

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2014-215

**DEVELOPMENT CONTROL
COMMITTEE
3 JULY 2014**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No.7
APPLICATIONS RECOMMENDED FOR REFUSAL	

1. PURPOSE OF THE REPORT

Members are asked to determine the planning applications outlined in Appendix 1.

2. RECOMMENDATION

To refuse the applications subject to the reasons outlined in Appendix 1.

1. Application No. 13/0960 - Installation of a 500kW wind turbine and associated infrastructure, Bwllfa Farm, Pentre.

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APPLICATIONS RECOMMENDED FOR REFUSAL

APPLICATION NO: 13/0960/10 (DB)
APPLICANT: Mrs S Farr
DEVELOPMENT: Installation of a 500kW wind turbine and associated infrastructure. (Revised Landscape and Visual Impact Assessment received 16.04.2014)
LOCATION: BWLLFA FARM, PENTRE, CF41 7NY
DATE REGISTERED: 26/09/2013
ELECTORAL DIVISION: Ystrad

RECOMMENDATION: Refuse

REASONS:

Whilst the principle of the development is considered acceptable, it is considered that it would not comply with the relevant policies of the Local Development Plan in respect of the impact of the proposed turbine on the existing landscape character of the area and visual amenity.

APPLICATION DETAILS

Full planning permission is sought for a single wind turbine on land at Bwllfa Farm Pentre. The turbine would have a maximum height of 77m above ground level, comprising of a hub height of 50m and a rotor diameter of 54m. The exact model of the wind turbine proposed is a EWT DW54 500kW.

The turbine would sit on a reinforced concrete foundation base which would comprise of an octagonal area to a maximum width of 12m to a depth of 1.2m which would be buried below the ground. The visible base would be circular and approximately 3.6m in diameter standing proud 0.5m above the ground.

The turbine would be constructed of galvanised steel with 3 blades of reinforced polyester and would be finished in a light grey colour (RAL 7035) .

There would also be a hard-standing area of approximately 40m by 20m to cater for the cranes required to construct the wind turbine and a vehicular turning area .

The turbine would be connected to the national grid by a combination of underground cable and a new overhead 11kv line which is likely to be connected to the existing network at Bwllfa Farm.

There would also be a transformer station which would measure 3m x 3m x 2.8m high and would be finished in glass reinforced plastic finished in a dark colour. A sub station building is also proposed measuring approximately 6m x 4m x 2.8m high. The exact dimensions and precise locations would be provided once Western Power Distribution have determined their requirements. Visual clutter is proposed to be reduced by only having an agricultural fence around the development, re-vegetation over the foundations, a single light grey colour turbine, dark coloured buildings and electricity connections similar to those existing.

The maximum energy generation capacity of the wind turbine would be 500kW which would be used to meet the energy needs of the applicant. Surplus energy would be sold to the National Grid.

The turbine is expected to have an operational life of 25 to 30 years, thereafter the wind turbine together with the ancillary equipment would be dismantled and removed from the site and the below ground infrastructure would be covered with top soil to allow natural vegetation.

The access is proposed from the existing access from the B4233, through the former Nantygwyddon Landfill site, and then on an existing NRW forestry track, with a new access track to be constructed measuring approximately 60m long and 4m wide to reach the site within Bwllfa Farm. A new section of access track is also proposed to avoid a sharp corner between the former landfill site and the NRW track which would measure approximately 35m long and 4m wide. The top layer of the existing NRW forestry track would be skimmed to create a level surface before being loosely re-surfaced. New drainage channels would be provided where necessary in any areas prone to pooling or standing water and would measure approximately 0.4m x 0.4m and set back 0.5m from the edge of the track.

The construction period is likely to occur over a 3 month period which would provide 10 - 20 jobs. This period would commence with the upgrading and creation of the new sections of access track followed by construction of the turbine foundation and installation of the turbine. Delivery of some of the components would constitute abnormal loads. Maintenance would be likely to occur 3-4 times a year during the life of the turbine.

The application is accompanied by a number of documents including a design and access statement, a planning statement which includes technical data about the wind turbine, a Landscape and Visual Impact Assessment (LVIA), an ecological assessment, a heritage assessment, a noise report and a shadow/light flicker analysis. A Revised Landscape and Visual Impact Assessment (LVIA), was received on 16 April 2014 which supersedes the originally submitted visualisations and supporting text. A statement regarding the benefits of the proposed wind turbine was received on 04.06.2014.

