

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0499/FULL 13.07.2015	Mr G Davies Unit 2A Trenant Industrial Estate Wadebridge PL27 6HB	Erect a single wind turbine of max 77m to tip, along with associated infrastructure including an access track and electrical housing Castell Llwyd Farm Heol Las Nelson Treharris CF46 6PW

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is situated at land at Castell Llwyd Farm which is approximately 2km west of Ystrad Mynach, 2.3km southeast of Nelson and 3km northeast of Senghenydd.

Site description: The proposed site stands on land centred on grid reference ST 12818 93345 at a height of approximately 290m above Ordnance Datum (AOD) on farmland related to Castell Llwyd Farm. To the east the land falls away towards Ystrad Mynach, to the west the land rises to the undulating open common land of Mynydd Eglwysilan. The site is relatively isolated, when viewed from the east it is seen in an upland farming landscape and from the west it is viewed in conjunction with the common. The nearest non-involved residents (Pen yr heol Fawr and Pen yr heol Fawr Bungalow) are situated approximately 550m to the north-west. Within close proximity (1km) of the proposed development there are three residential properties with Castell Llwyd approximately 710m north-east and Twyn Yr Harris approximately 710m east, both of which are under the control of the applicant and Twyn Yr Harris has been confirmed by the applicant to be unoccupied. Tir Twyn Farm lies approximately 970m to the north-east of the site.

Development: Full planning permission is sought to erect a single wind turbine of a maximum blade tip height of 77 metres and associated infrastructure including the installation of a new access track and upgraded Byway access track; a temporary crane hard standing area (measuring approximately 35m by 15m) and permanent switch gear housing unit (approximately 5m by 3m).

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The turbine would have a rated output capacity of 500kw. The operational life span of the turbine is 25 years after which it would be decommissioned. This site will then be reinstated to its former state or to a condition agreed with the Local Planning Authority.

The turbine's key maximum parameters are set out below:

Hub height: 50m.
Rotor diameter: 54m.
Maximum height to blade tip: 77m.
Number of blades: 3.

The turbine is proposed to be light grey in colour (ral 7035).

The turbine would be installed within a field with a temporary crane pad. Works would be undertaken to provide access to the site through the existing stone wall field boundary to the south-west and upgrading of an existing stoned track for a distance of approximately 380m northwards to where it meets an existing minor metalled road to the northwest which leads to the A472 at Nelson. The transformer and associated equipment would be contained within a weatherproof housing (approximate dimensions 5m long by 3m wide and 2.3m high) positioned adjacent to the turbine and the applicant has indicated that the finish could be amended to suit Local Authority requirements in stonework, GRP or other agreed material.

The electrical connection to the national grid is associated with a separate application, undertaken by the local network operator (in this case Western Power Distribution, WPD). Underground cabling will be used where practical.

The application has been supported by a Design and Access Statement, Landscape and Visual Impact Assessment, a Noise Assessment, Shadow Flicker Assessment, Extended Phase 1 Habitat Survey, Archaeological Report, Public Consultation report, Transport Management Plan.

PLANNING HISTORY

No previous planning history.

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POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Site Allocation: The site lies outside the defined settlement boundary in the open countryside within the Mynydd Eglwysilan Special Landscape Area (SLA). A portion of the site falls within a designated Site for Importance of Nature Conservation (Mynydd Eglwysilan, NH 3.120) which includes part of the access track.

Policies: SP1 (Development Strategy), SP5 (Settlement Boundaries), SP8 (Minerals Protection), SP10 (Conservation of Natural Heritage), CW2 (Amenity), CW3 (Highways), CW4 (Natural Heritage Protection), CW15 (General Locational Constraints), CW19 (Locational Constraints - Rural Development and Diversification), CW22 (Locational Constraints - Minerals), NH1 Special Landscape Areas (SLAs), NH3 (Sites Of Importance for Nature Conservation).

NATIONAL POLICY Planning Policy Wales, TAN 8 (Renewable Energy) Technical Advice Note 12: Design.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No, the development falls within Schedule 2 of the EIA regulations and was screened but was not considered to require EIA.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Site is located within a Standing Advice Area and applicant to be advised by informative note.

CONSULTATION

Minerals Officer - The application site is within the sandstone safeguarding area, where development should be restricted to avoid sterilisation of the resource. However, the proposed 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.

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Transportation Engineering Manager - No objection subject to the following conditions:-

No works shall commence on site until after a revised Traffic Management Plan has been submitted to and agreed in writing by the Local Planning Authority which provides a detailed report on the proposed route to be taken to the application site. This should include the adequacy of the route and provide details of any improvements required to the highway network to allow the movement of the abnormal loads. All improvements must be implemented before the movement of any abnormal load can take place. The plan will need to indicate full consultation and approval with neighbouring Authorities which the loads pass through, consultation and approval with the Welsh Government and South Wales Police Liaison Transport Officer who co-ordinates the safe passage of the vehicles and consultation and approval with the Highways Agency. The development shall be carried out in accordance with the agreed Traffic Management Plan.

Prior to the transportation of any AIL turbine components; a highway condition survey along the Heol Fawr shall be carried out and agreed in writing with the LPA, which includes a scheme and timetable for the repair of any damage caused by abnormal loads associated with this development. The development shall thereafter be carried out in accordance with those agreed details.

Before the transportation of any AIL loads to site the hauler's indemnity insurance must be inspected by the Highway Authority and written approval granted from the Authority's Chief Legal Officer.

Notes.

The applicant 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 - No objections, request that conditions are attached to any consent in respect of noise levels, shadow flicker, keeping of records in respect of power generation, wind speed and direction data, restricting hours of work relating to construction, restricting the overall height of the wind turbine, and notification of any changes to the model of turbine installed from that approved.

