

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2014-215

**DEVELOPMENT CONTROL
COMMITTEE
20 NOVEMBER 2014**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No. 6
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 application subject to the reasons outlined in Appendix 1.

1. Application No. 13/1281 - Erection of 1no wind turbine and associated works (resubmission), land adjacent to Coed Bychan Farm, Llanharan, Pontyclun.

This page intentionally blank

APPLICATIONS RECOMMENDED FOR REFUSAL

APPLICATION NO: 13/1281/10 (DB)
APPLICANT: Aspire Planning Ltd
DEVELOPMENT: Erection of 1no wind turbine and associated works
(resubmission)
LOCATION: LAND ADJACENT TO COED BYCHAN FARM,
LLANHARAN, PONTYCLUN, CF72 9NG
DATE REGISTERED: 04/12/2013
ELECTORAL DIVISION: Llanharan

RECOMMENDATION: Refuse

REASONS:

The principle of the development is considered acceptable, being a small scale wind development that would contribute to the Welsh Government's commitment to optimising renewable energy generation. Furthermore, no objections have been raised by statutory consultees with respect to the considerations in relation to the potential impacts upon either the amenity of nearby residential properties, highway safety or ecology.

However, it is considered that in respect of the issue of whether the wind turbine would have an unacceptable effect on matters of landscape importance - it is considered that it cannot reasonably be accommodated within the landscape without significant harm to the existing landscape character of the area and visual amenity. Also an objection has been raised by Cardiff Airport on air traffic reasons.

Furthermore, it is considered that the economic benefits provided in support of the development are not sufficient to outweigh the harm and conflict with Policies AW5 and AW12 of the Rhondda Cynon Taf County Borough Council Local Development Plan.

APPLICATION DETAILS

Full planning permission is sought for a single wind turbine on land at Coed Bychan Farmhouse, Brynna, Llanharan, Pontyclun.

The application is a resubmission of planning application 12/0514/10 which was refused on 18/12/12. and dismissed at appeal on 24/05/13.

The previous application involved a 500kw wind turbine at a bladetip height of 72m above ground level, comprising of a hub height of 44m and a rotor diameter of 56m. The exact model of the wind turbine proposed was a Powerwind 500. This proposal is for a 250kw wind turbine at a height of 30m to the hub with a rotor diameter of 30m and an overall height to blade tip of 45m. The exact model is a SIVA 250 Wind Turbine.

The size of this revised turbine would be approximately 75% of the height to the hub and roughly 50% of the blade diameter of the previous proposal.

The proposed turbine would be sited on the same site with the same proposed infrastructure and access route as previously proposed within 12/0514/10.

The turbine would sit on a concrete foundation base measuring 8m diameter, to a maximum depth of 2.45m below the ground with the top of the concrete flush with the ground. The turbine would be constructed of galvanised steel with 3 glass fibre reinforced plastic blades in a traditional propeller format, finished in light grey - RAL7035. There would also be a hard-standing area of approximately 35m by 26m required for the cranes required to construct the wind turbine.

The turbine would be connected to the national grid by an underground cable which would link to a transformer station which would be finished in fibreglass coloured green and measure 2.5 cubic metres.

The energy produced by the wind turbine would be used to meet the energy needs of the applicant. Surplus energy would be sold to the National Grid.

The turbine would be operational for 20 years, thereafter it would be dismantled, removed from the site and the site reinstated to its previous condition. The areas of hard standing and the access tracks would be allowed to grass over naturally.

The access is proposed from the existing access to Coed Bychan Farmhouse, from St. Luke's Close, Brynna. In order to reach the site, a new access track would be constructed across two fields utilising existing gateways. The access track would measure approximately 4m wide and 360m in length using 25mm of quarry stone over 25mm of crushed demolition waste.

The construction activities would involve 10 traffic movements both ways, involving one visit for the foundation works and approximately 4 visits for the installation of the tower and blades. The wind turbine would arrive in smaller sections and would be transported on a flat bed trailer which would be assembled on site. Maintenance would be likely to occur once a year during the life of the turbine.

The application is accompanied by supporting information which includes technical data about the wind turbine, a noise report, a planning supporting statement, a Landscape and Visual Impact Assessment (LVIA) and associated visualisations.