The application includes a pledge to provide a local community fund once the turbine is commissioned to the sum of £20,000 and £2,500 (index linked) per year thereafter. It is proposed that the community fund would be made available to the Phoenix Centre in Ton Pentre which is owned and managed through the Rhondda Community Development Association, a registered charity, to help develop the centre further. The project is seen by the applicant as a means of diversifying the existing farming activities.

SITE APPRAISAL

The site is located in the countryside outside the settlement boundary and within the applicant's 450 acre mixed farm. It lies approximately 1,000m south west of the applicant's residential property - Bwllfa Farm, which lies approximately 1km from the villages of Gelli and Ton Pentre. It also lies approximately 1,110m north west of the nearest residential properties in Morton Terrace and Marian Street, Clydach Vale.

The site is located on Mynydd Bwllfa ridge between the steep valley of Cwm Clydach to the south and Cwm Cesig to the north which are tributary valleys of the Rhondda Fawr. The ridge near the turbine reaches around 470m A.O.D. and the land falls away to Bwllfa Farm at 250m AOD and Cwm Clydach at 250m A.O.D. The nearest valley floors and lower valley sides consist of the main settlements of Clydach Vale to the south and Pentre, Gelli and Ystrad to the north.

The site is in agricultural use and forms part of a larger area in marshy upland grassland and lies just to the north of forest plantation which is partly felled. Access to the site is presently gained through the NRW forestry track which enters the A4061 above Cwmparc.

The site and its environs lie within the Rhondda Landscape of Special Historic Interest and on open access land.

The site lies within the TAN 8 Annex D Strategic Search Area (SSA) F but outside the refined area, which at its closest point lies to the south and is occupied by the Pant Y Wal and Fforch Nest wind farms. It lies near to Zone 31, Mynydd William Meyrick which was considered as unacceptable for strategic scale wind farms within the refined study.

A Public Right of Way (PROW) known as Bridleway 5 Cwm Clydach crosses the access track at GR 97409376. There are a number of PROW's within the vicinity of the site.

PLANNING HISTORY

None.

PUBLICITY

The application has been advertised by means of site notices, initially on receipt of the application and once again on receipt of the revised LVIA.

Eleven letters of support have been received as a result of this publicity, raising the following comments:-

Sustainable energy

- the proposed wind turbine would provide a harmless, safe, clean, free, efficient source of natural energy
- would harness the abundance of wind energy
- no costs or drawbacks as associated with other energy sources such as fossil and nuclear fuels
- would help reduce carbon emissions, working towards a sustainable future and help towards climate change
- would help reduce dependence on gas and oil imports to provide better energy security and lower prices
- provides electricity to the local grid to serve 580 homes.

Economy

- supports a local energy company
- will provide benefits to local and wider economy in terms of jobs during construction
- energy company seeks to employ local people.

Visual Impact

- modest impact visually of turbine and construction works
- does not dominate local landscape, well located
- most visual impact is from built up areas not the rural areas
- residential areas in valley bottom where natural line of sight not up towards the turbine
- trees and buildings would block views from a large percentage of streets
- not an eyesore
- located far enough away from nearby houses
- smaller wind turbine than in nearby wind farms
- skyline already punctuated by telecom masts., pylons and other turbines
- plenty of other accessible rural areas out of sight of any wind turbines
- the other larger wind farms would distract from visual impact of single wind turbine
- only 18% of the 5km radius circle of the ZTV where the turbine would be visible and a large part is uninhabited farmland.

Amenity

- traffic noise is dominant
- located far enough from nearby houses.

Community benefits

- should support community renewable energy schemes
- community funds would benefit local area for 25 years.

General

- Objections to wind turbines are exaggerated and ill-informed
- Benefits far outweigh any potential disbenefits.

One petition signed by 5 persons supporting for the following reasons:-

- not obtrusive
- makes a small but positive contribution to climate change problem
- benefits the locality and helps secure future of the Phoenix Centre, Ton Pentre.