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Senior Engineer (Land Drainage) - It is noted that the applicant proposes to discharge the surface water runoff from the proposed development to Existing Watercourse. Any proposal to discharge surface water flows to the existing watercourse is likely to be limited to maximum rates of flow which will be determined by this authority, by the installation of onsite storage facilities in association with a controlled discharge device. The applicant must ensure that during the development period and thereafter that surface water, soil and other site debris is contained and dealt with within the curtilage of the site and is prevented from running on to or being otherwise deposited on adjacent land or highways. This may entail the installation of temporary or permanent cut off drainage. Therefore if any drive or private road is situated at a higher level than the adjacent highway the installation of cut of drainage will be required. Depending on site levels the applicant should consider the installation of appropriate cut off drainage to intercept surface water from any adjacent higher ground that might otherwise affect the completed development. In summary, prior to the commencement of any development of the site the applicant must submit to the Authority, and receive written approval of comprehensive proposals showing how surface water, and land drainage flows from the site will be dealt with as required by the Flood & Water Management Act 2010.

Countryside And Landscape Services - The Council's Landscape Officer comments: I am satisfied that the methodology used to undertake the Landscape and Visual Impact Assessment is in general accordance with what is currently regarded as best practice.

"Published guidance states that the "significance of the effect" of the proposed development upon Landscape Character and Visual Receptors is ascertained by professional judgement based upon consideration of the sensitivity of the baseline landscape or visual receptor and the magnitude of change as a result of the project. A series of matrixes were developed to assist with this assessment. Zones of Theoretical Visibility maps have been produced, calculated to Hub height and Blade tip and covering the previously agreed 8km study area. The maps indicate that the extent of visibility reduces substantially towards the fringes of the study area, particularly to the south, south west and south east. The LVIA calculates that the proposed turbine may be visible to Hub height over 38% of the study and to blade tip over 42% of the study area. These 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."

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"The significance of "effect" of the proposed turbine upon Landscape Character and Visual receptors has been assessed with all possible mitigation in place."

"I agree with the LVIA's findings that the potential impacts upon landscape character and visual receptors, associated with the construction and decommissioning of the turbine will be short term, reversible and "negligible" and that the more significant impacts are likely to occur during the 25 year operational phase."

Landscape Character

"Natural Resources Wales LANDMAP database has been used to determine the potential effect of the proposal upon Landscape Character. Thermal maps identifying each LANDMAP aspect area have been produced and overlain with the Zone of Visibility to Blade tip data to determine, which aspect areas have potential views of the turbine and therefore the potential to be affected by the proposal."

"LANDMAP methodology and "Planning Guidance for Smaller Scale Wind Turbine Development Landscape and Visual Impact Assessment Requirements, April 2015. Require the potential effects of the development upon the Geological and Landscape Habitat aspect areas within approximately 2.5 km, and Historic Landscape aspect areas within 8km of the site, that have either an "outstanding" or "high", overall LANDMAP evaluation to be assessed. Cultural LANDMAP aspect areas within the 8 km study area, with an "outstanding" or "high" in rarity and group value evaluation criteria, require assessment. Visual and Sensory LANDMAP aspect areas within the 8 km study area with an "outstanding" or "high" overall evaluation, plus "moderate" overall evaluation where scenic quality and or character criteria have an "outstanding" or "high" evaluation need to be assessed."

"Within 2.5 km of the site there are four Landscape Habitat aspect areas with a "high" overall evaluation. Other than for the footprint of the proposed turbine and the construction of the proposed access track there would be no effects upon the Landscape Habitat. The significance of effect is assessed as "minor-negligible". I agree with this assessment."

"Within 2.5km of the site there are two Geological aspect areas with an "outstanding overall evaluation" and two aspect areas with a "high" overall evaluation. Other than for the footprint of the proposed turbine and the construction of the proposed access track there would be no effects upon the Geology of the study area. The significance of effect is assessed as "minor" or "negligible". I agree with this assessment."

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"There are parts of 26 Historic LANDMAP aspect areas within 8 km of the site that may have views of the proposed turbine, and thereby experience an indirect influence on the setting of the aspect area or features within it. The proposed turbine would be located within the large Llanfabon and Llanbradach aspect area which has a "high" LANDMAP evaluation the significance of effect of the turbine upon this aspect area is assessed as "moderate adverse" reducing with distance from the site. I believe the significance of effect would be "major- moderate adverse" reducing with distance from the site."

"Immediately to the south lies the Mynydd Eglwysilan and Mynydd Meio aspect area which has an "outstanding" LANDMAP evaluation. The significance of effect upon this area is assessed as "moderate adverse". I agree with this assessment in respect of the overall aspect area but believe the potential effect may be "major adverse" close to the site despite the presence of pylons in some views. Further afield the LVIA states that the potential effects are minimal and difficult to ascertain. I accept this but believe that for parts of the Gelligaer and Llancaiach, Gelligaer Common Mynydd Bach and Mynydd-y-Grug, Senghenydd and Cwm yr Aber and Cynon Valley Corridor, which have an "outstanding" LANDMAP evaluation, the potential exists for a "moderate adverse", "moderate-minor adverse" effect, where there are clear view of the proposed turbine."

"Within the study area there is one Cultural LANDMAP aspect area with an "outstanding" and four aspect areas with a "high" overall LANDMAP evaluation. The proposed site is located within the large "Designated Landscapes" aspect area, which covers many of the valley tops and upland plateaus across the South Wales Valleys. The proposed turbine would be locally dominant/prominent, though from further afield viewed as a relatively small element in an expansive view across a wide area potentially containing pylons, masts, turbines and other visual detractors. The LVIA assesses the significance of effect as being at worst "moderate adverse" quickly reducing with distance from the site. I believe the significance of effect would be "major-moderate adverse" over a small area close to the proposed turbine, reducing to "moderate adverse" over parts of the remainder of the 2.5 km study area and reducing again to "minor adverse", beyond 2.5 km."

