

FLINTSHIRE COUNTY COUNCIL

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

DATE: **14 MAY 2014**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **SITING OF A WIND TURBINE AT ORSEDD FARM, GORSEDD, HOLYWELL**

APPLICATION NUMBER: **051315**

APPLICANT: **Mr M POTTLE**

SITE: **ORSEDD FARM, GORSEDD, HOLYWELL**

APPLICATION VALID DATE: **3 OCTOBER 2013.**

LOCAL MEMBERS: **COUNCILLOR C J DOLPHIN**

TOWN/COMMUNITY COUNCIL: **WHITFORD COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **Members may recall that the application was deferred at the 11 December 2013 Committee, pending National Resources Wales and the Ecologist comments with regards to potential impact on bats/birds, which has now been considered.**

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 5kw wind turbine, the height of which has been reduced to a hub height of 15m high and a blade tip height of 17.75m high.
- 1.02 The turbine is proposed to generate electricity for use within the existing plant nursery unit within which it is set.

The main issues to consider in the determination of this application are the visual impact, its potential impact upon the adjacent conservation area, vistas and impact upon residential amenity and wildlife.

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

- 2.01
1. Time limit on commencement.
 2. In accordance with the approved plan.
 3. Decommissioning of the site upon cessation of use.
 4. Limiting of noise emitted to not exceed 42Db LAeq (1hr) to any nearby residential property.
 5. A linear copse of trees of native species to be planted, in the planting season prior to the installation of the turbine and be maintained for the lifetime of the turbine.

3.00 CONSULTATIONS

3.01 Local Member

Councillor C.J. Dolphin

No response received at time of writing the report.

Whitford Community Council

Objected to the initial scheme due to number of concerns with regards to the siting of the turbine in proximity to the conservation area and within sight of two ancient monuments.

Since these comments were received, the application has been amended by being reduced in scale , at the time of writing no comments had been received in relation to the amended scheme.

Pollution Control

Conclude that the manufacturer's noise data predicts that the distance between the turbine and nearby residential properties is that of an acceptable level and have no objection to the development.

Energy Services

No response received at time of writing report.

Defence Infrastructure Organisation Safeguarding

Has no objections to the proposed development. If planning permission is granted we would be like to be advised of, the date construction starts and end, the maximum height of the construction equipment, the latitude and longitude of the turbine.

Airbus

The proposed development has been examined from an aerodrome safeguarding aspect and does not conflict with safeguarding criteria, accordingly, we have no aerodrome safeguarding objection to the

proposal.

Natural Resources Wales

Confirms that they concur with the research of the Stirling Research paper 2012, and confirm that there was only a weak effect upon bats when 20m from a small turbine and in this instance due to the reduced height of the turbine to under 18m and the location 20m from foraging areas that they were of the opinion that a bat activity survey will not be required in the consideration of this application.

Clwyd Powys Archaeological Trust

Whilst there are no predicted direct impacts to any recorded archaeology, the turbine may have a visual impact on the setting of two scheduled burial mounds located to the north west of the proposed turbine. It would appear that the monument will be screened from the development by the intervening properties and the existing tree cover. CADW have been contacted in case they wish to comment on any potential setting impact.

Having further discussed the case with CPAT, they verbally confirmed that the proposal is acceptable to CPAT.

At the time of writing no additional comments/observations have been received with regards to the lower height turbine.

CADW

The proposed development is located in the vicinity of a number of scheduled ancient monuments, the nearest being three well preserved barrows, of Bronze age date. It is likely that the adjacent buildings of Pen Y Bryn Farm will provide effective screening, whilst additional screening from a more distant view will be provided by housing, boundaries and vegetation. All three barrows are now located within an area of modern housing and relic industrial features, their original Prehistoric setting have been effectively lost.

In Cadw's opinion the proposed turbine will have no significant impact on the setting of the listed scheduled monuments or the registered parks and gardens in the vicinity.