Two letters of objection has been received raising the following comments:-

- site represents one of the only scenic views left in the Rhondda unspoilt by wind turbines.
- enough wind turbines surrounding the Rhondda Valley
- benefits do not outweigh the impact
- the Tarren Y Bwllfa is a beautiful landmark visible from Church Street, the main road of Ton Pentre
- area known for its scenic walks with many rights of way passing near the site
- too close to an unconfirmed nesting site for peregrine falcon.

One petition signed by 127 persons oppose the application for the following reasons:-

- following the coal working of the area and the subsequent coal recovery the landscape was blighted but now finally landscaped
- the area is of outstanding natural beauty including walkways, seating areas new stream bridges and natural landscape feature such as "The Seven Giants"; these all encourage people to move into and visit the Rhondda Valley
- the turbine would be a blot on the landscape and totally destroy the area.

CONSULTATION

Glamorgan Gwent Archaeological Trust Ltd (GGAT) – raises no objection to the positive determination of the application although recommends a condition requiring an archaeological watching brief.

Land Reclamation and Engineering – raises no objections but recommends drainage conditions as the access track lies within the vicinity of several watercourses.

Public Rights of Way Officer – advises that PROW known as Bridleway 5 Cwm Clydach crosses the access track and a method statement should be provided to ensure public safety is maintained and the surface is not damaged by the construction.

Vodafone – raises no objection.

Cardiff Airport – raises no objection.

Defence Infrastructure Organisation – raises no objection.

Transportation Section – no highway objections are raised subject to conditions.

Council's Ecologist – considers that the ecological survey/assessment is adequate, raises no objections subject to a Section 106 Agreement to secure bird management and a condition to secure a habitat and species protection plan for construction purposes.

Public Health and Protection Division – awaited.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan (LDP)

The proposals and constraints maps indicate that the site is located in the countryside, within a Site of Nature Conservation Interest (SINC) 183 - Ton Pentre Slopes and within a sandstone resources safeguarding area. The access route is located within SINC 8 - Clydach Vale.

Policy CS1 - outlines how the emphasis on building strong, sustainable communities will be achieved in the Northern Strategy Area.

Policy CS10 – defines safeguarding areas for mineral resources.

Policy AW4 - provides for the negotiation of planning obligations.

Policy AW5 – supports development proposals where amenity and accessibility matters are addressed.

Policy AW6 – supports development proposals where certain design and place making criteria are met.

Policy AW8 – provides for the protection of SINC's from inappropriate development.

Policy AW10 – does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity because of a number of matters including light and noise pollution.

Policy AW12 - permits renewable energy schemes including small/medium sized wind turbines where there is no unacceptable effect upon the interests of certain matters including agriculture, nature conservation, cultural heritage, landscape importance, public health and residential amenity. Minimisation of resource use should also be included. For this policy small clusters of no more than 3 larger wind turbines up to 1.5 MW and community based schemes of no more than 5MW capacity are treated as small wind turbine developments.

Policy AW14.2 safeguards the resources of sandstone from any development which would unnecessarily sterilise or hinder their extraction.

National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy which are not duplicated in the Local Development Plan, particularly where National Planning Policy provides a more up to date and comprehensive policy on certain topics.

Planning Policy Wales Chapter 3 (Making and Enforcing Decisions), Chapter 4 (Planning for Sustainability), Chapter 5 (Conserving and Improving Natural Heritage and the Coast), and Chapter 12 (Infrastructure and Services) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted

PPW Technical Advice Note's (TAN) 5 (Nature Conservation and Planning) and 8 (Planning for Renewable Energy). The site is located inside of TAN 8 Strategic Search Area F and needs to ensure that it would not constrain the generating capacity of the Strategic Search Area. TAN 11: Noise provides advice on the assessment and management of noise impacts for different types of proposals. It refers to advice in TAN 8 regarding the assessment of noise impacts of wind turbines.

REASONS FOR REACHING THE RECOMMENDATION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

Main Issues:

Principle of the proposed development, impact on the landscape character of the area and the impact on visual amenity.

Principle of the proposed development

At UK and Welsh Government level there is strong support for renewable and low carbon energy, with specific targets set for the reduction in green house gases and energy generation from on-shore wind development. The exploitation of wind power is promoted at all policy levels.