"There are four Visual and Sensory LANDMAP aspect areas within the 8km study area which have a "high" LANDMAP evaluation. The remaining thirty-nine aspect areas have "moderate" LANDMAP evaluations, though two Mynydd y Grug and Gelligaer Farmlands have a "high" landscape character evaluation. "

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"The site of the proposed turbine is within the Lanfabon LANDMAP aspect area, it has a "moderate" LANDMAP evaluation. The LVIA has assessed the significance of effect as "moderate adverse" in close proximity to the development site quickly reducing with distance due to the screening effect of intervening landform and vegetation. I believe the significance of effect has been slightly underestimated and is more likely to be "major adverse" in close proximity to the site, despite the presence of existing pylons. I agree that the significance will reduce with distance from the site."

"Immediately to the west and south west of the site is the Mynydd Eglwysilan and Mynydd Meio Landscape Character area which has a "high" LANDMAP overall evaluation. The proposed turbine will introduce a new vertical element on the fringe of this character area, already partly influenced by the presence of pylons and transmissions masts. The significance of effect is assessed as "moderate adverse" in close proximity to the site reducing with distance from the site. I believe the significance of effect has been slightly underestimated and is more likely to be "major adverse" in close proximity to the site, despite the presence of existing pylons. I agree that the significance will reduce with distance from the site."

"The potential significance of effect upon the Taff Bargoed Confluence, Mynydd y Lan and Gelligaer Common all with "outstanding" LANDMAP overall evaluations and at distances of 4 to 8 km from the site, have not been assessed. I believe the potential effect on these areas would be no greater than "minor adverse". The significance of effect upon Mynydd y Grug and Gelligaer Farmlands which have a moderate overall LANDMAP evaluation and a "high" landscape character evaluation has not been assessed. I believe the potential effect on these areas would be no greater than "minor-negligible."

Visual Impact

"Eight representative photo-viewpoints were identified as the basis for the visual assessment of the impact of the proposed turbine during the operation phase.

"The LVIA assessment is based upon the detailed matrices provided within the document supplemented by the professional judgement of the assessor. Whilst I agree with this approach in my opinion the sensitivity of some potential receptors and the potential impact of the turbines moving blades within a generally static landscape has been under-stated."

Viewpoint 1: Bridleway within Special Landscape Area, 280m from the turbine. I agree that the potential significance of effect is "major adverse."

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Viewpoint 2: Minor Road within Special Landscape Area, 280m from turbine. The LVIA, assesses the potential effect upon users of the minor road as "moderate - minor adverse", I believe the effect will be "moderate adverse." The LVIA assesses the potential effect upon users of the Special Landscape area and public right of way as "major-moderate adverse", I believe the effect will be "major adverse."

Viewpoint 3: Parc Road Maesycwmmmer, 2700m from the turbine. The LVIA assesses the potential effect upon residents as "major-moderate adverse." I agree with this assessment.

Viewpoint 4: From Nelson, 2710m from the turbine. The LVIA, assesses the potential effect upon residents as "minor adverse," I believe effect will be "moderate-minor adverse."

Viewpoint 5: Bridleway within Special Landscape Area, 2810m from the turbine. The LVIA, assesses the potential effect as "minor- negligible adverse." I agree with this assessment.

Viewpoint 6: Rhymney Valley Ridgeway Walk in Special Landscape Area, 3040m from the turbine. The LVIA assesses the potential effect as "moderate-minor adverse," for users of the SLA and the recreational route. I believe effect will be "moderate adverse," in both instances.

Viewpoint 7: Rhymney Valley Ridgeway Walk on Gelligaer Common SLA, 4980m from the turbine. The LVIA assesses the potential effect as "minor adverse", for users of the SLA and the recreational route. I believe effect will be "moderate-minor adverse," in both instances.

Viewpoint 8: Raven Walk on Mynydd y Grug, North Caerphilly SLA, 5200m from the turbine. The LVIA assesses the potential effect as "moderate-minor adverse", for users of the SLA and recreational route. I believe effect will be "moderate adverse," in both instances.

The potential significance of effect upon the wider Mynydd Eglwysilan SLA has been assessed as "moderate adverse," due in part to the degree of screening provided over parts of the SLA by the undulating landform and the presence of pylons and transmission masts within the SLA. Whilst I accept this assessment for the SLA as a whole I believe there is the potential for "major adverse" effects within approximately 1 km of the site. The potential, indirect effects upon the North Caerphilly, Gelligaer Common and Mynyddislwyn SLA's where there boundaries fall within the 8 km study area is assessed as "minor adverse" I agree with this assessment.

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"The potential significance of effect upon the Gelligaer Common Landscape of Special Historic Interest, has been assessed as "minor adverse," I believe the potential effect has been slightly understated and would be "moderate-minor adverse."

"I accept the LVIA assessment that the significance of effect upon Conservation Areas within the study area and the Maes Manor Hotel Park, Garden of Historic Interest will be "neutral."

