Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0597/FULL 13.08.2015	Mr R Evans Pen-yr-heol Farm Commin Road Hollybush Blackwood	Install a single medium scale turbine measuring 50m to hub and 77.9m to blade tip with associated infrastructure and access Pen-yr-heol Farm Commin Road Hollybush Blackwood

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: Penyrheol Farm is at an elevation of approximately 410-430m above sea level, and approximately 700m to the east of Phillipstown.

Site description: The proposed site for the turbine is in a field parcel on agricultural land on the eastern slopes of the Rhymney Valley. The area is characterised by scattered farmsteads, occasional tree clusters and other vertical structures, which include wind turbine developments, with the nearest being to the south at Gelliwen Farm and to the east at Penrhiwgwaith. A further approval has been granted for a wind turbine to the north at Bedwlyn Farm.

Development: Full planning permission is sought in respect of the installation of a single, medium scale turbine measuring 50m to hub and 77.9m to blade tip. The associated infrastructure will comprise of a small transformer hut measuring 2m x 3m. Consent is sought for a period of 25 years from the first generation of electricity on site, after which time the turbine will be removed and the site restored to its natural state.

The proposal will generate in excess of 2.518 MWh per annum based upon a wind speed of 8.4 meters per second and make a contribution to both national and local renewable generation targets equating to enough power to supply 629 residential properties.

The grid connection from the turbine to the existing electricity lines will be via underground and will not impact or change any of the grazing rights currently enjoyed by the community on common land. The development will be accessed through an existing entrance and reinforce an old track which is already in place.

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Planning application 15/0597/FULL Continued

The application has been supported by a Design and Access Statement, a Planning Statement, a Noise Impact Assessment, a Landscape and Visual Impact Assessment, a Preliminary Ecological Appraisal, a Bat and Bird Survey Report, a Cultural Heritage Impact Assessment, an Abnormal Indivisible Load Route Study, A Shadow Flicker Assessment.

Pre-application consultation with the local community has been undertaken by the applicant, including New Tredegar Community Council, Phillipstown Residents Association, Councillor Mrs Eluned Stenner and MP Gerald Jones. The proposed turbine model has a rated output of 500kW, the expected lifespan is 20 years and in this respect Vox energy - the operators have offered to pledge £50,000 to a local charitable cause as part of the community benefit fund.

Dimensions:
A single three-bladed wind turbine with a 50m hub, 54m blade diameter and blade tip height of 77.9m. The total site area amounts to 0.36 hectares, the vast majority of which will be reinstated after construction leaving the turbine and sub-station. The operational turbine will occupy an area of 5m x 3.6m with an adjacent transformer hut unit approximately 2.5m x 4.94m x 3.4m.

Materials: The turbine will be an off-white to grey colour to blend in with the sky.

Ancillary development, e.g. parking: None.

PLANNING HISTORY 2005 TO PRESENT

No previous planning history.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: No land use allocation - open countryside, but a Site of Importance for Nature Conservation (NH3.13) lies to the east of the site.

Policies:
Strategic Policies
Policies SP1 - Development Strategy- Development in the Heads of the Valleys Regeneration Area, SP5 - Settlement Boundaries, SP8 - Minerals Safeguarding, SP10 - Conservation and Natural Heritage.

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Planning application 15/0597/FULL Continued

Countywide Policies
CW4 - Natural Heritage Protection, CW3 -Design Considerations - Highways, CW4 - Natural Heritage Protection, CW15 - General locational constraints, CW 19 - Locational constraints - rural Development and Diversification, CW22 - Locational Constraints - Minerals, of the LDP.

NATIONAL POLICY
National planning guidance contained in Technical Advice Note 8: Planning for Renewable energy, July 2005 together with Planning Policy Wales 7th Edition July 2014.

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? Yes.

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Not an issue in respect of this application.

CONSULTATION

Transportation Engineering Manager - Has no objection to the development subject to conditions being attached to any consent requiring a revised Traffic Management Plan to be submitted which provides a detailed report on the proposed route to be taken to the application site, a highway condition survey along Cwm Road, which includes a scheme and timetable for the repair of any damage caused by abnormal roads associated with the development. In addition a condition is requested requiring confirmation of the hauler's indemnity insurance. The applicant is advised that he will be required to fund and implement a suitable Temporary Traffic Regulation Order to allow the movement of the abnormal loads and prevent car parking at key locations along the route.