The application involves a wind turbine of 0.5MW and is therefore classed as a small scale turbine in policy terms, being a "sub local authority" scale of development, at under 5MW, within PPW. This scale of development is not required, within PPW, nor TAN 8 to be sited within the boundary of SSA F. Para 12.9.9 of PPW advises that such "renewable energy projects are applicable in all parts of Wales and development plans should encourage such development and clearly set out the local criteria against which such proposals will be evaluated."

Para 12.10 of PPW advises on the matters to be taken into account in determining applications for renewable and low carbon energy development.

TAN 8 states in Para 2.2 that "large scale (over 25MW) onshore wind developments should be concentrated into particular areas defined as SSA's". Para 2.4 advises that the SSA boundaries are at a "broad brush" scale and that it is a matter for local planning authorities to undertake local refinement within each of the SSA's in order to guide and optimise development within each of the areas." Para 8.4 of Annex D states that within (and immediately adjacent to) the SSA's, the implicit objective is to accept landscape change i.e. significant change in the landscape character from wind turbine development. In the rest of Wales, the implicit objective is to maintain the landscape character i.e. no significant change in landscape character from wind turbine development.

Policy AW 12 of the LDP permits small scale wind turbine proposals subject to a number of criteria against which such proposals will be evaluated .

It is concluded that this is a small scale wind turbine and there is national and local planning policy support for this proposal. Furthermore, although the proposed wind turbine is located within SSA F as it is a small scale wind turbine it is not required to be located within SSA F, but is permitted subject to criteria. There is therefore no objection in principle to the proposed wind turbine.

Impact on the landscape character of the area and the impact on visual amenity.

Regarding this main issue Policy AW12 of the LDP which deals with renewable energy development states that small scale wind turbines will be permitted where it can be demonstrated that there would be no unacceptable effect on, amongst other matters, landscape importance.

The site is located in the countryside and just to the north of forest plantation which is partly felled. It lies on the Mynydd Bwlfa ridge which lies between the steep valley of Cwm Clydach to the south and Cwm Cesig to the north which are tributary valleys of the Rhondda Fawr. The ridge near the turbine reaches around 470m A.O.D. and the land falls away to Bwlfa Farm at 250m AOD and Cwm Clydach at 250m A.O.D. The valley floors and lower valley sides consist of the settlements of Clydach Vale to the south and Pentre, Gelli and Ystrad to the north.

Overall, the ridge and valley sides near the site are of a mix of open grassland and large forest plantation blocks which are relatively free of vertical elements. The nearest wind farms are located on the other side of the Rhondda Fawr at Ferndale around 3.9km away and to the south of Cwm Clydach at Fforch Nest and Pant Y Wal around 1.65km away. The Maerdy windfarm is located around 5.9km away.

The site is also located in near proximity to nearby PROW's, open access land and to residential areas.

It is considered therefore that the main landscape and visual effects of the proposal relate to the following matters:-

- The effects on the character and appearance of the surrounding landscape
- The effects on residents, especially those in the Rhondda Fawr within Pentre, Ystrad and Ton Pentre,
- The effects on users of public footpaths, bridleways and users of open access land and
- The individual and cumulative effects of the proposed wind turbine

The Revised LVIA accompanying the application is considered an adequate assessment on which to base a decision on the acceptability of the proposed wind turbine.

Overall, the LVIA which accompanies the application states that the landscape is capable of accommodating the proposed wind turbine in an area that is already influenced by a number of wind farms. The magnitude of the landscape effects for its immediate surroundings i.e. for the Cefn Y Rhondda aspect area, within a 1km radius, which has an upland character, openness and near proximity to the turbine are assessed as major resulting in a large significance of effect, although in overall terms the magnitude of effect is stated as moderate with a moderate/large significance of effect. This is stated as not significant. However, this is at variance with most other wind energy LVIA's where a similar level of significance is regarded as significant.

A moderate significance of impact is also assessed for the Mynydd Ton, Bwllfa, William Meyrick aspect area, the area of high ground extending to within 100m of the turbine, but these again are not considered significant.

All other effects including effects on roads are assessed as slight or neutral and not significant.

