

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0521/FULL 20.06.2017	Mr D Davies Ty Cwm Newport Road Hollybush Blackwood NP12 0BN	Install an 800kW wind turbine together with a switchroom, construct access track, lay electrical cabling and ancillary works Cruglwyn Manmoel Road Manmoel Blackwood

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is located at Cruglwyn, Cefn Manmoel and is approximately 4km south east of Tredegar and 2.5km north west of Manmoel.

Site description: The proposed site stands on land at a height of approximately 420 metres above Ordnance Datum and principally consists of grassland with semi-mature trees bordering the field boundary. An access track runs from west to east adjacent to the site that allows private access from Manmoel Road to the east. The footprint of the proposed turbine and associated infrastructure covers an area of 0.71 hectares.

The application site is bordered to the south-east by enclosed farmland and to the west, north and east by the unenclosed moorland on Manmoel Common. The entirety of this area is located on a narrow plateau/ridge, oriented north-south, between the steep-sided, settled and industrialised valleys of the Sirhowy and Ebbw rivers. This arrangement of relatively isolated and open uplands separated from enclosed and semi-urbanised valleys is typical of this part of south Wales. The Cefn Manmoel landform rises in elevation to the north and east, reaching a high point of approximately 504 metres above Ordnance Datum some 1.km to the north of the proposed turbine.

The nearest residential property is Maes-yr-Onn-Fach, which is located approximately 570 metres to the south east of the proposed turbine location. The nearest other residential property within 1km of the site is Lower Farm, and is located approximately 780 metres to the west of the proposed turbine location.

Cont....

Application No. 17/0521/FULL Continued

The nearest other residential properties to the site are Nos. 1-6 Railway Houses, located approximately 855 metres to the north-west of the proposed turbine location, Pochin House located approximately 983 metres to the south-west and Nos. 1 to 8 Pochin Houses located approximately 1010 metres to the south-west of the proposed turbine location respectively. The nearest settlement is Victoria located approximately 1km to the north-east.

An identical single wind turbine to the one proposed (planning reference 14/0761/FULL) is located approximately 200 metres away in the adjoining field to the south of the application site. Landscape improvements associated with this consent in regard to strengthening the gaps within the northern hedgerow boundary are scheduled to be implemented in winter 2017/2018 outside of the breeding season for birds.

Development: The application seeks full planning permission to construct a single wind turbine and associated infrastructure including turbine foundations, a crane hardstanding/laydown area, a switch room and associated cabling.

Wind Turbine

The proposed wind turbine would have a rated output capacity of 800kW and its key maximum parameters are set out below:-

Hub height: 60 metres;
Blade length: 26.5 metres;
Rotor diameter: 53metres;
Maximum height to blade tip: 86.5 metres; and
Number of blades: 3.

The final selection of turbine manufacturer would be confirmed following a competitive tendering process in which only qualifying turbines that are within the size parameters set out above and can comply with any appropriate noise condition imposed on the development would be considered. As such the applicant is applying for planning consent for a wind turbine with a maximum blade tip height of 86.5m to allow flexibility across the wind turbine market for this class of machine.

The turbine is proposed to be predominantly light grey in colour to match the colour of the existing turbine located approximately 200 metre to the south of the proposed turbine. A micro-siting allowance of 15 metres is included within the application boundary to take account of unforeseen problems that may be encountered with ground conditions.

Cont....

Application No. 17/0521/FULL Continued

Foundations

The foundation for the turbine proposed would be of reinforced concrete construction, approximately 12 metres in diameter and up to 3 metres in depth. The final design of the foundation and reinforcement would be completed following ground investigations and detailed engineering design prior to construction.

Crane Hardstanding/Lay down Areas

The proposed turbine would be located within an area that is currently semi-improved grassland and as such a degree of localised temporary ground improvement will be required during construction to accommodate a crane hard standing and lay down area for components. The area would be carefully stripped of topsoil's when in a suitably dry state and the resultant material would be stored in low narrow bunds of no more than 1m height in accordance with BS3882. The total area required for cranes and lay down would be around 600 square metres (20 metres x 30 metres).