"The ZTV's indicate that the proposed turbine will be visible from parts of Blackwood, Pontllanfraith, Bargoed, Aberbargoed, Penpedairheol, Penybryn, Treharris, Nelson, Hengoed, Ystrad Mynach and Maesycwmmmer. Views from within these settlements will often be screened by intervening buildings and the significance of effect is likely to be no greater than "minor adverse or neutral." However where direct unobstructed views are possible from parts of Maesycwmmmer, Ystrad Mynach, Hengoed, all within 2-3 km of the site, I consider the potential significance of effect to be "Major-moderate adverse." The Heads of the Valleys authorities, including Caerphilly, published "Planning Guidance for Smaller Scale Wind Turbine Development Landscape and Visual Impact Assessment Requirements," in April 2015. This document requires a residential amenity assessment on properties within 10 x the turbine height to blade tip (770m). Three properties are situated within 770m of the proposed turbine, two of which, Pen-yr-heol fawr (550m) and Twyn-yr-Harris (700m), have no financial involvement in the proposal and would have qualified for such an assessment. However no specific assessment has been undertaken in respect of either property. Pen-yr-rheol fawr is situated on slightly higher ground adjacent to the common road and the north west of the proposed turbine. Its main elevation faces east with no direct view of the proposed turbine, existing mature trees on the properties southern boundary filter views towards the proposed turbine, which would also encompass the line of pylons. Twyn-yr-Harris is situated on the lower valley side to the south east of the proposed turbine. The main elevations of the property face north/south away from the proposed turbine, and views from within the farm yard/property boundary are restricted by farm buildings and tree cover between the property and the turbine. For both properties I would assess the significance of effect as no greater than "moderate-minor adverse". There is a scattering of more distant isolated farmsteads and residential properties within the study area with potential views of the proposed turbine for which, the significance of effect has been assessed as "neutral". Without a detailed assessment of each property it's impossible to provide an accurate assessment though I believe some properties within approximately 3km, with clear views of the site, will "minor adverse" or possibly "moderate adverse" effects.

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"Users of the Sirhowy Valley/Raven Walk and Rhymney Valley Ridgeway Walk will experience views of the proposed turbine, at distance as part of a wider panorama. The potential effects have been assessed as "moderate-minor adverse". I agree that the significance of effect is likely to be no greater than "moderate adverse."

"The significance of effect upon the National Cycle Routes that cross the study area has been assessed as "neutral". I agree with this assessment. From public rights of way in close proximity to and with open views of the site the effect of the proposed turbine is likely to be "major adverse," this potential effect will diminish quite quickly with distance within the Eglwysilan SLA due to the undulating landform. Where visible the movement of the turbine blades within this relatively enclosed and static landscape will contribute to the significance of effect, whilst the presence of pylons within some views will reduce the significance of effect. From further afield and outside the Eglwysilan SLA the significance of effect is assessed as no greater than "moderate-minor adverse" I agree with this assessment."

"The significance of effect upon users of Open Access land on Mynydd Eglwysilan in close proximity to the proposed turbine has been assessed as "major adverse", reducing quite quickly to "major-moderate adverse." Further afield the proposed turbine would be perceived as a relatively distant vertical element within a wider panorama. The significance of effect has been assessed as "minor adverse" though I believe it is likely to range from "moderate adverse" to "minor adverse."

"The major road network follows the valley floor, where views are possible they are likely to be fleeting, oblique and taken at speed. Where views of the proposed turbine are possible from the significance of effect is assessed as "negligible- neutral". I believe this to be generally true, though for a section of the A472 through Maesycwmmmer which would have a direct view of the effect is likely to be "minor adverse". From the minor road crossing Eglwysilan SLA in the vicinity of the site the significance of effect is likely to be "moderate adverse". Potential views from minor roads at greater distances from the site will I believe be "minor adverse-negligible."

"The significance of effect upon rail users has been assessed as "neutral" I agree with this assessment."

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Cumulative Impact.

"An assessment of cumulative impact has been undertaken in respect of potential cumulative effects of the proposal upon both landscape character and visual amenity. The cumulative effect of proposed turbine is considered in addition to thirteen operational, consented or in planning wind energy developments within the 12km cumulative study area. Two additional consented schemes Cefn Bach Farm and Cruglwyn and one in planning scheme, Pen y fan Caravan Park should also have been included."

"Planning Policy Wales TAN 8 Annex D paragraph 8.4 states that "In the rest of Wales outside the Strategic Search Areas, the implicit objective is to maintain the landscape character" i.e. no significant change in landscape character from wind turbine development. This is interpreted as "Typically a Landscape with occasional wind turbine developments."

"The assessment concluded that the proposed turbine would largely be perceived as a single vertical element, although often in combination with adjacent pylons, but distinctly separate from other operational, consented or in planning wind energy developments and that there would be no significant cumulative effect upon landscape character. I agree with this assessment."

"The wireframe drawings for each photo-viewpoint indicate that the potential exists for the proposed turbine to be viewed in combination with other generally widely spaced and scattered operational, consented or in planning turbines particularly to the north east. Views which include other turbines are typically expansive and over distances of 3-12 km. The combined effect of the proposed turbine within such views is not considered significant. I agree with this assessment. Sequential views of the proposed turbine with other operational, consented or in planning turbines will be possible from the Sirhowy Valley/Raven Walk and Rhymney Valley Ridgeway Walk, areas of open access land and some major and minor roads. The LVIA believes that the separation distances between the proposed turbine and the other widely spaced recorded turbines will not significantly change the existing sequential experience of the landscape. I agree with this view."

Conclusion.

"In 2014 the Council commissioned Gillespies LLP to produce a "Landscape Sensitivity and Capacity Study" in relation to potential Smaller Scale Wind Turbine Development in the southern part of the county borough. This study compliments a similar study commissioned jointly with other Heads of the Valleys Authorities which covers the northern half of the County Borough."

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"The study places the site of the proposed turbine in Landscape character Unit 1 (Caerphilly West, Nelson and Abertridwr). 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 unit is large and varied in terms of landform and land cover and as such there will be areas within the unit with greater sensitivity most notably Gelligaer Common and areas of enclosed farmland which provides the setting for villages within the unit."

"The Local Development Plan identified the site of the proposed turbine as being within the Mynydd Eglwysilan Special Landscape Area and identifies a key long term policy to "prevent the area becoming too cluttered with incongruous vertical elements such as pylons and turbines."

"The proposed turbine would be located on the upper valley side within a medium scale partly enclosed agricultural landscape, which contributes to the setting of Ystrad Mynach. The proposed turbine would be located below the ridgeline and in close proximity to a line of existing pylons, which cross the ridge line and are clearly visible from the valley floor, parts of Mynydd Eglwysilan common and the wider landscape."