The historic landscape aspect area of LANDMAP is stated as of high sensitivity undergoing a minor magnitude of effect resulting in an effect of slight significance. However, it is considered that as the landscape is recognised of importance, being located within the Rhondda Historic Landscape on the Cadw Register it is

considered that this effect should be considered to be of moderate significance. Nevertheless, the proposed development is not of a sufficient scale to be more than a local impact and would not significantly impact on the essential character of the area, such that an objection on these grounds would not be substantiated.

The cultural landscape aspect area of the designated landscape area is stated as of low sensitivity undergoing a minor magnitude of effect resulting in an effect of neutral/slight significance, i.e. not significant. This is considered surprising that the designated area could be considered low sensitivity.

The effect on the landscape habitat aspect area of slight significance is considered a fair assessment.

The LVIA states that the site is located away from any special landscape areas and does not have a significant impact on them, due to the restricted nature of the views towards the turbine and the other number of visual detractors which already exist in the area.

A Zone of Theoretical Visibility (ZTV) has been carried out and 10 representative viewpoints have been provided both for the LVIA and the cumulative assessment. The ZVIA indicates that there is limited visibility in Clydach Vale either from the settlement or the country park. The LVIA states that only one viewpoint location would undergo a potentially significant moderate/large effect – from the PROW east of the proposed turbine, identified as footpath "c". However it is considered that there are several other viewpoints which would undergo moderate/large i.e. significant effects due to the open views towards the turbine which would be visible as an isolated feature on the skyline above the valley side backcloth. These are at Viewpoint 2 (St Stephens Avenue, Pentre) and Viewpoint 3 (western end of Sandybank Road Ystrad). Viewpoint 6 (The Fort, SAM, Ton Pentre) would also experience significant effects where the turbine would appear prominent on the skyline although set back from the Tarren Y Bwllfa glaciated feature and Viewpoint 7 (Kennard Street Ton Pentre) where the hub and blades would be visible above the prominent landform of Tarren Y Bwllfa. Viewpoint 4 (Shrine of our Lady, Penrhys) would undergo moderate effects i.e. significant effects and which would represent wider similar views. At this location the gap and juxtaposition with the other existing turbines at Fforch Nest/Pant Y Wal would appear awkward and it would also extend the views of turbines.

The cumulative assessment has been carried out within 6km of the proposed turbine. The nearest wind turbine developments are at Fforch Nest/Pant y Wal at 1.65km, Ferndale 3.9km and Maerdy at 5.9km. The additional cumulative landscape effects is stated to be slight and of local significance as the area is stated to be largely influenced by the Fforch Nest/Pant Y Wal wind farms so that the proposal would not change the overall character. The combined cumulative impact is stated as already being influenced by the turbines of the Ferndale and Maerdy Wind farms so that the impact is major and the significance of effect as large/very large. Whilst

this is considered a fair assessment for the aspect area as a whole it is considered that for the Cefn Y Rhondda aspect area in which the proposal is located the balance is different. This is because there would be views of the turbine from much of this landscape and the area does not have turbines within it although there are turbines nearby which are highly visible. The turbine would be noticeable on the skyline particularly on the north side of the valley. The LVIA also does not mention that the management guideline in the area is to "restrict telecom masts", which could equally apply to wind turbines. Therefore, it is considered that the combined cumulative effects are large due to intervisibility and the additional effects would be moderate/large significance as the turbine would bring a new element into the area. It is considered that the combined and additional effects are magnified by the turbine's juxtaposition with other development as it is not complementary, as it is a single, isolated wind turbine and of a different design. The effect on landscape character for the Cefn Y Rhondda area would be significant as the turbine would become one of the key characteristics of the area.

The cumulative visual effects are assessed as undergoing moderate additional effects due to the conjunction with Ferndale, on the opposite side of the valley, for residents at Ystrad (locations 37 (Ystrad Road) and 38 (Meadow Walk, Oaklands Drive, Gelli) and Ton Pentre (locations 42 Gelli) and 43 Pentre Ton) and Bwllfa farmhouse (location 44). The residents at Penrhys (locations 45 and 47) are stated as undergoing moderate additional cumulative effects due to the conjunction of the proposal with Fforch Nest/Pant Y Wal. Residents at Ystrad (locations 10, 11, 19, 20 and 21) are stated as undergoing large/moderate to large combined effects mainly due to Ferndale with the proposal contributing a slight additional effect. The combined effect for Mynydd Maendy (Ton Pentre) Hillfort is stated as undergoing moderate additional cumulative effects due to the conjunction with Ferndale as it extends the effect along the horizon. Public Right of Way E passing by Ton Pentre hillfort is stated as undergoing moderate adverse additional effects and moderate/large combined effects as per Viewpoint 6. There is also a large individual significant effect on Public Right of Way c (north east of the proposed turbine). This footpath has very clear views of Ferndale across the valley and therefore the proposal would extend the view of turbines significantly.

