this type of energy generation under Policies EWP1 and EWP4 – Wind Turbine Development, subject to no significant adverse impact upon the visual amenity of the area, highways and amenities of adjoining residents.

7.08 Highway Implications

Access to the site will be gained via the existing road network and site access.

7.09 The traffic generated by the construction of the structure will be one ready mix concrete wagon together with one flat bed wagon delivering the structure on site for half a day.

7.10 Given the above, both Welsh Government Transport and the Council's Highways Department offer no objections upon highway grounds subject to the suggested planning conditions placed upon this recommendation to grant planning permission.

7.11 Amenities of Adjoining Residents

The nearest residential properties to the proposal are those on Crown Estate which lie approximately 250 m to the North East with the A55 expressway in between.

7.12 The Public Protection Manager has been consulted upon the application to advise upon the effects of the proposal in terms of noise disturbance and shadow flicker on the amenities of adjoining residents.

7.13 The manufacturer's reference material and information for noise emissions from this and other wind turbines have been studied. All of the information indicates that a turbine of this design, size and position will not be audible at any neighbouring property at this location and this is acceptable by the Public Protection Manager.

7.14 In terms of shadow flicker, again, given the size, design and location of the proposal away from residential properties there will be no detrimental impact upon the amenities of adjoining residents in this respect.

7.15 Visual Appearance & Character

The immediate landscape character and context for this development is a service area with a car repairs workshop, caravan and sales and café buildings located on the South side of the A55 expressway. Approximately 25 m to the North West of the site lies the existing 20 m high telecommunications mast. 50 m to the North West lies the A55 expressway which runs in an East-West direction. To the North East, approximately 400 m away lie the existing buildings of the BP Service Station and McDonalds. The Area of Outstanding Natural Beauty lies approximately 4,000 m to the West and 2,000 m to the South West.

7.16 Due to the limited size of the proposal and its location in close proximity to the existing telecommunications pole, complex of buildings to the East, A55 expressway to the North and complex of buildings to the North East, it is considered that the proposal will have a limited increased detrimental impact upon the immediate landscape character.

7.17 Given the distance of the site from the AONB and balanced against the limited height of the turbine set against the backdrop of the larger developed area around the A55 Caerwys Junction/Service Area, it is considered that the impact upon views from the AONB will be minimal. It is also considered that the impact on views of the AONB from the A55 will also be fleeting and limited by the 'urban' context of the built development which surrounds this junction.

7.18 Scheduled Ancient Monuments

Whilst there are to be no direct physical impacts upon a number of Scheduled Ancient Monuments nearby due to their distance from the proposal, indirect impacts upon their settings are a material consideration.

7.19 A number of Bronze Age barrows will be inter-visible with the proposed development. The monuments are likely to have been deliberately sited to command views across this landscape and are inter-visible with one another. The closest being Crown Wood Round Barrow, which is 250 m to the North of the site. This is the only monument likely to be affected in this case as a turbine of only 26 m to blade tip height has a limited zone of influence and consequently a reduced effect on the setting of surrounding monuments.

7.20 Other modern, man-made structures are visible to the South of Crown Wood Barrow including buildings, roads, lighting columns and the A55 expressway which introduces movement and noise to the setting of this monument. Although it is considered that the proposal will have a negative effect on the views from this monument, its impact is not considered significant due to the views in this direction already being compromised, the distance from the proposal and low height of the turbine.

8.00 CONCLUSION

- 8.01 Given the above it is considered that the proposal will not have a significant detrimental impact upon highways, the effects upon the amenities of adjoining residents and the effects upon the visual appearance and landscape character of the area and Scheduled Ancient Monuments.
- 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.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

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