Head Of Public Protection - Have no objection to the development subject to conditions being attached to any consent to protect noise sensitive receptors as well as a conditions to protect the amenity during construction.

Countryside And Landscape Services - Landscape planner objects to the development on the grounds of cumulative impact.

Cont….

Planning application 15/0597/FULL Continued

This Council's Arboriculturalist has confirmed that the impact upon the trees in the vicinity of this proposed development is negligible to almost non-existent and therefore has no arboricultural objections to the development.

This Council's Ecologist has no objection to the development subject to the imposition of appropriate conditions, as discussed in the report.

Minerals Officer - The application site is within the sandstone safeguarding area, where development should be restricted to avoid sterilisation of the resource. However, the development is temporary and there is no indication that the mineral resource is likely to be exploited within the next 25 years. Therefore, the proposal complies with policy CW22 B in the Caerphilly County Borough Local Development Plan up to 2021, adopted November 2010.

National Air Traffic Services - Have no objections to the development based upon the information provided. They provide advice to be conveyed to the developer.

Glam/Gwent Archaeological Trust - Have no objection to the positive determination of the application. They provide advice to be conveyed to the developer in the event any buried archaeological resource is discovered.

Joint Radio Company Limited - In the case of this proposed wind energy development, JRC does not foresee any potential problems based on known interference scenarios and the data provided. However, if any details of the wind farm change, particularly the disposition or scale of any turbine(s), it will be necessary to re-evaluate the proposal.

Blaenau Gwent County Borough Council - Whilst no objections are raised to the proposal the applicant has not considered the impact on receptor properties in Blaenau Gwent. This is not unreasonable given the separation distances involved and the fact that there are sensitive receptors within the Caerphilly area which are closer to the proposed development. However, to ensure there are no adverse impacts on receptors in Blaenau Gwent they suggest conditions are attached to any consent to mitigate any potential impacts arising from shadow flicker and noise nuisance. They have included a letter from Tredegar Town Council who comments that the turbine will have a major visual impact on the naturally beautiful drive through the Sirhowy Valley towards Tredegar. They also consider that Tredegar Town Council should benefit from any community benefit fund associated with the development.

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Planning application 15/0597/FULL Continued

ADVERTISEMENT

Extent of advertisement: The application has been advertised on site and ninety three neighbouring properties have been consulted.

Response:
A petition in support of the application signed by 162 people. A letter of support from the landowner and one from the local ward member.

Summary of observations: The installation of the wind turbine will reduce the farm's carbon footprint and will provide a sustainable source of renewable energy to benefit the farm and benefit the wider community by exporting any surplus to the National Grid. The UK has signed up to challenging EU Renewable Energy and Carbon Emission Targets and it is imperative that support is given to local projects in securing a sustainable electricity supply for future generations.

The landowner confirms that he and his family are currently living in a caravan and their electricity supply is via a generator, which is not capable of powering many household appliances, which means they have to rely on family members' houses for basic facilities. The farm is 3rd generation in respect of sheep and beef farming but the farming activity has suffered financially in recent years. The turbine will dramatically improve their personal circumstances and the farming business, enabling them to build a house, have an electricity supply and the income will also mean that the farming business can withstand fluctuations in prices and vulnerabilities within the farming industry. The local ward member supports the landowner and also draws attention to the fact that the turbine also comes with a community benefit fund that will also benefit the local community.

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area? There are no specific crime and disorder implications material to the determination of this planning application.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

The applicant has undertaken a preliminary ecological appraisal, which has identified that the wind turbine would be located on an area of improved grassland of low nature conservation value. The access track however lies within Cwm Syfiog Woodland Site of Importance for Nature Conservation which includes acid grassland and heath and extensive upland semi-natural habitat of Mynydd Bedwellte Common.

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Planning application 15/0597/FULL Continued

The proposal will require the widening of an existing track that runs from the improved grassland to the common road, and will result a small loss of acid grassland and heath habitat on either side of the existing track. The loss of this grassland is not considered to be significant, but remaining habitat on the common should be protected from damage from activities associated with the construction process, which may be conditioned.

The site was also assessed for its impact on protected species. The access track where it crosses the common was considered to be suitable for reptiles together with a dry stone wall in the adjacent field where the access track meets the common. A reptile mitigation strategy will be required to minimise impact of the proposal on reptiles will be required prior to the commencement works on site.