No additional comments/observations have been received at the time of writing this report with regard to the lower height turbine now proposed.

4.00 PUBLICITY

4.01 Site Notice, Neighbour Notification

As result of this publicity letters of objection have been received from residents, these objections are on the following grounds;

- Confirmation of noise levels from the turbine.
- The introduction of a turbine, albeit lower than the original submission, will introduce a diverse element in to the landscape.
- Impact on the character of the area and will be detrimental to residential amenity.
- The turbine will be visible in the landscape on all approaches to the village, local planning guidance note No 21 stipulates that this visual impact must be evaluated by the Local Planning Authority.
- The proximity of the turbine to the Gorsedd conservation area adds weight to the assessment on the character of the area.
- Granting consent would create a precedent and make it hard to control the positioning a further turbines.
- There is no high conifer hedge between the application site and my property Marland
- Do not consider that the trees would mask the noise of the turbine and in relation to the A55 noise consider that the environmental health department survey should be carried out in the summer months.,
- Suggest the use of solar panels.

5.00 SITE HISTORY

- 5.01 09/46396 - Erection of two storey extension - Permit 04.08.09
 06/40904 - Creation of new vehicular access - Permit 12.06.06
 05/040744 - Erection of glass house - Permit 31.01.06
 02/34565 - Erection of an agricultural shed - Permit 04.12.02

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
 STR1 - New Development
 GEN1 - General Requirements for Development
 GEN3 - Development in the Open Countryside
 D2 - Design
 WB1 - Species Protection
 EWP4 - Wind Turbine Development
 TAN 8 - Technical Advice Note Planning for Renewable Energy

7.00 PLANNING APPRAISAL

- 7.01 Introduction
 This is a full application for the erection and installation of one 5kw wind turbine, for the generation of electricity for use in connection with

the existing plant nursery unit. The site is located within a site which is in the open countryside, adjacent to the village of Gorsedd and its associated conservation area.

7.02 Site Description

The site is located within the open countryside, adjacent to Gorsedd village and its associated conservation area.

7.03 The proposed turbine is to be located within the existing grounds of the nursery unit, which is enclosed by a mature high conifer hedge, acting as shelter belt to the existing site.

7.04 In addition the turbine is proposed to be located on the eastern edge of the Halkyn Mountain and Holywell common registered historic landscape, accordingly CADW have been consulted and the applicant was requested to consider the topographical visual influence of the turbine. CADW have now confirmed that they have no objection to the proposal.

Principle of Development

7.05 Development of clean renewable energy generation sources is encouraged under TAN8, Technical Advice Note, Planning for Renewable Energy.

7.06 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, the conservation area, noise generation, residential amenity or upon wildlife.

Justification

7.07 Development for the erection of one 5kw turbine, now of a reduced height of 15 m hub height and total rotor blade tip height of 17.75m as such turbine is considered to be micro generation, of the type encouraged by the above TAN and policies. The height of the turbine has been designed to achieve the most energy generation at this location. The design, location and materials proposed have been chosen to mitigate any potential adverse impact.

Visual Impact, Shadow Flicker and Potential Noise Impact

7.08 The application has been considered by the energy officer, the environmental health officer and the conservation officer with regard to the above impacts. The environmental health officer has considered all the information submitted with the application and considers that a turbine of the design, size and position proposed in the application, will be within the recommended noise levels.

7.09 The conservation officer has considered the location of the turbine in relation to the Gorsedd conservation area and listed vicarage and

parish church, due to the tall shelter belt of trees and the shape of the landform the turbine will not be seen from the church yard or the garden of the former vicarage, further more it would not be visible in tandem with either the church or the vicarage. As the turbine will not be seen in conjunction with the historic part of the village it would not adversely impact upon these area. The turbine will not be a competing focal point to detract from the church spire. The conservation officer has recommended a condition regarding the planting of a linear copse of trees to be planted on the field boundary to the east of the turbine.