The turbine would be erected using two mobile cranes to lift the tower sections, nacelle and rotor components into position. It is anticipated that following construction and curing of the turbine foundation it would take approximately two weeks to erect the turbine, after which the cranes would be removed from site. Following the erection of the turbines the temporary hardstanding areas would be covered over with the previously stripped soils and seeded so that the field can be reinstated to its former use, with the exception of a track to the base of the turbine to provide maintenance access.

Switchroom

The switchroom would be located immediately adjacent to the turbine base. The container would be of fibreglass construction, in a buff finish to match the existing turbine. The container would be bolted to a concrete foundation and would house the transformer, switch gear and other associated electrical equipment required to connect the wind turbine to the local grid. Cabling from the turbine to the transformer would pass below the turbine foundation in a duct.

The grid connection would be made to the existing cable that takes power from the first turbine off site. The existing connection point at Festival Gardens located approximately 1km to the north-east of the site would be changed to a new point of connection approximately 270 metres away from Festival Gardens via an underground cable. This connection would be made by the District Network Operator (DNO) under their permitted development rights.

Ancillary development, e.g. parking: None.

Cont....

Application No. 17/0521/FULL Continued

PLANNING HISTORY

None.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site lies in the open countryside beyond a settlement limits, it is not allocated for any specific use, but it is located within a Visually Important Local Landscape (VILL) and adjoins Mynydd Manmoel Site of Importance for Nature Conservation (SINC NH 3.24).

Policies: SP1 (Development Strategy), SP5 (Settlement Boundaries), SP8 (Minerals Protection), SP10 (Conservation of Natural Heritage), CW2 (Amenity), CW3 (Design Considerations: Highways), CW4 (Natural Heritage Protection), CW15 (General Locational Constraints), CW19 (Locational Constraints - Rural Development and Diversification), CW22 (Locational Constraints - Minerals), NH2 (Visually Important Local Landscapes).

NATIONAL POLICY Planning Policy Wales Edition 9 (November 2016), Technical Advice Note 8: Planning for Renewable Energy (July 2005) and Technical Advice Note 11: Noise (October 1997).

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? No.

CONSULTATION

Countryside And Landscape Services - The Councils' Landscape Architect has raised objections on the basis that:

1. This landscape unit's capacity to accept wind turbines has already been reached with the existing development.
2. The spacing of the turbines will presumably affect the efficiency of the new turbine.

Cont....

Application No. 17/0521/FULL Continued

3. The doubling up of turbines within a Visually Important Landscape undermines the integrity of the landscape.

4. The additional proposal would overwhelm the skyline and should be avoided. A residential Visual Amenity Assessment has not been undertaken for Pochin Houses. It is quite possible that the relationship between the turbines may create an environment that would be regarded as unattractive and thus unsatisfactory place in which to live.

Mr R Jones - Trunk Road Manager - The proposal is 800kw and larger than the existing turbine. For the assurance of the trunk road highway authority would the applicant please supply comparative dimensions of the Abnormal Indivisible Load sizes against those for the 500kw movements that have already taken place.

OFCOM - No objection raised.

Public Health Wales - Offers no adverse comments.

CADW - Whilst the proposed development is within a 5km zone of theoretical view of seven scheduled monuments, it is not considered that the identified impacts will be significant. Therefore there is no objection to the impact of the proposed development.

Minerals Officer - The proposed wind turbine can be considered as temporary development with a lifespan of approximately 25 years. LDP policy CW22 B is relevant. There are no proposals for mineral extraction within that timeframe in this area at present and, therefore, there is no objection on minerals safeguarding grounds.

Transportation Engineering Manager - No objection subject to conditions in the interests of highway safety.

Head Of Public Protection - No objection subject to conditions in the interests of residential amenity.

Senior Engineer (Land Drainage) - Raises no objection subject to a condition requiring the submission of a drainage scheme.

Countryside And Landscape Services - The Council's Ecologist has considered the objection raised by NRW regarding the absence of an updated vantage point survey and is satisfied. The previous vantage point survey undertaken in 2014 did not identify a significant use of the site by birds of prey. Furthermore, the breeding bird survey undertaken in connection with this application failed to confirm breeding of birds of prey in mature beech trees on site, although a large unoccupied nest was identified in one beech tree, (species not determined).