The applicant has also submitted a separate bat and bird survey report.

The bat survey confirmed that trees on the perimeter of the site were unlikely to support bats. Bat activity surveys also found that activity was largely confined to the lower parts of the field where there were trees along the boundary, and little activity on the higher parts of the field. The proposal is therefore unlikely to affect bats, and the three European tests are not required to be applied to this application.

With regards to birds, vantage point surveys identified 15 species that flew across the upper half of the turbine field at rotor height. Of these 5 were considered to be sensitive to wind turbines due to collision risk. Four pairs of lapwings were found to be breeding on Mynydd Bedwellte Common, about 150m from the proposed turbine site. One pair of curlew also were probably nesting on the common, and curlew flew across the turbine site. The applicant's ecologist considered the risk of collision to be low, due to the relatively small number of birds flew across the turbine field. However in view of the relatively high number of breeding lapwing in the vicinity of the turbines and their rarity in the South Wales Valleys, a monitoring programme should be undertaken in the first 12 months of the operation of the turbine during the breeding bird season to confirm that birds are not affected by the turbine.

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

Policies:
The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance.

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Planning application 15/0597/FULL Continued

This application is for a renewable energy development; the applicant states that the scheme will provide benefits, through the provision of renewable energy. The Welsh Government in its guidance is committed to delivering sustainable development in Wales, this includes the sustainable use of resources (Para 4.1.5) and ensuring Wales uses only its fair share of the Earth's resources. PPW recognises that an adequate and efficient supply of infrastructure, including electricity is crucial for the "economic, social and environmental sustainability of Wales." Wind turbines contribute to this agenda, as such the sustainability aspect of the proposal accords with PPW. The proposal also assists the Welsh Government's renewable energy target, which is currently 7TWh by 2020, including 800MW from on shore wind sources. Similarly Technical Advice Note 8 Planning for Renewable Energy (TAN 8) recognises that in order to try and meet the renewable targets set by the Welsh Government "on-shore wind power offers the greatest potential for an increase in the generation of electricity from renewable energy in the short to long term" (Para 2.2).

The landowner has put forward his case that the development of the wind turbine will generate income to help him build a new farmhouse for his family and improve the farm holding economically.

It is now reasonably well established that the planning system does not protect purely private interests, unless there is a planning purpose or other special consideration involved. PPW 3.1.7 should be referred to, when considering private interests and states:
"3.1.7 The planning system does not exist to protect the private interests of one person against the activities of another. Proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. The Courts have ruled that the individual interest is an aspect of the public interest, and it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties. However, such
consideration should be based on general principles, reflecting the wider public interest (for example a standard of 'good neighbourliness'), rather than the concerns of the individual."

Members are advised specifically that they should consider economic advantages of the proposal outside the context of the individual applicant and the purported personal benefits of the proposal. It is suggested that consideration should focus within the context of farm diversification. Research of planning decisions has shown that farm diversification is a reasonable consideration when considering wind turbine development has been supported by the Planning Inspectorate in determining planning appeals for a single turbine. However, the aspiration of the landowner to build a new farmhouse would require the submission of a separate planning application and would be subject to local plan policy and national planning guidance in respect of the same.

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Planning application 15/0597/FULL Continued

LANDSCAPE AND VISUAL IMPACTS ASSESSMENT

In this respect this Council's Landscape Planner has considered the Landscape and Visual Impact Assessment (LVIA) prepared by Amalgam Landscape Limited (July 2015) submitted with the application and whether or not the proposed development would have a significant detrimental effect in terms of cumulative visual impact and also in terms of impact upon landscape character.

A study area within 8km of the site was used to assess the impact of the turbine. The maps indicate that the proposed turbine may be visible from the upper valley sides and valley tops over most of the 8km study area and from large parts of the settlements of Bargoed, Aberbargoed, Markham, Gelligaer, Blackwood, Oakdale to the south of the application site. The LVIA calculates that the proposed turbine may be visible to hub height over 29% of the study area and to blade tip over 36% of the study area. Zone of Theoretical View (ZTV) maps have been used to aid the selection of photo-viewpoints, which informs the assessment of potential visual effects and to refine the LANDMAP analysis of the potential effects upon landscape character. The significance of "effect" of the proposed turbine upon Landscape Character and Visual receptors has been assessed with all possible mitigation measures in place.