SITE APPRAISAL

The site is located in the open countryside outside the settlement boundary. It lies approximately 220m east of the nearest public highway, the unnamed country lane running in a northerly direction from Brynna to Thomastown. The turbine would be sited within an improved pasture on Mynydd Coed Bychan, presently used for sheep grazing, at a height of approximately 205m A.O.D. The land forms a rounded ridge spur which runs south of the main east west ridge including Mynydd Hugh at 277m A.O.D., Mynydd Y Gaer at 295m A.O.D. to the west and Mynydd Garthmaelwg at 266m A.O.D. to the east of the site. It lies above land to the south which falls away to Llanharan and Brynna which lie between 130m A.O.D. and 60m A.O.D.

Apart from the applicant's residential property, which would be approximately 405m to the south west of the turbine, the nearest dwelling, Brynheulog is situated approximately 425m from the wind turbine, with the nearest concentration of dwellings in St Luke's Close, within the settlement boundary of Brynna, approximately 510m from the wind turbine, and residential properties in Meiros Valley being approximately 600m from the wind turbine.

Within 300m to the north west of the site lies a wireless mast and further along the ridge to the west there are pylons carrying power lines from north to south. Beyond these to the north west there are the wind farms of Mynydd Portref and Taff Ely.

There are no statutory landscape or conservation designations on the application site or within the vicinity of the site. PROW's 52 and 55 are affected by the existing access track and the proposed access track for the wind turbine. The Ridgeway Walk lies over 1km to the north of the proposed turbine.

The site of the wind turbine lies 6.5km outside the TAN 8 Annex D Strategic Search Area (SSA) F, but lies within Zone 43, Mynydd Portref of the SSA refinement study which concluded that the area has high sensitivity to strategic scale wind farm development (above 25MW).

PLANNING HISTORY

12/0514	Land to the North West of Coed Bychan Farmhouse, Llanharan, Pontyclun	Erection of 1 no. wind turbine and associated works.	Refused 18/12/12 Appeal Dismissed 24/05/13
---------	--	---	---

PUBLICITY

The application has been advertised by means of site notices and neighbourhood notification. Three letters have been received as a result of this publicity, one supports the proposal the others raise the following matters:-

- Whilst reduced in height it would still be a dominant feature on the skyline.
- Encroaches far too close to the village of Llanharan.
- Adverse impact on appearance of this area which is a sheep farm with little or no trees.
- Access road is private, in poor condition and shared with residential estate – concern for its damage and maintenance.
- Noise prediction is a desk top exercise.
- No economic benefit to community.
- Could set precedent for further turbines in area.
- Reduction in CO₂ emissions not quantified.
- Government targets for sustainable energy production have already been met.
- Question whether restoration details are adequate.

CONSULTATION

Vodafone – raises no objection.

Bridgend CBC – raises no adverse observations.

Vale of Glamorgan CBC – raises no observations.

Glamorgan Gwent Archaeological Trust Ltd (GGAT) – raises no objection.

Defence Infrastructure Organisation – raises no objection.

Countryside Section – raises no objections. Advises that there are no SEWBREC records of statutory protected species from the immediate vicinity. PROW's 53 and 55 are affected by the access tracks and precautions should be put in place to ensure that there are no safety issues in relation to the public enjoyment of these paths. Recommends conditions to secure proposed ecological mitigation.

Transportation Section – no highway objections are raised subject to conditions and the requirement for a S106 Agreement in respect of before and after surveys and an assessment of compensation for extraordinary use.

Public Health and Protection Division – raises no objections to the proposed development subject to the imposition of conditions which include noise limits at nearby residential properties, hours of construction, dust suppression and the disposal of waste.

Cardiff Airport – raises an objection due to air traffic control reasons.

Land Reclamation and Engineering – advises that further information is provided in order to assess the potential impact on flood risk matters. Recommends a condition in relation to the treatment of surface water matters.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan (LDP)

The proposals and constraints maps indicate that the site is located in the countryside, within Special Landscape Area (Mynydd Hugh and Llantrisant Forest) and within the sandstone safeguarding area.