"The LVIA has assessed the proposed turbine as having at worst "moderate adverse" effects upon Landscape Character, relevant designations and "major adverse" effects on very few of the close range visual amenity receptors."

"I believe the introduction of the proposed turbine into the Special Landscape Area would be contrary to the SLA key policy of preventing the area becoming too cluttered with incongruous vertical elements."

"The proposal will introduce a large structure, with moving blades into a relatively static landscape. I believe the colour solid form and movement of the turbine blades will draw the eye and in mid distance views from the east in particular emphasise the presence of the existing but less obtrusive pylons."

"I believe the LVIA slightly under assesses the potential effects of this proposal. In my opinion there is potential for "major-moderate adverse" effects upon Landscape character within approximately 1 km of the site, "major adverse" effects upon visual receptors within approximately 1km of the site and "major-moderate adverse" effects on parts of Maesycwmmmer, Ystrad Mynach and Hengoed with clear views of the site. I agree with the LVIA assessment that the cumulative effects of this proposal would not be significant."

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"In my opinion the significant effects of this proposal are restricted to an area in close proximity to the site and are sufficient for the application to be considered for refusal."

"Should the proposal be recommended for consent, I would wish to condition. The alignment and construction materials/details of the access track and areas of hard standing. I would wish to see local stone used in the construction and the finished surface area grass seeded to minimise visual impact."

"The design of the Control Cabinet and Transformer housing. I would wish to see a local stone clad structure with a pitch slate pitched roof, indicative of small buildings of local vernacular."

The following additional comments have been received.

"The LANDMAP visual and Sensory aspect layer evaluation for the Llanfabon aspect area, within which the proposed site sits, identifies the key elements that should be changes as the sharp urban edge and masts and pylons. The overall evaluation is "moderate" but the surveyor comments it could be "high" but for detractors such as the sharp urban edge and masts and pylons. The Mynydd Eglwysilan and Mynydd Meio aspect layer evaluation (immediately adjacent to the site has a high overall LANDMAP evaluation and identifies the presence of pylons as introducing visual clutter into an attractive landscape."

"Scottish Natural Heritage guidance on the Environmental Impact of Windfarms recommends the creation of a simple image of the development in relation to the landscape. Single or multiple turbines in a relatively open landscape free of other strong/competing visual elements can create such a simple image. In my opinion the close presence of the pylons and transmission line adds a layer of complexity to the local scene and weakens the simplicity of the image which would have been created by the turbine as the dominant vertical element in this setting."

"I remain of the opinion that the landscape within which the proposed turbine is to be sited and the immediate adjacent common/open access area from which many of the near views of the development will be obtained or against which the development will be viewed from Ystrad Mynach/Hengoed/Maesycwmer is a relatively static landscape."

Rights Of Way Officer - Byway 117E crosses the site and must remain available for public use or closed or other agreed safety measures implemented if used for access for construction equipment.

Police Architectural Liaison Officer - No objections.

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Civil Aviation Authority - NATS - No objection.

Ministry Of Defence - No objections, requests that MOD should be advised prior to commencement of development of detailed information in relation to the turbine's location, height and construction schedule.

Dwr Cymru - No comments to make on the planning application.

Wales & West Utilities - Provides details of apparatus in the vicinity.

Natural Resources Wales - Do not object to the application but provides details comments on submitted information.

Glam/Gwent Archaeological Trust - No Objections, recommend a condition be attached requiring a programme of archaeological works and written scheme of investigation be attached to any permission.

Mr R Jones - Trunk Road Manager - No objections - The Trunk Road Highway Authority will require advanced notification in relation to construction traffic due to anticipated weight/size of vehicles.

Gelligaer Community Council - No objection.

Rhondda Cynon Taf Council - No objection.

Merthyr Tydfil County Borough Council - No objections.

OFCOM - No objection - Provided radio spectrum information.

ADVERTISEMENT

Extent of advertisement: The application was advertised in the local press, by neighbour notification and Site Notices erected close to the site and placed in Post Offices in Nelson and Ystrad Mynach.

Response: Two letters of support were received.

Summary of observations:

- They are considered to be a more sustainable form of energy.
- The use of them is encouraged by many Council's and Government Authorities.

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- The installation of wind turbines at Castell Llwyd Farm would be on private land and no inconvenience to the general public.
- They are less of an eyesore than the electricity pylons that are scattered around the mountain.
- This proposal harnesses natural resources and in return will produce electricity to power 400 homes.
- The nearest neighbour to the turbine is in agreement with the proposal and would benefit from an electrical supply.
- The company building the turbine are known to support local communities.
- The turbine would add valuable income to the farm and would ensure the continuation of the work the applicants undertake with Special Needs People.
- Wind Energy is clean and reduces the need for nuclear power.

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? It is not considered that crime and disorder will be materially affected by the development.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY

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. 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 living within environmental limits by ensuring Wales uses only its fair share of the Earth's resources and mitigating climate change (para 4.3.1).

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Planning Policy Wales highlights that Planning Policies, decisions and proposals should "Support the need to tackle the causes of climate change by moving towards a low carbon economy. This includes facilitating development that reduces emissions of greenhouse gases in a sustainable manner, provides for renewable and low carbon energy sources at all scales and facilitates low and zero carbon developments" (para 4.4.3). 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. 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 medium term" (Para 2.2).

The main points to consider in the determination of this application are in respect of the impact on Visual Amenity and landscape including on the Special Landscape Area, impact on sensitive receptors, archaeological and highways impacts of the scheme.