Cont....

Application No. 17/0521/FULL Continued

In view of the low numbers of birds of prey and limited potential for breeding close to the turbine, the Council's Ecologist has confirmed that an updated vantage point survey would be unlikely to change the conclusions drawn by the previous survey. The applicant subsequently provided more details on the breeding bird surveys and has concluded that there is unlikely to be an impact on these species.

Concerns have been raised regarding the removal of the pond and it is now not possible for determine if Great Crested Newts are/were present on site.

Finally, it is noted that site appears to have been agriculturally improved since the approval of the first wind turbine in 2015, close to the current application site, so botanical interests associated with the grassland are now low.

Therefore no objection is raised subject to the imposition of conditions for a mitigation for the developer to provide a new pond, site clearance works to be undertaken outside of bird breeding season and no tree/hedge planting to be undertaken within 5 metres of the turbine blade tips to protect bats.

Strategic & Development Plans - It is acknowledged that there is a need to balance the requirement for renewable energy against the impact on landscape. Therefore, no policy objection is raised to the proposal subject to consideration of the impact of development on the natural heritage and any mitigation required, the cumulative impact of wind turbines and the comments of the Minerals Officer in respect of the potential sterilisation of the minerals resource from locating a wind turbine at the application site.

Chief Fire Officer - The developer should consider the need for the provision of:-

- a. Adequate water supplies on the site for firefighting purposes; and
- b. Access for emergency firefighting appliances.

National Air Traffic Services - The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

Ministry Of Defence - No objection to the proposal.

Dwr Cymru - Have no adverse comments to make regarding the application.

Natural Resources Wales - Objects on the basis that an updated Vantage Point Surveys has not been undertaken. It is also considered that the existing mature beech trees and the proposed additional planting are a material consideration when positioning the proposed turbine to ensure turbines are not near potential bat flight lines.

Cont....

Application No. 17/0521/FULL Continued

ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a site notice and neighbour letters.

Response: Eleven letters of objection were received from members of the public.

Summary of observations: The objections are summarised as follows:-

1. The impact of the proposed turbine in connection with other commissioned turbines in the area would add to an unacceptable cumulative threshold of wind turbine development in the area.
2. The proposal would have significant adverse impacts that would affect the quality of life for residents and recreational users.
3. The proposal would have a harmful impact on the Manmoel Visually Important Local Landscape, the Cefn Manmoel Scheduled Ancient Monument and the nearby Special Landscape Area in Blaenau Gwent.
4. The proposal is contrary to policies in the local development plan and national planning guidance.
5. Excessive weight is being given to the need for renewable energy and what happens if the operator cannot achieve the estimated power that the turbine should generate?
6. The ecological value of the land has slowly been eroded to the point that certain species are threatened with extinction.
7. The installation of the turbine will cause major disruption to the local community, that the haulage vehicles used are unsuitable and can possibly cause injury to pedestrians.

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 application.

Cont....

Application No. 17/0521/FULL Continued

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Based on current evidence, this is unlikely to be a significant issue in this case, but an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main points to consider in the determination of this application are encompassed within the objections raised by members of the public, Natural Resources Wales and the council's Countryside and Landscape Service's comments, and as such these will be considered in turn below.

1. Cumulative Impact

The proposed second wind turbine at Cruglwyn on the Manmoel ridge is to be sited approximately 200 metres from the existing Cruglwyn turbine and north of the existing turbines located on the opposite valley ridges of Cefn y Brithdir and Mynydd Bedwellte. There are turbines to the south of the application site at Pen y Fan Ganol and Oakdale, however the topography of the land prevents the existing turbine at Cruglwyn being viewed as a single cluster. There are also eight operational turbines located on the opposite valley ridges of Cefn y Brithdir and Mynydd Bedwellte that are visible from the application site in sequential clusters. However the general topography of the area and existing screening features do not make it possible for all of the turbines to be generally viewed collectively from a single vantage point.