Policy CS2 - outlines how the emphasis on building strong, sustainable communities will be achieved in the Southern 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 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 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.

Policy SSA23 states that development within the Special Landscape Areas (SLA's) will be expected to conform to the highest standards of design, siting, layout and materials appropriate to the character of the area.

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 (Edition 7 July 2014) Chapter 4 (Planning for Sustainability), Chapter 5 (Conserving and Improving Natural Heritage and the Coast), Chapter 6

(Historic Environment), Chapter 7 (Economy), Chapter 8 (Transport), Chapter 12 (Infrastructure and Services) and Chapter 13 (Minimising and Managing Environmental Risks and Pollution) 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 (TAN) 6: Planning for Sustainable Rural Communities (2010)

PPW Technical Advice Note (TAN) 8: Planning for Renewable Energy (2005)

Welsh Government Practice Guidance – “Planning Implications of Renewable and Low Carbon Energy” Feb 2011

PPW Technical Advice Note (TAN) 11: Noise (1997)

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:

The main consideration in the determination of this application is firstly whether the principle of the development is acceptable in this location. Further important considerations include whether the renewable energy scheme would have any adverse impacts on the landscape character and appearance of the surrounding area, nature conservation, agriculture, residential amenity of those living closest to the site, access and highway safety, land drainage and the aviation operations of Cardiff Airport.

Other Issues include cultural heritage, grid connection issues, the safeguarding of mineral resources and the benefits of the proposal.

Principle of 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.

Whilst TAN 8 states in Para 2.2 that "large scale (over 25MW) onshore wind developments should be concentrated into particular areas defined as Strategic Search Areas (SSA's)", guidance is also provided for the development of smaller wind developments outside of these areas. In particular paragraph 2.12 states that "The Assembly Government expects local planning authorities to encourage, via their development plan policies and when considering individual planning applications, smaller community based wind farm schemes (generally less than 5MW)."

The application involves a wind turbine of 0.25MW 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 TAN8 to be sited within the boundary of SSA F. Para 12.9.9 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."

TAN8 also identifies the need for authorities to consider the cumulative impact of small schemes in areas outside of the SSAs and the need to strike a balance between "the desirability of renewable energy and landscape protection" (2.13).

Policy AW12 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 the principle of this proposal, subject to the assessment of environmental criteria, which includes; the impact on the landscape, natural heritage; the need to minimise impacts on local communities and effects on the transportation network. There is therefore no objection in principle to the proposed wind turbine, subject to the other material planning considerations being satisfied.

Landscape and visual Impact

Since it is the landscape and visual effects of the proposed turbine, which are considered to be the main factors that need closest scrutiny, chartered landscape architect, Simon White (White Consultants) was commissioned to assist in the review of the Landscape and Visual Assessment (LVIA) submitted to accompany the proposed scheme.

The LVIA submitted to accompany the application incorporates the LVIA together with associated visualisations, LANDMAP effects of visual and sensory areas, wireline and photomontage visualisations from 8 key viewpoints with associated landscape, visual and cumulative assessments.

The proposed wind turbine would be located on an exposed site, in the open countryside. It would be located within the SLA of Mynydd Hugh and Llantrisant Forest. It is considered that the first key policy and management within this SLA which is to conserve the skyline and the written justification of SLA Policy SSA23 of the LDP “to the protection of the unspoilt low lying farmland, common land and gentle valley slopes with form the visual backdrop to the settlements of the area” are considered particularly relevant to this proposal. The LANDMAP assessment of the area particularly the visual and sensory and historical aspect areas are also relevant. The site is also in near proximity to residential properties, PROW’s and open public spaces.

Given the location of the site, (which is detailed in full under the Site Appraisal) it is considered that the main landscape and visual effects of the proposal relate to the following matters:-

- The individual and cumulative effect on the character and appearance of the area, a SLA and the Mynydd y Gaer landscape character area,
- The effects on residents, especially those on the northern and western edges of Llanharan and Brynna, and
- The effects on users of local footpaths, the cemetery and other public open spaces in Llanharan and Brynna.