In 2013 Gillespies LLP were commissioned by Caerphilly County Borough Council and the other Heads of the Valleys Authorities to produce a "Landscape Sensitivity and Capacity Study" in relation to potential Smaller Scale Wind Turbine Development within the Heads of the Valleys Area, which includes the northern half of the county borough. Following consultation this study was finalised and published in April 2015.

The study places the site of the proposed turbine in Landscape character Unit 16 (Rhymney Valley from Rhymney to Bargoed). This large landscape character unit is assessed as having 'medium' sensitivity to wind turbines of between 50-80m in height to blade tip. The study notes that the valley landscape is varied with a densely settled valley floor and large numbers of sensitive visual receptors within the unit. The study notes that the Rhymney Valley Ridgeway Walk has views down into and across the valley. The study also provides some guidance on the siting of individual turbines within this landscape unit, much of which has been followed by this application.

The LVIA has assessed the proposed turbine as having at worst, a 'moderate adverse' effect upon Landscape Character and designated landscapes. The assessment for the majority of the study area is considered acceptable, but there is potential for the significance of effect to increase to 'major-moderate adverse' in respects of some parts of the Gelligaer Common Cultural aspect area and that part of the Mynydd Bedwellte Visual and Sensory aspect area in close proximity to the application site.

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Planning application 15/0597/FULL Continued

The LVIA assessed that the significance of effect of the proposed turbine upon visual receptors within approximately 1000m of the site, including residents of Phillipstown as 'major-moderate adverse' whilst for all other visual receptors the significance of effect would be no greater than 'moderate adverse' and this Council's Landscape Planner agrees with this assessment.

It is agreed that cumulatively the proposed turbine will be often be viewed as part of a small cluster of turbines. This is particularly true in respect of local views and the potential effect upon local Landscape Character. The LVIA has not assessed the 'significance of effect' of the development in relation to cumulative impact. The LVIA recognises that the introduction of the proposed turbine will increase the perception of wind energy on the adjacent landscape character areas, but asserts that the landscape has the capacity to absorb the proposed turbine in combination with other operational, consented and in planning turbines without creating a wind farm landscape.

In relation to the potential cumulative effects upon visual receptors the LVIA considers that the proposed turbine will add to the perception of wind turbines but will not create views dominated by wind turbines or create a 'wind farm' dominated journey. However, this Council's Landscape Planner considers the concentration of wind energy developments within the core of the study area already exerts a significant effect upon the Landscape Character of this area which would be added to if this application is approved and considers the cumulative effect of this proposal upon residents of Philipstown, and recreational users of the upland areas within the core of the study area are significant.

It is considered the core of the study area has already reached its capacity to absorb wind energy development and that contrary to the objective of TAN 8 a 'Wind Farm Landscape' as opposed to 'a Landscape with occasional wind turbine developments', already exists. Whilst this application if approved would not extend the boundaries of area already influenced by wind energy development, it would infill an area of open space, adding to and expanding an existing cluster of turbines, thereby strengthening the cumulative impact of wind energy developments on this landscape. It is therefore concluded the application should be considered for refusal on grounds of cumulative impact.

NOISE IMPACTS

As part of the submission with this application a noise assessment was provided in accordance with ETSU-R97 for the Assessment and Rating of Wind Turbine Noise (a document produced on behalf of the former Department of Trade and Industry). The information submitted has been assessed in accordance with the above guidance and having regard for local noise conditions and accepted noise levels set out within the guidance.

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Planning application 15/0597/FULL Continued

This submission has been assessed by the Council's Head of Public Protection and it is considered that the predicted noise levels from the proposed turbine are within accepted levels. Whilst there are many variables that can affect turbine noise it is considered that the submission was carried out in accordance with the relevant guidance and as such its findings are a relevant material planning consideration. Conditions would also be attached to any consent granted controlling the levels of noise that can be produced by the turbine and requiring it to be modified, limited or shut down in order to comply with the guidance.

With respect to noise from construction and decommissioning activities it is considered that given the small scale of the project and short period of construction and decommissioning activities (estimated to be 3 months), noisy activities are unlikely for prolonged periods. The adoption of standard construction working practices and hours of working would ensure that these temporary phases would not give rise to adverse disturbance.