LANDSCAPE AND VISUAL IMPACTS ASSESSMENT

The Local Development Plan allocates the application site as part of the Mynydd Eglwysilan Special Landscape Area (SLA) under Policy NH1.3 and the designation of an area as a Special Landscape Area is designed to protect the SLA from "any development that would harm their distinctive features or characters." Appendix 1 to the Written Statement in the adopted Local Development Plan expands on the designation of the SLA and highlights the upland ridge area is "open with panoramic and sometimes dramatic views over upland and adjoining valleys. A pleasant landscape, with some attractive farmland away from the built form of urban edges." It is within this context that the Appendix identifies Key Policies, Management and Development Control Issues. One of the Long term issues is to "Prevent the area becoming too cluttered with incongruous vertical elements, including pylons and turbines."

The Landscape Officer has considered that the development will have major adverse impacts on parts of the designated Special Landscape Area particularly in close proximity to the turbine. It would also have moderate visual impacts on mid-range sensitive receptors including from the settlements of Maescwmmer and Ystrad Mynach and others.

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The scale and height of the turbine together with its position on the upper part of the valley side would have an adverse visual impact on two distinct landscape typologies, these would broadly be the attractive rolling farmland as seen in viewing the turbine from east of the site and the more remote moorland uplands on views achieved from the west. There would of course be impacts on views from the north and south of the site. Technical Advice Note 8 (Renewable Energy) identifies in paragraph 2.13 that "there is a balance to be struck between the desirability of renewable energy and landscape protection". It is noted that a number of wind turbines are operational in the county; however, this turbine would be a new modern feature within the designated Special Landscape Area. It is considered that in balancing Landscape Protection with the desirability of renewable energy that as advocated by TAN 8 there is a case for avoiding a situation where wind turbines are spread across the whole of a County.

It is acknowledged that the turbine will represent a new vertical element within the Special Landscape Area and that the Special Landscape Area Policy NH1.3 includes within the Long Term aims of the Management of the area to "prevent the area becoming too cluttered with incongruous vertical elements including pylons and turbines". The proposed location for the turbine is however sited in relatively close proximity (circa 200m) to an existing set of electricity pylons with transmission lines, which are a large and visually detracting feature within the Special Landscape Area. The Landscape Officer has expressed concerns that the proposed turbine by virtue of its size and form and the movements of the blades will draw the eye and emphasise the presence of the existing, but in his view, less obtrusive pylons. The Landscape Officer also draws attention to guidance (from Scottish Natural Heritage) which recommends the creation of a simple image of the development in relation to landscape. In the Landscape Officer's opinion the close presence of the pylons and transmission line adds a layer of complexity to the local scene and weakens the simplicity of the image which would have been created by the turbine as the dominant vertical element in this setting. The Landscape Officer whilst expressing these concerns does also note that the proposal is finely balanced in landscape terms and also indicated that the Caerphilly Wind Turbine Development Landscape Sensitivity and Capacity Study Draft Report does identify that the Landscape unit that the current proposal falls within (Landscape Unit 1, Caerphilly West) as an area capable of accommodating wind turbine development of this size albeit the Landscape unit is large, being a strategic study, and therefore not replacing the need for individual site analysis.

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In considering the impact on the Special Landscape Area and considering the concerns expressed by Landscape Officer this needs to be balanced against the clear general presumption in favour of development contributing to renewable energy expressed in Planning Policy Wales. PPW itself notes that as a non-statutory designation Special Landscape Areas "should not unduly restrict acceptable development" (para 5.3.11).

It is acknowledged that the turbine will be visible from a wide number of vantage points as shown in the submitted Photomontages. It will, as the existing pylons are, be visible from the valley floor, parts of the Mynydd Eglwysilan common and the wider landscape. It will be viewed over a range of distances from a number of settlements including Ystrad Mynach, Nelson, Llanfabon and the submitted Zone of theoretical visibility plans indicate that views of the turbine may be possible from a wide range of vantage points primarily to the west, east and north of the turbine from distances up to the 8km study area and beyond. It is important to note however that the impact of the turbines reduces over distance and as indicated by the Landscape Officer the 'Major-moderate adverse' effects upon Landscape character are within 1km of the site and also on parts of Maescwmmer, Ystrad Mynach and Hengoed with clear views of the site. Major Adverse effects upon visual receptors are limited to those within approximately 1km of the site.

Policy CW4 (Natural Heritage Protection) requires proposals to conserve the distinctive or characteristic features of Special Landscapes Areas and where within or in close proximity to sites designated as Sites of Importance for Nature Conservation (SINC) that proposals either conserve the ecological or geological importance of the designation or alternatively are such that the need for the development outweighs the ecological importance of the site and harm is minimised by mitigation measures and offset where practicable to ensure there is no reduction in the overall value of the area or feature.

It is acknowledged that the proposed development will have an impact on the Special Landscape Area however in relation to the LANDMAP aspect area for Visual and Sensory the turbine itself is located within a part of the SLA designated as 'moderate' in value with an area of 'high' designation to the west. Most views of the turbine would be seen in conjunction with the existing pylons and transmission lines and in balancing the guidance from PPW that non statutory designations should not unduly restrict acceptable development the site would be a suitable location within this part of the SLA for a renewable energy project which supports the aims of Welsh Government in relation to sustainable development.

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In relation to the Special Landscape Area designation the supporting text of the adopted Local Development Plan Policy NH1 highlights that the designation of SLA's highlights the "holistic consideration of the landscape" (3.100) going beyond visual impacts to consider landscape, historical, cultural, biodiversity and geological features and characteristics within the borough. It also highlights that the Policy is "not designed to preclude development" rather that development should demonstrate that it will not have an unacceptable impact on the specific distinctive features or characteristic associated with the SLA. The designation for the Mynydd Eglwysilan SLA notes there are areas of the SLA which has visual clutter of pylons and it is noted that on land south of Llanfabon there are pylons lines crossing and transecting the landscape. The application site in contrast has a single line of pylons and on balance it is considered that the addition of single turbine will not result in the area being too cluttered and the proximity to the single pylon line is preferable to an isolated feature elsewhere in the Special Landscape Area. In the context of the size and holistic nature of the Special Landscape Area designation it is not considered that the development will be contrary to Policies CW4 (Natural Heritage Protection), NH1 (Special Landscape Areas), SP10 (Conservation of Natural Heritage) nor NH3 (Sites of Importance for Nature Conservation).