Landscape Effects

Overall, the LVIA which accompanies the application states that the magnitude of the effect on the SLA is low with a resulting minor significance. The LVIA considers that the single vertical element on the skyline is already affected by other wind turbines and pylons and that it would be seen as part of a larger wind farm development, as shown from Viewpoints 5 and 7, both outside the SLA. However, the relative prominence of the turbine in Viewpoint 6 (Ridgeway Walk) is not discussed, nor is the prominence of the turbine, which is seen alone on the skyline from Viewpoint 2 (Llanharan Cemetery). It is stated that in terms of mitigation, the turbine is being located on slopes away from the ridgeline so it is not too prominent, however it is considered that the turbine would be located on the top of a protruding ridge spur south from the main east-west Mynydd Y Gaer ridge. This is considered would erode the qualities of the SLA and would be contrary to the general SLA policy of protecting the unspoilt valley slopes and of conserving the skyline within the Mynydd Hugh and Llantrisant Forest SLA. Whilst the turbine would be smaller than the previous proposal it would be still clearly contrary to the planning policy of the SLA.

The LVIA also considers that the magnitude of effect on the high/medium sensitivity of the landscape character area of Mynydd Y Gaer (i.e. LANDMAP visual and sensory aspect area) is medium – low, with a resulting moderate-minor significance.

This is the same assessment as the previous proposed wind turbine. The LVIA states that the character of the area will not be drastically changed or pushed beyond its existing threshold.

The LVIA omits to consider that the site lies in a LANDMAP historical landscape aspect area which is of outstanding value “representing an exceptionally rich, diverse, multi-period, upland landscape with continuous evidence of human activity from prehistory to the present day”. The LVIA also omits to say that the wind farm (then just Taff Ely) is described as the main visual detractor in the area along with pylons. It also seems to underplay the principal management recommendation within the LANDMAP description of “limit wind farm spread”.

For the same reasons as mentioned for the SLA above, it is considered that the turbine would increase the spread of wind energy development within the area and significantly adversely affect part of the Mynydd y Gaer area.

It is accepted that the proposal would not significantly affect other nearby SLA's and historic parks and gardens.

Visual effects

The LVIA has estimated the zones of theoretical visibility (ZTV) within a distance of 10km, and assessed eight representative views. The ZTV indicates that compared to the previous proposal views are still expected generally within Pencoed, Llanharan and Pontyclun with little visibility expected from the north especially from any built up areas. There is some reduced visibility on high ground between the valleys but virtually no reduction close to the proposed turbine and to the south. None are stated as undergoing significant effects.

Three of the representative views are considered to undergo effects of moderate significance and these are from the PROW (Viewpoint 1), the PROW east of Meiros (Viewpoint 3) and housing at Dolau (Viewpoint 4). The first and second of these judgements are considered understated but the third is fair and would reflect the effects within the more southerly parts of Llanharan and Brynna which would undergo a moderate adverse effect.

For other receptors, such as at Llanharan Cemetery and the Ridgeway on Mynydd Y Gaer, which are assessed as having effects of moderate-minor significance, all these are considered to be understated. Users of Llanharan Cemetery (Viewpoint 2) are likely to be very sensitive receptors and the moving turbine would be very noticeable, drawing attention to itself as the focus on the currently unspoilt hill/backcloth behind. The resulting effect would be significantly adverse. This view would also reflect the effects from properties on the northern edge of Llanharan and Brynna which are not screened by intervening buildings or vegetation and those which are closer to the development, which would be very likely to undergo significant effects.

The turbine would also be noticeable from the PROW east of Meiros (Viewpoint 3). Whilst existing wind farms are apparent in this view, they are at a distance and partially screened by landform and vegetation. The proposed turbine would be clearly separate, isolated and closer, extending the effect of wind energy eastwards along the SLA/ridgeline. The resulting effect would be significant adverse. This would also reflect the effects within parts of the SLA to the east of the turbine.

The turbine would also be noticeable on the Taff Ely Ridgeway Walk to the north and west [Viewpoint 6]. Whilst existing wind farms are closer and more prominent in this view, the proposed turbine is clearly separate and isolated extending the effect of wind energy south and eastwards along the SLA/ridgeline. It is considered that the resulting effect on this viewpoint would be significant and on closer Ridgeway viewpoints north of the proposal would be significant adverse.