- 7.10 The turbine will be visible from the open countryside, however this view is already compromised by a range of electricity pylons and the communications mast of Moel y Parc, as such the incremental impact would be minimal. The turbine due to the rising land behind it would not be a sky line feature. Due to the sun and its subsequent position in the sky during the year, the location of the turbine blades would not result in shadow flicker on the gardens of properties within the vicinity. Any potential adverse impact upon residential amenity could be mitigated for by the planting of a linear copse of largely native species 2 to 3 trees deep along the field boundary to the east of the turbine.
- 7.11 Whilst I am mindful of the concerns raised with regards to noise, both of the turbine and in conjunction with the existing back ground noise of the traffic on the A55, these concerns have been considered by environmental health and they consider that the sound emanating from the A55 would be approximately 45d BA and if the noise from the turbine was 40d BA the combined sound pressure level would be 46.1 d BA, which is considered to be a marginal increase in total noise, and it should be remembered that the turbine will only be running in windy conditions and the wind itself will create a lot of masking noise from rustling trees etc.
- 7.12 The concerns raised in regard to infrasound and the potential effect on health, this aspect is not currently included within the wind turbine guidance, as such it carries little weight in the determination of the application .The environmental health section have also considered shadow flicker, and concluded due to the distance between the nearby properties and the turbine, that this should not be an issue.
- 7.13 The location of the turbine has been carefully chosen with regard to its potential impact upon visual amenity. The site is located within the existing nursery unit, set against a backdrop of a mature conifer hedge on a level site. Whilst this hedge does to some extent screen the mast of the turbine, nevertheless, due to the height of the turbine and its blades, it will inevitably be visible from the surrounding area and on the approach roads in to the village of Gorsedd. The land upon which the turbine is to be located is designated as open countryside in the development plan, where the siting of these types of structure would normally be expected to be located. The proximity of the turbine to Gorsedd, its associated conservation area and the registered

historic landscape to the eastern edge of the site has been considered.

- 7.14 In this instance, the installation of the turbine is not considered to introduce an alien feature in to the landscape, as these structures are becoming increasingly common in the landscape, in addition there are other features with a vertical emphasis, such as telegraph poles in the area. As such the proposal is not considered to be sky line development, is not considered to be prominent in the landscape or dominate the vistas from the adjoining conservation area of Gorsedd, due to the turbines slim line design, tapering mast top and small turbine head in addition to the transient nature of the movements of the turbine blades. The design and materials of the turbine proposed also reduces the visibility of the turbine over distance and as there are no ground work housing or compound fencing this also reduces any potential adverse impact upon the landscape.
- 7.15 Due to the proximity of the turbine in relation to the residential unit the environmental health officer has had regard of the acoustic details accompanying the application and considers that a turbine of the design, size and in the position proposed will be within recommended noise levels.
- 7.16 Protected Species
Due to the open countryside location of the proposed turbine and the possible impact upon protected species such as bats and birds, Natural Resources Wales and the county ecologist have again been consulted on the reduced height turbine now proposed. They have considered the proposal and due to the reduced height of the turbine and its location, both Natural Resources Wales and the county ecologist have assessed the application details in line with the Stirling Research paper 2012 (as guidance) and this report considered that there was only a weak effect upon bats 20m from a small turbine, restricted to a height of 18m, as such there is no need to undertake bat activity surveys.
- 7.17 The applicant in this instance has confirmed that bats forage on this site among the green houses which are over 20m from the proposed turbine and the turbine is below 18m in height, accordingly both bodies are of the opinion that a bat activity survey will not be required in the consideration of this application.

8.00 CONCLUSION

- 8.01 It is considered that the 5kw wind turbine will enable the micro generation of a clean source of renewable energy to be generated and used in the existing nursery business, in compliance with the above policies and technical guidance.
- 8.02 Any impact will be mitigated by the sensitive location, design and

materials proposed, as such it is considered compliant with the above policies.

- 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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