The effects on representative viewpoints have also been assessed. At viewpoint 4 (Shrine of our Lady at Penrhys) the turbine is seen as "extending the impact of existing turbines across the skyline by appearing as an outlier". The combined effect is stated as large, which is considered fair but the additional effect as sight is considered inconsistent with the additional effects for residents in Penrhys, which is considered as moderate adverse.

Conclusions

It is considered that effects on the Clydach Valley is limited to the less used southern side away from the settlement and to parts of the Country Park. The turbine is also set back from the edge of the Rhondda Fawr tributary valley although it is visible

from it. This visual separation avoids dominance of the turbine except in its environs and reduces the magnitude of effects with only one large significance of effect. The site is located way from Special Landscape Areas and does not have a significant impact on them.

In terms of adverse effects on landscape character the turbine would introduce wind energy into a landscape character area and skyline seen from the northern parts of the Rhondda Fawr which currently is free from such development and which exhibits glaciated landscape features such as Tarren y Bwllfa. It would also extend the spread of wind turbine development as existing development lies to the north east and south. The character of the turbine contrasts with and appears as an incongruous outlier when seen in juxtaposition with the existing larger groups of wind turbines, as well as having adverse effects.

In terms of adverse visual effects the wind turbine would form an awkward juxtaposition with the skyline and with other wind energy development, have adverse impacts on residents in the northern part of the Rhondda Fawr and on users of nearby public footpaths, bridleways to the north, including around the environs of Mynydd Maendy hillfort and to the east and on users of the open access land around the site.

The proposed turbine is therefore considered to have mainly moderate/large or moderate significance of effects which overall is considered to be contrary to the provisions of Policies AW6.2,14 and AW12 of the LDP and Para 12.10.1 of Planning Policy Wales for the 2 reasons provided in the recommendation.

OTHER ISSUES

Impact on residential amenity

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation:

The impacts on adjacent residential uses as a result of noise and visual disturbance due to shadow flicker/reflected light also need to be considered. The applicant has submitted a noise assessment which has assessed the potential noise impact of the proposed turbine. This includes a prediction of the noise level at the nearest residential properties to the site, based on a wind speed of 10m/s and is a worst case scenario as no account is taken of any acoustic screening that may exist by intervening structures or topography. The nearest residential properties are located at the following distances from the wind turbine - 1050m (land owners - Bwllfa Farm and 1140m (62, Morton Terrace). The predicted noise levels demonstrate that the combined effects of the wind turbine should not exceed 29-30 dB LA90, 10 min.

The Assessment and Rating of Noise from Wind Farms (The ETSU Report 1997) referred to in TAN8 provides indicative noise levels which would provide a reasonable degree of protection to wind farm neighbours. The ETSU Report recommends that predicted noise levels should not exceed 35 dB LA90, 10 m/s at 10m height.

It is therefore considered that the proposed wind turbine would result in insignificant noise impact on residential amenity. In respect of cumulative noise, it is considered that in view of the distance to the existing wind turbines in the area, (approximately 1.65km), there would be no cumulative noise impact to local residences as a result of the proposed wind turbine.

The potential for Shadow Light Flicker has also been undertaken for the proposed wind turbine. It is generally accepted that only properties within 130 degrees either side of north in the UK would be affected at the proposed latitude of the site, and that shadow flicker assessment should be carried out if there are any residential properties within 10 rotor diameter distance of the proposed wind turbine. The report states that the rotor diameter of the wind turbine is 54m indicating that shadow flicker could potentially be an issue for a residential property within 540m, but as there are no residential properties within or close to this impact zone this would not be an issue at this site. There is a public footpath which, at its closest point, is located approximately 350m to the north west of the proposed turbine. The report states that there is the potential for shadow flicker to occur between 20 - 30 hours a year in total, assuming no intervening vegetation screening and the right weather conditions. However, as these scenarios are of low probability and the distance involved, the impact on the users of the public footpath is not considered to be significant.