The remaining viewpoints are not considered to undergo significant effects in the assessment. However, this is partly due to the choice of viewpoints and the intervening vegetation/lighting etc.

Cumulative effects

The LVIA states that there would be minimal cumulative effects on the SLA. However, there is little information on the additional effect of the wind turbine or of the combined effect where it is seen in conjunction with other wind energy developments. The separation, difference in scale and increase in spread are not addressed, all of which influence the cumulative effect of the turbine.

The assessment partly relies on the visibility and location of the proposed Mynydd Portref extension as justification for the proposal not being a significant addition to other wind farm development. However, there is no guarantee that this development would gain planning permission and be built and even if it was the turbine would still be an obviously separate development.

From Viewpoint 3 (East of Meiros) the turbine appears as a highly noticeable isolated feature, separate from the existing and proposed wind turbines at Mynydd Portref and Taff Ely and appears incongruous, extending the effect of turbines south and east towards the viewer.

From Viewpoint 6 (Ridgeway Walk) the proposed turbine appears as a noticeable isolated feature, separate from the existing and proposed wind turbines at Mynydd Portref and Taff Ely and appears incongruous, extending the effect of turbines south and east.

From Viewpoint 5 (Mynydd Llanharry) the LVIA describes the turbine as a minor element seen against other turbines. It is the closest turbine in this view, bringing wind farm development closer to the viewer and most closely associated with the proposed Mynydd Portref extension in this view.

Conclusions

The submitted LVIA is almost the same as the previous LVIA submitted re 12/0514/10, although the assessment of visual effects is reduced so that there are no significant landscape or visual effects. The LVIA appears to underplay the sensitivity of receptors, the magnitude of change and also the significance of effects. It also does not include a key viewpoint (west of Brynna) which was missing from the previous LVIA, but was requested.

The LVIA states that the turbine would appear as part of a larger wind farm development on the ridge. However, it is considered that the statement of the Inspector in respect of the previous proposal is still relevant that: *“the existing wind farms are a relatively distant feature and the immediate area has little obvious large scale development. The proposed turbine would be seen as a solitary, incongruous and adhoc structure despite the backdrop of other more distant turbines”*.

The main issue to consider is whether reducing the turbine height from 72m to 45m would minimise or avoid landscape and visual effects. The turbine is sited in the same prominent and open location which would be set apart from other wind farm development and would still be a significant isolated element in the landscape. Whilst there are some pylons nearby and a telecoms tower close to the site, the turbine would be of a larger scale and with its blades it would still cause a significant harm. Although the LVIA considers that there are no significant impacts, it is considered that whilst the level of impact is slightly less than the previous proposal, the impact is still at a significant level.

The reduced height turbine would result in a reduced level of impact but still result in significant adverse impacts in views from Llanharan Cemetery (Viewpoint 2), Meiros (Viewpoint 3) and from the Ridgeway Walk (Viewpoint 6). These views would also reflect the effects from properties on the northern edge of Llanharan and Brynna and scattered properties in close proximity to the site. The views of two local residents which raise concern that the turbine would still be a dominant feature, would encroach too close to Llanharan and would have an adverse impact on the existing agricultural landscape are considered to be valid.

The siting and height of the turbine combined with its location and the nature of the surrounding landscape would significantly harm the skyline and the open and rural character of the area, which is a feature that the SLA designation specifically seeks to protect and it would add to visual clutter.

Furthermore, the Inspector in his decision notice in respect of the previous proposal stated that *“The proposed access track would add to this (visual clutter) and emphasise the intrusive nature of the proposed turbine*. The proposed access track is the same as previously proposed and therefore this added impact has not been addressed.

Overall therefore, it is considered that the proposed turbine would have a harmful impact on the character and appearance of the surrounding area and would be contrary to the provisions of Policies AW5 and AW12 of the LDP.

Impact on residential amenity

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 test report which has measured the potential noise levels from the proposed turbine. This includes a prediction of the noise level 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. This noise level would be slightly less than the previous wind turbine.

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 min.