The height of the turbine at 86.5 metres coupled with the fact that the rotors will be turning will inevitably draw the eye to the structure and would become an additional feature to the existing skyline and rural landscape. A landscape impact assessment has been submitted with the application. A desktop study includes by a computer generated 17km radius zone of theoretical visibility (ZTV) where the wind turbine will be visible. The landscape assessment also includes photo montages of the proposed and existing turbine from various vantage points within the detailed study area (11km radius) including viewpoints from within and outside of Caerphilly County Borough.

Concerns have been raised that the impact of the proposed turbine in connection with other commissioned turbines in the area would add to an unacceptable cumulative threshold of wind turbine development in the area.

Cont....

Application No. 17/0521/FULL Continued

The Council's Landscape Architect considers that the landscape unit has already reached capacity and relies on the guidance contained within in the Heads of the Valleys Wind Turbine Development Landscape Sensitivity and Capacity Study (Gillespies Report, 2015) that "there is no capacity for large and very large scale development on this narrow ridge."

Furthermore, the Landscape Architect is also concerned with the spacing between the existing and proposed turbine in that the close siting can potentially influence the energy efficiency of the proposed turbine and that a residential visual amenity assessment has not been undertaken for Pochin Houses, and such an assessment should be undertaken prior to determination of the application.

The 'Gillespies Report, 2015' provides guidance for this landscape unit, and sets out the criteria for determining the typology of a development and the relationship between turbine height and capacity threshold for the number of turbines are set out as follows:

Small - a blade tip height of less than 50 metres and will consist of three turbines or fewer.

Medium - a blade tip height of less than 80 metres and will consist of four turbines or fewer.

Large - a blade tip height of less than 109 metres and will consist of five turbines or fewer.

Very Large - a blade tip height of more than 109 metres and will consist of any number of turbines.

Whilst the Landscape Sensitivity and Capacity Assessment for unit 22: Northern Manmoel Ridge states:

"There is no capacity for large and very large scale development on this narrow ridge." It also states:

"There is some capacity for medium scale development and for small or micro scale development associated with existing built form." (Gillespies Report, 2015)

In that regard, the proposed turbine is an exact replica of the existing turbine approved under planning reference 14/0761/FULL which has a maximum height to blade tip of 86.5 metres. The existing and proposed turbines are categorised as large. Given that previous permission has already been granted, the precedent for this size of turbine has already been set within this landscape unit and it would be difficult to justify reasons for refusal on this basis. Whilst the height of the existing and proposed turbine is 8% taller than the maximum thresholds set out for medium sized turbines, it is also considerably smaller in height than the maximum blade tip height of 109 metres for large turbines.

Cont....

Application No. 17/0521/FULL Continued

Furthermore, the existing turbine at Cruglwyn is the only operational or consented turbine currently within this landscape unit, and the 'Gillespies Report, 2015' identifies that this landscape unit could accommodate up to four medium sized turbines.

In terms of the separation distance between the existing and proposed turbine it is acknowledged that TAN 8 suggests spacing of six rotors for turbines set behind each other and co-incident with the prevailing wind direction. However, it is industry standard to site wind turbines at or around 3 rotor diameters separation when sited at 90 degrees to the prevailing wind. In this instance, the prevailing wind direction is due west, therefore the 3.5 rotor diameters separation between the existing and proposed turbine will not affect the efficiency of the proposed turbine.

In terms of the lack of a residential visual amenity assessment for Pochin Houses, Pochin Houses are located outside the 865 metres radius (ten times blade tip height) from the proposed turbine, and is therefore outside the radius for the residential assessment. Furthermore, there was opportunity to request further viewpoints as part of the scoping opinion and this was not requested by the landscape architect at the time. The developer has subsequently provided a further wireframe drawing from Pochin Houses and has confirmed that any "stacking" phenomenon (the overlapping of rotor blades) would be an unlikely event. However, it is acknowledge that there is potential for stacking to occur for a short length of the road along the A4048 and only when the wind is blowing in a due North-South direction. Even then those road users would be travelling at 90 degrees to the prevailing wind rather than in the same direction. Finally, the orientation of Manmoel Road runs from north-west to south east direction and as such the opportunity for vehicle/recreational users using to witness stacking would be minimal.