It is not considered that the turbine will have a cumulative effect with other constructed, consented or in planning turbines within the borough.

ECOLOGICAL CONSIDERATIONS

Following the initial comments received from the Council's Ecologist the applicant undertook surveying in relation to Bats and migratory Bird Survey. This surveying was undertaken in October 2015 and concluded that there was limited bat activity in the area and predicted a minimal impact on birds from the turbine.

The extended Phase 1 survey identified that the field in which the turbine is proposed comprised of species poor semi-improved grassland. The access track will pass through an area of bracken that forms part of Mynydd Eglwysilan Site of Importance for Nature Conservation. There would be loss of bracken in relation to improvement to the track however the Council's Ecologist has assessed the value of the bracken as a habitat is relatively low and the impact of a new track passing through this habitat is low. Subject to a condition requiring reptile mitigation the Ecologist has concluded that there is unlikely to be a significant impact on ecological interests in the area.

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NOISE AND SHADOW FLICKER

Policy CW2 of the LDP states that development proposals must have regard for all material planning considerations in order to satisfy the following requirements:

- A There is no unacceptable impact on the amenity of adjacent properties or land;
The proposals would not result in over-development of the site and / or its surroundings;
- B The proposed use is compatible with surrounding land uses and would not constrain the development of neighbouring sites for their identified land-use; and
- C Where applicable the viability of existing neighbouring land uses would not be compromised by virtue of their potential impact upon the amenity of proposed new residential development.

In terms of impact on amenity (A above) levels of noise from wind turbines are a key consideration in determining planning applications. A noise assessment has been submitted by the applicant which has been carried out in accordance with guidance produced by the Department of Trade and Industry in the Assessment and Rating of Noise from Wind farms, reference ETSU-R-97. The report modelled the predicted impact of both the turbine subject to the current planning application and also included two turbines which were subject to a planning appeal (subsequently dismissed at appeal and therefore will not be constructed) at Pen yr heol Las Farm. The noise report concludes that noise levels at all sensitive receptors modelled (whether financially involved or not) are predicted to remain within limits derived in accordance with ETSU-R-97.

A Shadow Flicker assessment was submitted with the planning application. This identified that one neighbouring property (Pen yr heol Fawr) fell within the test area and may be susceptible to Shadow Flicker Impacts. The assessment takes a worse case scenario approach and concluded that the property may experience shadow flicker as a theoretical maximum for up to 48 days per year with the total duration of events not exceeding 17.3 hours per year. The modelling indicates that these events are likely to occur during the winter months and the report highlights that as the calculation takes no account of weather conditions (cloud cover, wind speed and direction), screening by trees or hedges.

The Environmental Health Officer has reviewed the Noise and Shadow Flicker Assessments and has offered no objections to the proposed development subject to a number of planning conditions being attached to the planning permission.

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These include requirements to shut down the operation of the turbine should complaints be received from noise sensitive receptors and investigations result in it being found that it exceeds noise limits. A condition is also proposed in relation to Shadow Flicker. It is considered that with the proposed conditions the impacts of the turbine on sensitive receptors will be acceptable and should noise levels or shadow flicker be encountered at levels in excess of those modelled or deemed acceptable then the Local Planning Authority through enforcement of planning conditions will be able to require the developer to remedy the situation.

ARCHAEOLOGICAL ISSUES

The submitted Archaeological report was formed of a desk based assessment and comments received from Glamorgan Gwent Archaeological Trust indicate that there are no known archaeological assets within the enclosure where the turbine is to be sited. There is however some evidence of the presence of a Roman Road in the locality although the exact routing remains unconfirmed. The trust indicate that the access track improvements may be close to the Roman Road and that the works to provide access into the field where the turbine is to be located which include removal of a portion of stone walling would require archaeological support. They recommend that a condition is added to the permission requiring a programme of archaeological work to ensure any buried archaeological assets encountered during the development are properly recorded. It is considered that with the imposition of a condition there will be no unacceptable impacts.

HIGHWAYS/TRANSPORTATION IMPACTS

A Traffic Management Plan (TMP) and associated drawings were submitted with the application and the Transportation Engineering Manager has assessed these. The TMP sets out the types of vehicles to be used for the transportation of the equipment to and from the site, the number of vehicles to be used, the route to be taken and the frequency of deliveries etc. Swept path plans submitted with the TMP also show that the lanes accessing the site can adequately accommodate the vehicles to be used subject to the use of local traffic orders in liaison with the Local Highway Authority and the Police. 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

The Transportation Engineering Manager has no objection to the development subject to conditions being attached to any consent requiring a revised Traffic Management Plan (TMP).

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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 matters raised in relation to the applicant's community work and associated benefits for a neighbouring property to be connected to the national grid are not considered to be material to the determination of this application.

Other material considerations:

It is considered that the proposed wind turbine would be acceptable in planning terms. The landscape and visual impact of the development is considered acceptable and would not justify refusal of the application having regard for the designations on and near to the application site. The noise and highway implications of the development have been carefully considered and are felt to be within acceptable limits as set out in guidance and evidenced in the details submitted with the application. All other matters have been considered and there are no grounds which would warrant refusal of the application

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) Prior to the commencement of works on site a scheme of land drainage shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 03) The level of noise from the wind turbine (hereby approved) measured at the nearest non stakeholder noise sensitive properties shall not exceed 35dB(A) (LA90, 10 mins) up to wind speeds of 10m/s at 10m height when calculated in accordance with the attached Guidance Notes, or such other guidance as may be agreed in writing by the Local Planning Authority.
REASON: In the interest of the amenity of noise sensitive properties.