The nearest residential properties are located at the following distances from the wind turbine - 407m (land owners - Coed Bychan), 424m (Brynheulog), 512m (St Luke's Close) and 608m (Ty Uchaf). The noise test levels demonstrate that the installation would be capable of complying with the guidance set out in respect of the noise levels from turbines as set out above.

A Shadow Light Flicker statement has been provided. The statement notes 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 statement indicates that as the rotor diameter of the wind turbine is 30m, shadow flicker could potentially be an issue for a residential property within 300m. However, as there are no residential properties (apart from the applicants') within or close to this impact zone, this would not be an issue at this site.

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.

Local concern has been expressed regarding the adequacy of the noise report but the Council's Public Health and Protection Division has raised no objection to the report and the proposed turbine, subject to conditions which cover noise limits at the nearest residential properties and a complaint system. Further, in respect of construction activities, conditions are recommended to cover hours of operation and

minimisation of dust. 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

The original ecological assessment dated April 2012 which accompanied the previous proposal is considered relevant for this application. The assessment showed that the land affected by the proposed wind turbine and associated works comprises mainly of improved grassland enclosed by fence lines. The nearest hedgerow lies more than 200m from the proposed wind turbine position, with a scattering of trees alongside the track lying to the west of the site. The potential impact on protected species is also included. The report concludes that it is unlikely that the proposal would adversely affect any important habitats or protected species, subject to the implementation of a number of mitigation measures which essentially relate to the continuation of the existing intensively managed improved grassland.

The Council's Ecologist has advised that his previous review is still relevant. He advises that the site is one of limited ecological value and that it is unlikely to significantly affect any significant habitat or protected species, but the recommended mitigation measures should be imposed 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. Whilst there are no restoration details submitted it is considered that these details could be secured by an appropriate condition.

It is therefore considered that there would be no ecological or agricultural constraint to the development, subject to the imposition of appropriate conditions.

Highway Safety and PROW matters

The existing access to Coed Bychan Farmhouse would be used as the site access together with the construction of an access track through a section of the field the turbine is located in. The access leading to the site is via Brynna Road and then Oakbrook Estate Link Road which is a private road from its junction with Brynna Road up to its junction with St Peters Close. The Council's Transportation Section has advised that sections of this private road are in a poor state of condition due to wear and tear and lack of maintenance with the surface course layer removed or broken up.

In terms of vehicle movements, it is stated that 1 visit will be needed for the foundation works; approximately 4 visits for the installation of the turbine (including delivery of the tower and blades); and thereafter 1 visit per year for maintenance purposes. In terms of construction traffic, this represents 10 in/out movements to the

proposed development site. It is confirmed by the developer that deliveries will be by flatbed lorry as the wind turbine is relatively small and can be broken down into smaller sections that would remove the need for a larger vehicle.

The Council's Transportation Section has raised concern that the transportation of materials to the proposed development site would exacerbate the existing poor state of the carriageway of the private road leading to the site. The Transportation Section have therefore suggested a condition in relation to a condition survey with the view to addressing any further damage caused by the proposal, and a requirement for a S106 Agreement in respect of before and after surveys and an assessment of compensation for extraordinary use.

Llanharan Primary School is located in the nearby local community accessed off Hillside Avenue that joins with Brynna Road. Therefore, a condition is suggested to restrict the transportation of materials/components to the site to avoid conflict at the beginning and end of the school day

Local concern has been raised about the additional traffic proposed along the present access road which is in poor condition. However, the Council's Transportation Section has raised no objection in view of the short duration and limited use of vehicles required during the limited construction period, subject to conditions as set out above. It is therefore considered that subject to the imposition of an appropriate condition to avoid conflict with the local school, 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 need for a condition survey however, is considered too onerous in view of the limited traffic likely to be generated by the construction, operation and decommissioning of the proposed wind turbine.

The use of the existing access would also include a length of PROW 53 and the proposed access track would cross PROW 55. In respect of the previous proposal the Council's Rights of Way Officer raised concern about the possible safety impact and the ability of the public to continue to enjoy using these public footpaths, during the development, but especially during the construction period. The Council's Rights of Way Officer has advised that should there be any risk to users of any PROW, then the applicant would need to apply to the Council for a temporary closure order. It is therefore considered that any impact on the PROW can be dealt with by means of a condition to secure health and safety precautions, for each stage of the development.