The cumulative impact of the existing and proposed turbine at Cruglwyn and others in the area is a significant factor to be considered in the determination of this application. However, it is considered that the siting of the second turbine would not significantly close the existing gaps between the cluster of single turbines north of Bargoed, the cluster of turbines close to the Heads of the Valleys nor read as a single wind farm collectively across the three ridges. Furthermore the overlapping of rotor blades would be minimal.

2. Visual Impact

Concerns have been raised that the proposal would have significant adverse impacts that would affect the quality of life for residents and recreational users. In that regard, it is accepted that wind turbine developments do have a significant impact on the landscape character and visual amenity of an area by the very nature of their height and prominence. The role of the Local Planning Authority is to consider whether that impact is significant enough to justify a refusal of any planning application.

Cont....

Application No. 17/0521/FULL Continued

Consideration of the landscape effects are important and cumulative effects have been discussed above. In accordance with the guidance set out in the Guidelines for Landscape and Visual Assessment (GLVIA), the Landscape Visual Assessment (LVIA) adopts an approach proportionate to the likely significant effects of the Proposed Development. The conclusions of the LVIA have been determined via use of professional judgement, set within a structured assessment framework, and supported by reasoned justification.

It is accepted that this landscape unit has now changed as a result of the existing turbine introducing a prominent vertical structure with moving parts into a rural landscape . The introduction of a second turbine to the area would result in an incremental change to the character and nature of the Sirhowy Valley visual and sensory aspect area, as well as viewpoints located from the valley ridges running parallel to the application site.

As discussed previously, this landscape unit is capable of accommodating up to four turbines. Given that there is one operational turbine in this area, it is considered that the effects brought about to a modified environment will in general be less harmful than that brought to a more natural environment.

3. Impact upon on the Manmoel Visually Important Local Landscape, the Cefn Manmoel Scheduled Ancient Monument and the nearby Special Landscape Area in Blaenau Gwent.

Concerns have been raised in that the proposal would have a harmful impact on this area. This has been discussed previously above. Whilst the designation of the land as a Visually Important Local Landscape (VILL) elevates its importance from a landscape perspective, the impact has to be balanced against the need to provide renewable energy. In the context of the renewable energy benefits, the slight increase in the intensity of turbine development within the VILL is considered to be acceptable in the planning balance. Furthermore, Cadw have considered the proposal and do not consider that the proposed development would have a significant impact on the Scheduled ancient Monuments. The neighbouring authority of Blaenau Gwent has not provided any comments in response to the neighbouring authority consultation letter sent.

Cont....

Application No. 17/0521/FULL Continued

4. The proposal is contrary to policies in the local development plan and national planning guidance.

The objectors have set out a number of policies within the local development plan and national planning guidance, which in their opinion the development fails to comply with. In addition to this, a previous recommendation from the landscape architect (planning application 15/0597/FULL) identified that the area had already reached its capacity to absorb further wind energy proposals. This application was subsequently approved by Members at Planning Committee. However in relation to that application, the proposal was located within a different landscape unit (Unit 16: Rhymney Valley from Rhymney to Bargoed) and its location was sited on the opposite valley ridge of Mynydd Bedwellte.

Many policies within the local development plan and in national guidance require developments to be assessed and for those policies to be interpreted as they relate to the proposal. A deal of subjective opinion can influence the interpretation of these policies and the Local Planning Authority has to do so from a basis of a presumption in favour of sustainable development whereas the objector will invariably have the opposite view. In that regard the application has been assessed against local plan policy and national planning guidance and it is considered that the proposal is broadly compliant subject to the consideration of visual impact, need etc. as discussed above and below.

5. The need for renewable energy and the effectiveness of the turbine

The estimated annual energy production of the proposed wind turbine is 3164 MWh per year. It is estimated that this would result in annual Carbon dioxide reductions of approximately 1360 tonnes per year, compared to non-renewable sources. In addition, the energy generated by the turbine would be sufficient to meet the annual needs of approximately 792 homes based on the UK average domestic household consumption.