The construction phase of the development also has the potential to have an impact on the amenities of local residents. However the construction activities are of short term duration and conditions could be imposed in order to control the hours of operation.

The Council's Public Health and Protection Division has raised no objection to the proposed turbine subject to a condition limiting noise levels at the nearest residential property. It is considered that, subject to the imposition of appropriate conditions, the turbine is not likely to cause undue noise and disturbance to the nearest residential properties.

Ecology/agricultural land quality

An ecological assessment accompanies the application which the Council's Ecologist considers is acceptable and which has included appropriate habitat and species survey and assessment of the turbine and the access road.

The assessment shows that the land affected by the proposed wind turbine and associated works comprises mainly of upland purple moor-grass dominated marshy

grassland. The land is located within the Ton Pentre Slopes (SINC 183) which is an extensive upland SINC. The loss of habitat to the turbine would involve a permanent habitat impact, but the loss is considered negligible compared to the wider resource of the SINC. The access track runs through the conifer plantation of SINC's 8 and 183 and would affect both plantation habitat and the verges of the existing NRW forestry track. The assessment has confirmed that there will be a loss of mosaic of track side habitats and marshy grassland as part of the track widening proposals. This loss is assessed as being of low significance.

The ecological assessment has concluded that due to the high altitude and considerable distance from upland forestry which might support foraging bat habitat there is unlikely to be any significant collision risk for foraging bats. The breeding bird survey has confirmed there is high skylark activity on the site and concludes there is a high risk of skylark collision. It recommends mitigation in the form of regular mowing/strimming of vegetation within a 10 metre radius of the turbine. For other breeding birds and wintering birds the survey concludes there would be low potential impact from the operation of the turbine. The ecological report concludes that while amphibian potential exists the relatively minor proposed works reduce impacts to a negligible level. The Council's Ecologist has advised that given the scale of the works and in the absence of any authenticated great crested newt records from a wide area around the site the assessment is fair. The report identifies that slow worm, common lizard and perhaps snake may occur in the upland forestry but that given the scale of the development the presence of reptiles would not act as a significant constraint to development.

In conclusion, the Council's Ecologist agrees with the survey and assessment in that the proposed development is unlikely to significantly affect the existing habitat or protected species. However, he recommends that a Section 106 Agreement would be required to secure the 10m radius bird management area around the turbine and bird mortality log for the life of the project and a condition should be imposed in order to secure a habitat and species protection plan for the construction activities, in order to reduce impacts to a minimum.

In terms of agricultural land quality, the wind turbine and associated works and assess would involve a small piece of land within the applicants farm holding on land which appears to be within Grade 4 or 5 of the agricultural classification maps. It is therefore considered that there would not be an agricultural constraint to the development.

Highway Safety and PROW matters

The existing access to Bwllfa Farm and a route through the former Nantygwyddon Landfill site and thereafter a NRW forestry track would be used as the access for construction and maintenance purposes.

The supporting information estimates that there is likely to be 195 heavy goods vehicular movements to the site (based on two way trips) during the construction period which would be mainly made up of deliveries for upgrading the existing access route, providing the concrete foundations and removal of plant. No details are provided of the swept path analysis nor the likely impact on existing highway features along the proposed transport route for the abnormal loads associated with the development. However, as the transport involves the use of Class A and B roads and private routes which are not located immediately adjacent to residential properties, no highway objection is raised subject to a number of conditions which include the need for a traffic management plan and a condition survey of the B4233 50m either side of the Bwlfa Farm access gate. It is therefore considered that subject to the imposition of appropriate conditions, as recommended by the Council's Transportation Section, the proposed development of the wind turbine is not anticipated to have an adverse impact on highway safety.

The existing access track would also cross PROW known as Bridleway 5 Cwm Clydach at grid reference 97409376. The Council's Rights of Way Officer has advised that a method statement should be provided to demonstrate how the public right of way would remain open, accessible and unobstructed during the construction period in addition to providing measures to be employed to ensure that the bridleway is not damaged by the construction operations. It is considered that these matters can be adequately secured by means of a condition attached to any permission issued.