HIGHWAYS/TRANSPORTATION IMPACTS

An Abnormal Indivisible Load Route Study has been submitted with the application and the Transportation Engineering Manager has assessed this. The study identifies the delivery route for the turbine and carries out a swept path analysis of any turns which have the potential to disrupt the public highway. It has been established by Vox Energy that the existing access to the field which is proposed to house the turbine is sufficiently wide enough to accommodate the vehicles. Similar developments within the proximity to this proposal at Gelliwen and Penrhiwgwaith demonstrate that the site is accessible from the public highway. Nevertheless, the Transportation Engineering Manager has requested conditions are attached to any consent requiring a revised Traffic Management Plan which provides a detailed report on the proposed route to be taken to the application site together with a highway condtion survey along Cwm road to the application site and details of the hauler's indemnity insurance.

It should also be noted that as the delivery of the equipment would involve abnormal indivisible loads (AIL), the consent of the Welsh Government Transport Division would be required in addition to any consent from the Local Highway Authority in relation to the use of the Trunk Highway Network. In terms of a trial run to assess the physical impacts of the transportation of the turbine components on the highway network within the County Borough, the entire length of the proposed AIL route has recently been used during the construction of the nearby Penrhiwgwaith Farm Turbine. Both the proposed and constructed turbines are identical and therefore a further trial run was not considered necessary.

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Planning application 15/0597/FULL Continued

The applicant will be required to promote a Temporary Traffic Regulation Order prior to the delivery of any turbine components of abnormal loads to allow the safe passage of vehicles.

SHADOW FLICKER

The application has been supported by a Shadow Flicker Assessment, which concluded that no impacts of shadow flicker were found to occur as a result of this proposal. This assessment has been considered by this Council's Head of Public Protection who has requested conditions are attached to any consent that the wind turbine be fitted with a control system that automatically shuts down the turbines in the event of shadow flicker occurring.

HERITAGE IMPACT

The key impacts of wind turbines, either individually or as larger groups, on features of cultural heritage (such as scheduled ancient monuments; listed buildings; conservation areas; registered historic landscapes; and parks and gardens of special historic interest) include:

- Loss or direct impact on identified features of historic interest, including undiscovered archaeology.
- Indirect impacts on the character or appearance and setting of features of historic interest.

To ensure that the impacts of the proposal upon cultural heritage assets have been appropriately assessed, the applicant has submitted a Cultural Heritage Assessment. This document has been considered by this Authority and the relevant statutory Consultees have been consulted. No adverse comments have been received in respect of the assessment.

ECOLOGICAL IMPACT

The main ecological impacts resulting from wind turbines are associated with the site infrastructure i.e. construction compounds, the turbines themselves and cable trenches. These impacts may occur both during construction and during the operation of the turbines. The key potential ecological impacts include:

- Direct and indirect impacts of wind turbine construction on ecological receptors e.g. habitat loss and/or loss of plant or animal species, disturbance and fragmentation.

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Planning application 15/0597/FULL Continued

- Direct and indirect impacts of wind turbine operation on ecological receptors e,g. the disturbance of habitats and birds/bats colliding with the turbine blades during operation (known as 'bird strike'). The application has been supported by a Bat and Bird Survey and a Preliminary Ecological survey, which have been considered by this Authority together with the relevant statutory consultees. Conditions may be attached to any consent to address concerns raised in respect of the same.

Comments from consultees: The concerns of the statutory consultees referred to above may be addressed by attaching appropriate conditions to any consent.

Comments from public: The applicant has indicated that they are prepared to contribute £50,000 to the local community if the application for the wind turbine is approved. TAN 8 confirms that it is perfectly acceptable for a business to enter into a legally binding agreement with third parties to deliver particular and agreed benefits to the community. However, it should be made clear that the provision of such benefits is on a purely voluntary basis with no connection to the planning application process.

Other material considerations: None.

RECOMMENDATION that Permission be REFUSED

The reason(s) for the Council's decision is/are

01) The area within which the wind turbine is proposed has already reached its capacity to absorb wind energy development and that contrary to the objective of TAN 8 a 'Wind Farm Landscape' as opposed to 'a Landscape with occasional wind turbine developments', already exists. Whilst this application if approved would not extend the boundaries of the area already influenced by wind energy development, it would infill an area of open space, adding to and expanding an existing cluster of turbines, thereby strengthening the cumulative impact of wind energy developments on this landscape to the detriment of the landscape character of the area in conflict with Policy CW2 (a) of the Caerphilly County Borough Local Development Plan, up to 2021 – Adopted November 2010.