Concerns have been raised regarding the excessive weight being given to the need for renewable energy and whether the development can generate the estimated energy output. In that regard the renewable energy targets set out in the EU Renewable Energy Directive, and the UK Renewable Energy Roadmap includes a target of 15% of energy to be generated from renewables by 2020. Yet, whilst EU countries are on the way to meeting this target, there is a further binding target that at least 27% of the energy used by the EU in 2030 should be renewable. Whilst it is unclear whether the UK will adopt the 2030 target in the future, the transition to low carbon energy sources is still a key Welsh Government policy. Welsh Government 'has made a commitment to tackling climate change, resolving that the Government and people of Wales will play the fullest possible part in reducing its carbon footprint' (para 4.5.1 Planning Policy Wales 9th Edition, 2016).

Cont....

Application No. 17/0521/FULL Continued

Welsh Government has also endorsed the use of renewable energy in its Policy Statement 'Energy Wales: A Low Carbon Transition'. Within both documents, the presumption is in favour of a low carbon transition to more renewable energy generation techniques. As such, there is still a need to ensure that renewable energy generation is allowed, subject to all other material planning considerations being satisfied.

Whilst it is accepted that with any development of this nature that there will be an element of "harm" to the landscape, albeit, as permission is sought for a 25 year period, of a temporary nature, any such "harm" should be balanced against the requirement of the EU Renewable Energy Directive. This target is supported within the UK National Renewable Energy Action Plan (NREAP). The Draft Renewable Energy Assessment (REA) for Caerphilly County Borough October (2011) states that the predicted electricity usage for Caerphilly County Borough in 2020 is 662,000MWh. Renewable electricity generation within the County Borough in 2015 was 89,208 MWh, which is only 13% of the predicted amount likely to be used in 2020. This represents a significant shortfall in the anticipated 30% renewable electricity generation target envisaged in the NREAP. Furthermore, even if the authority could exceed the target of 15% before 2020 there will still be an expectation to push on further and provide more renewable energy.

Since the removal of subsidies for onshore wind and solar PV it is only offshore and exceptionally performing onshore locations, such as the proposed development site, that are likely to come forward to fill this gap. The Local Planning Authority has to assess this application on its merits, and on the basis that the proposed turbine would generate the predicted levels of renewable energy, which is supported at both a national and local level. Given that the developer has been able to obtain performance figures from the existing turbine, the applicant would not be attempting to further diversify their farming business if the proposal was not considered to be a viable option. As such, concerns relating to the weight being afforded to renewable energy and the efficiency of the turbine are not justified reasons to warrant refusal of this application.

6. Impact upon Ecology and Wildlife

There are fears that the ecological value of the land has slowly been eroded to the point that certain species are threatened with extinction.

Natural Resources Wales did not object to the previous permission at Cruglwyn, however they have subsequently objected to the second turbine on the basis that the environmental statement did not include an updated vantage point survey. However the Council's ecologist has received additional information regarding the bird breeding surveys undertaken and is satisfied that the development is unlikely to impact the existing species identified within the area and further vantage point surveys would not be required in order to determine this application.

Cont....

Application No. 17/0521/FULL Continued

The Council's ecologist has also confirmed that the application site appears to have been agriculturally improved since the approval of the first wind turbine in 2015, and botanical interests associated with the grassland are now low. On this basis, it is not considered that the proposal would have a detrimental impact on ecology or wildlife.

7. Disruption to the local community

Whilst concerns have been raised that the installation of the turbine will cause major disruption to the local community, that the haulage vehicles used are unsuitable and can possibly cause injury to pedestrians, it should be noted that the same route and access to the site is proposed as the operational turbine at Cruglwyn. Prior to commencement of deliveries, Blaenau Gwent and Caerphilly Highway Authorities, and the Police Authority will be contacted by the transport company that will be commissioned to transport the wind turbine components. In so doing the logistics and timing of the movements will be agreed and written consent for movements obtained. Furthermore, the Transportation and Engineering Manager has raised no objection to the proposal subject to the imposition of conditions to agree the abnormal vehicle loads.