Cultural Heritage

In terms of cultural heritage, the ASIDOHL2 assessment submitted in support of the application shows that the site lies within the Rhondda Uplands Historic Landscape Character Area of the Rhondda Historic Landscape and therefore it is possible that significant archaeological material exists within the area. GGAT have advised that archaeological sites have previously been recorded within the vicinity of the site and it is possible that archaeological material will be uncovered by the works. Therefore, GGAT advise that a condition should be attached to any planning permission to require a watching brief during the groundwork operations, as recommended in Section 22 of Welsh Office Circular 60/96.

Economic Benefits

PPW and the LDP require the economic considerations of any proposed wind turbine to be considered. As the proposal involves a small scale renewable energy development, the application is required by Policy AW12 of the LDP to demonstrate that the proposal would not constrain the generating capacity of the refined strategic search area for large scale wind farm developments. As the development involves a single small wind turbine which would connect to the national grid locally, it is considered that it would not affect any future development of a large scale wind turbine within SSA'F'.

Whilst the proposal would primarily benefit the applicant, all surplus energy generation would be sold to the National Grid, and it would help in the delivery of renewable energy targets. The proposal would also provide income and help sustain the applicant's agent, Seren Energy, which is a South Wales Energy Company, based in Swansea.

The applicant has advised there would be no grid connection problems as the connection would take place via underground and over ground connections to the existing 11kv electricity network.

The employment generation of between 10 - 20 short term jobs from the construction of the wind turbine is recognised and is considered an economic benefit of the scheme.

Other Considerations

The applicant has offered a community benefit fund of an initial sum of £20,000 and an annum amount of £2,500 for the 25 year life of the turbine. This community benefit would be made available to the Phoenix Centre, a registered charity, and local community facility. However, this does not make the proposal a community - based scheme. These financial payments cannot therefore be taken into account in assessing the planning merits of the proposal. The community fund would therefore not be directly related to the planning process but could be pursued by the applicant, were the application to be otherwise acceptable.

In relation to Policy AW12.2, of the LDP, the proposed development is considered unlikely to unnecessarily sterilise or hinder the resources of sandstone on the application site and adjacent land. This is due to the poor access to the site and the nearness of residential properties which would be likely to prevent any such future mineral extraction.

In relation to drainage matters, were the application to be otherwise acceptable, a condition requiring the details of the treatment of surface water matters would be imposed in order to assess the potential impact on flood risk matters.

Conclusion

It is considered that having regard to all the matters raised above, it is recommended that on balance the application should be refused for the reasons recommended below. It is considered that the detrimental landscape effects and the adverse effects on visual amenity of the single wind turbine outweigh the benefits of this small renewable energy development.

RECOMMENDATION: Refuse

1. The proposed single turbine would be contrary to the provisions of Policies

AW6 and AW12 of the Rhondda Cynon Taf County Borough Council Local Development Plan and Paragraph 12.10.1 of Planning Policy Wales in that being a significant, isolated element in the landscape, forming an awkward juxtaposition with the distinctive landform of the Tarren Y Bwllfa, extending wind energy development to the north and south of existing wind turbines, it would significantly adversely effect the local skyline, and cause and an unacceptable detrimental effect upon the existing character and appearance of the northern parts of the Rhondda Fawr area.

2. The proposed single turbine would be contrary to the provisions of Policies AW6 and AW12 of the Rhondda Cynon Taf County Borough Council Local Development Plan and Paragraph 12.10.1 of Planning Policy Wales in that it is considered that the siting and height of the wind turbine would appear as a prominent, isolated feature which would appear incongruous and adversely affect the local skyline and extend the influence of turbines within the area, and therefore would unacceptably harm the visual amenities of the local residents especially those within the northern parts of the Rhondda Fawr in particular in Ystrad, Gelli, Pentre and users of the adjacent public footpaths and public open spaces.

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LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

DEVELOPMENT CONTROL COMMITTEE

3 JULY 2014

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATIONS RECOMMENDED
FOR REFUSAL**

OFFICER TO CONTACT

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See Relevant Application File