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- 04) Within 21 days from the receipt of a written request from the Local Planning Authority and following a noise complaint to the Local Planning Authority from the occupant of a dwelling which lawfully exists or has planning permission at the date of this consent, the wind turbine operator shall, at the operator's expense, engage an independent consultant approved by the Local Planning Authority to assess the level of noise emissions from the wind turbines at the complainant's property following the procedures described in the attached Guidance Notes or such other guidance as may be agreed in writing by the Local Planning Authority. The independent consultant's assessment and conclusions regarding the said noise complaint, including all calculations, audio recordings and the raw data upon which those assessments and conclusions are based, shall be submitted for the approval of the Local Planning Authority within 2 months of the date of the written request, unless otherwise extended in writing by the Local Planning Authority. The assessment recommendations as may be approved in writing by the Local Planning Authority shall be implemented and carried out within a set timescale agreed in writing by the Local Planning Authority.
REASON: In the interest of the amenity of noise sensitive properties.
- 05) Following the commission of the wind turbine hereby approved, the power generation, the wind speed and direction data, shall be continuously logged in accordance with a method that shall have been agreed in writing by the Local Planning Authority and such data shall be retained for a period of not less than 24 months and it shall be provided to the Local Planning Authority at its written request within 14 days of such request.
REASON: To monitor the wind turbine use and provide information to the Local Planning Authority to retain effective control.
- 06) Deliveries and construction works associated with the wind turbine hereby approve shall not take place outside the hours of 08.00 and 18.00 Mondays to Fridays, 09.00 and 16.00 Saturdays and not at all on Sundays and Public Holidays, unless otherwise agreed in writing with the Local Planning Authority.
REASON: In the interest of residential amenity.

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- 07) Prior to the commissioning of the wind turbine hereby approved it shall have been fitted with a control system that automatically shuts down the turbine during times when shadow flicker occurs, in accordance with a scheme of control that shall have been agreed in writing with the Local Planning Authority and the turbine shall be operated in accordance with the agreed scheme unless otherwise agreed in writing with the Local Planning Authority.
REASON: To control flicker in the interest of amenity of nearby flicker sensitive properties.
- 08) Notwithstanding the submitted details the development shall not commence until after a revised Traffic Management Plan (TMP) has been submitted to and agreed in writing by the Local Planning Authority. The TMP shall indicate full consultation and approval with neighbouring Authorities which the loads pass through and consultation and approval with the Welsh Government. The TMP shall provide evidence that the necessary permits have been given by the South Wales Police Liaison Transport Officer who co-ordinates the safe passage of abnormal vehicles and shall also include full details of the hauliers indemnity insurance for approval. Any highway improvements required to the highway network shall also be provided for approval by the Local Planning Authority and be completed prior to delivery of the loads. The development shall proceed in accordance with the TMP following approval in writing by the Local Planning Authority.
REASON: In the interests of highway safety.
- 09) Prior to the transportation of any AIL turbine components; a highway condition survey along the Heol Fawr shall be carried out and agreed in writing with the Local Planning Authority, which includes a scheme and timetable for the repair of any damage caused by abnormal loads associated with this development. The development shall thereafter be carried out in accordance with those agreed details.
REASON: In the interests of highway safety.
- 10) Prior to the commencement of works on site, details of the position and footprint of the works associated with the access route on Mynydd Eglwysilan Common together with a working methodology to minimise disturbance of semi-improved grassland habitat, shall be submitted for the agreement of the Local Planning Authority. The agreed measures shall be carried out in accordance with the agreed details.
REASON: To minimise impact on protected habitats and species.

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- 11) Notwithstanding the details submitted prior to the commencement of works full details of the location and external finishes for the control cabinet and transformer housing associated with the turbine development shall be submitted for the written approval of the Local Planning Authority. The development shall be carried out in full accordance with the approved details and the external finishes shall be applied prior to the first exporting of electricity from the turbine to the national grid.
REASON: To protect the character of the Special Landscape area and in the interests of the visual amenity of the area.
- 12) No development or site/vegetation clearance shall take place until a detailed reptile mitigation strategy has been prepared by a competent ecologist (including a methodology for the capture and translocation of reptiles with details of the receptor site if necessary) and submitted for the approval of the Local Planning Authority. The approved measures shall be strictly complied with.
REASON: To ensure that reptiles are protected.
- 13) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
REASON: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.
- 14) The wind turbine and tower hereby approved together with the ground equipment and plant shall be removed from the application site, either before the end of 25 years from the date of commencement of the development hereby approved or within six months, upon them becoming no longer operationally active in the generation of electricity, whichever is the earlier.
REASON: In order to define the extent of the permission hereby granted.
- 15) The wind turbine, tower and ancillary equipment shall be removed from the site and the land restored to its former condition upon cessation of the use in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The cessation of the use shall be defined as the wind turbine becoming inoperative for a continuous period of six months.
REASON: In the interests of visual amenity.

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- 16) Notwithstanding the submitted plans details of anti collision lighting to be fitted to the turbine shall be submitted for the written approval of the Local Planning Authority prior to any works commencing on site, and thereafter installed in accordance with a timetable agreed as part of those details.
REASON: In the interests of health and safety.

Advisory Note(s)

Before the transportation of any AIL loads to site the hauler's indemnity insurance must be inspected by the Highway Authority and written approval granted from the Authority's Chief Legal Officer. The applicant 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.

The applicant is advised of the comments of Defence Infrastructure Organisation, Joint Radio Company Limited, Public Rights of Way Officer, Senior Engineer (Land Drainage), Spectrum Licensing, National Air Traffic Services, Heddlu Gwent Police, Glamorgan Gwent Archaeological Trust, National Resources Wales and Transportation Engineering Manager.

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2, CW3 and CW4.