In conclusion the landscape impacts of this turbine have to be assessed against this backdrop of a shortfall in the energy production within the county borough to meet predicted needs. On balance it is considered that the need to provide renewable energy outweighs the harm that the proposal would have on the landscape, character and visual amenity of the area and as such the proposal is acceptable in planning terms.

Comments from consultees: The concerns of the council's landscape architect have been addressed in the report above.

The concerns of Natural Resources Wales have been carefully considered by the council's ecologist and has requested the imposition of a condition to minimise any impact of protected species in close proximity to the development.

The Council's Ecologist has requested the imposition of a condition to reinstate the pond, as mitigation for the loss of pond habitat and potential great crested newt habitat. However, the inspector for a recent 2016 appeal decision relating to this authority whereby similar concerns were raised (appeal reference APP/K6920/A/15/3137884) concluded that whilst it may be necessary to provide mitigation, it is not necessary to enable the development to proceed. Given that this is a recent appeal decision it is important to take heed of such advice.

Comments from public: The concerns raised by members of the public have been addressed in the report above.

Cont....

Application No. 17/0521/FULL Continued

Other material considerations: None.

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

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) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:
Planning Statement and Drawings included in the Environmental Statement Volume 1: Main Report and Figures dated June 2017.
Planning Statement and Drawings included in the Environmental Statement Volume 2: Technical Appendices dated June 2017.
Planning Statement and Drawings included in the Environmental Statement Volume 3: Non-Technical Summary dated June 2017.
(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

- 03) The level of noise from the wind turbine (hereby approved) measured at the nearest 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.

Cont....

Application No. 17/0521/FULL Continued

- 04) During the course of the investigation required by Condition 05, should the wind turbine or turbines be identified as operating above the parameters specified in Condition 03, the wind turbines will be modified, limited or shut down as required to ensure compliance with this condition. These measures shall be applied until such time as maintenance or repair is undertaken sufficient to reduce the absolute noise level of the operating turbines to within the parameters specified.
REASON: In the interest of the amenity of noise sensitive properties.
- 05) 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.
- 06) 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.
- 07) Deliveries and construction works associated with the wind turbine hereby approve shall not take place outside the hours of 0700 and 1900 hours Mondays to Fridays, 0900 and 1600 hours 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.

Cont....

Application No. 17/0521/FULL Continued

- 08) Prior to the commissioning of the wind turbine hereby approved they shall have been fitted with a control system that automatically shuts down the turbines 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 turbines 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.
- 09) Where any species listed under Schedules 2 or 4 of The Conservation (Natural Habitats, etc.) Regulations 1994 is present on the site (or other identified part) in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the Local Planning Authority.
REASON: To ensure adequate protection to protected species.
- 10) No tree or hedge planting shall occur within 50 metres of the turbine blade tips.
REASON: To minimise impact on protected species.
- 11) Notwithstanding the submitted details there shall be no movements of Abnormal Indivisible Loads to or from the site 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 haulier's indemnity insurance for approval. Details of any highway improvements required to the highway network with Caerphilly County Borough Council shall also be provided for approval by the Local Planning Authority and be completed prior to the 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.
- 12) 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.

Cont....

Application No. 17/0521/FULL Continued

- 13) The site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.
- 14) Prior to the commencement of works on site a scheme of land and surface water drainage within the site 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 it relates is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 15) All walls and fences removed as part of the development shall be re-instated in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site.
REASON: In the interests of the landscape character and visual amenity of the area.
- 16) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenity of the area.
- 17) 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 their 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.

Advisory Note(s)

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.

Cont....

Application No. 17/0521/FULL Continued

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority.

Mature trees are potential bat roosts. All bat species and their roosts are protected by the Conservation of Habitats and Species Regulations 2010 and its amendment 2012, which transposes the EC Habitats Directive 1992 into UK legislation, and the Wildlife and Countryside Act 1981. If bats are discovered, then all works should stop immediately and the Countryside Council for Wales should be contacted for advice on any special precautions, and whether a licence is required, before continuing.