Aviation Issues

Wind turbines have the potential to pose a threat to air safety for two reasons. Firstly, they can represent a collision risk for low flying aircraft and secondly they can interfere with ground based control radar and aircraft landing instruments.

The site falls within a 30 kilometres radius of Cardiff Airport and is therefore subject to mandatory consultation. An objection has been received from the Head of Airfield Operations as it is considered that the proposed wind turbine would interfere with the ground based control radar and the air traffic control operation at the airport. The Head of Airfield Operations has suggested a condition could be attached to any consent issued to overcome this concern which would require the installation of equipment to be installed on the Cardiff Airport radar system, prior to the wind turbine being developed. However, it is understood that this type of equipment is still being tested in the UK and it is not yet approved for use or has the necessary licence. There is therefore no certain timeframe for the deliverability of such a mitigation measure. It is considered that the proposed condition would not meet the tests of the new Welsh Office Circular 16/2014- "The Use of Planning Conditions for Development Management". This is primarily because such a condition would not be precise or enforceable as the full details of the required mitigation measures and its timeframe are uncertain at the present time.

Overall therefore, it is considered that the proposed single wind turbine would be unacceptable on aviation grounds based on the objection raised by Cardiff Airport.

Economic and Environmental Benefits

PPW and the LDP require the economic considerations of the 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 it is considered that it would not affect any future development of a large scale wind turbine within SSAF.

The proposal would primarily benefit the applicant, as part of a farm diversification scheme. However all surplus energy generation would be sold to the National Grid, which whilst not quantified would provide a small contribution in the delivery of renewable energy targets.

No direct community benefits are proposed. However, the applicant's agent has stated that the proposal would bring benefits to the local economy in supporting the factory, based in Chepstow which manufactures the turbine and that use would be made of local contractors for all the civil engineering works associated with the construction works.

Other Considerations

In terms of cultural heritage, GGAT have advised that there are a number of features of medieval date which exist within the locality which reflect settlement land use and transport during this period. However, GGAT advise that the siting of the single turbine and its associated cable run and access track is unlikely to adversely impact

on the archaeological resource in this case and do not recommend the need for any mitigation measures.

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 due to the poor access to the site and the nearness of residential properties which would be likely to prevent any such future 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 ensure that there would be no detrimental impact on flood risk for the local environment.

The applicant has advised there would be no grid connection problems as the connection would take place in an underground cable to a transformer station.

Conclusion

It is considered that having regard to all the matters raised above, it is recommended that the application be refused for the reasons recommended below. It is considered that the effects on the Special Landscape Area of Mynydd Hugh and Llantrisant Forest and the effects on visual amenity of the single wind turbine outweigh the benefits of this small renewable energy development. There is also an objection from Cardiff Airport on air traffic control reasons.

RECOMMENDATION: Refuse

1. The proposed single wind turbine would be contrary to the provisions of Policies AW5 and AW12 of the Rhondda Cynon Taf County Borough Council Local Development Plan for the following reasons:-
 - the individual and cumulative effect would have an unacceptable detrimental effect upon the interests of landscape importance of the Special Landscape Area of Mynydd Hugh and Llantrisant Forest, in that it would be an isolated, incongruous and adhoc structure which would lead to the extension of wind energy development south east from existing developments, and would significantly adversely affect the local skyline and add to visual clutter in this rural and open area.
 - it would appear as a prominent, isolated feature which would appear incongruous and adversely affect the local skyline and extend the influence of turbines along the skyline. It would unacceptably harm the visual amenities of the users of the adjacent public footpaths, public open spaces and residents especially those on the northern and western edges of Llanharan and Brynna.

2. The proposed single wind turbine would interfere with ground based control radar and have a detrimental impact on the air traffic control operations at Cardiff Airport.

=====

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

20 NOVEMBER 2014

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATIONS RECOMMENDED
FOR REFUSAL**

OFFICER TO CONTACT

**MR. J. BAILEY
(Tel: 01443 425004)**

See Relevant Application File