

<b>MEETING:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>28 NOVEMBER 2012</b>
<b>TITLE OF REPORT:</b>	<p><b>S122606/F - SINGLE 50KW WIND TURBINE, WITH A MAXIMUM BLADE TIP HEIGHT OF 25.1M ALONG WITH IMPROVEMENT OF ACCESS TRACK, ELECTRICAL SWITCHGEAR HOUSE WITH ASSOCIATED UNDERGROUND CABLING AND TEMPORARY CRANE HARDSTANDING AT PENTWYN FARM, DORSTONE, HEREFORDSHIRE HR3 6AD</b></p> <p><b>For: Mr Cottam per Maxet House, 28 Baldwin Street, Bristol, BS1 1NG</b></p>
<b>WEBSITE LINK:</b>	<a href="http://www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=122606&amp;NoSearch=True">http://www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=122606&amp;NoSearch=True</a>

**Date Received: 21 September 2012**    **Ward: Golden Valley North**    **Grid Ref: 329153,242256**  
**Expiry Date: 28 November 2012**  
Local Members: Councillor Cllr PD Price

**1. Site Description and Proposal**

1.1 The application states that Pentwyn is a hill farm of some 35.6 hectares (88 acres) approximately 2 kilometres west of Dorstone village. It is accessed via a minor road from the B4348 road to Hay-on-Wye, which is 7 kilometres to the west. The area is hilly, and there are no other dwellings visible from the farmhouse or the application site. The Brecon Beacons National Park boundary is approximately 5 km to the west and just visible from the farm. The nearest neighbours are Cwm Farm and Brynspeard Farm; both are more than 500 metres from the actual proposal site and neither is visible from it, or from Pentwyn Farmhouse. The proposal is to erect a single 50 kW (0.5mW) 3-blade wind turbine, 16.85 metres to the hub; 25.1 metres to the blade tip. It would be located in one of the farm's sheep pastures approximately 200m north of the farmhouse and a height of just over 300 metres AOD. A switchgear building/kiosk approximately 2m x 2m would be necessary on site. A suitable electricity connection is said to be available within the farm, subject to appropriate equipment being installed on an existing transformer pole near the farmhouse. Cabling from the turbine to the connection would be lain underground, at a suitable distance from hedge-lines with no necessity to cross any roads. Temporary infrastructure would be required during the construction phase, as follows:

- A temporary field track of between 200 and 300 metres, to be allowed to grass over on completion of the construction. Existing farm tracks would also be used, following routine repairs. Subsequent maintenance access to the turbine would entail an occasional 4WD vehicle (estimated twice yearly).
- A crane hardstanding, approximately 8m x 10m, constructed from clean permeable crushed aggregate, to be removed on completion;
- Temporary materials staging area for equipment and components during construction, to be removed on completion.

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Further information on the subject of this report is available from Debby Klein on 01432 260136

- 1.2 This application is a resubmission of application reference S121643/F, which was withdrawn on 13 September 2012. That application was for a turbine of 24.6m to the hub; 34.2m to the blade tip. Key issues for objectors on this resubmission and the withdrawn application are outlined and discussed below in consideration of this resubmission. The applicant considered the views of residents, with particular reference to turbine height, and agreed to propose a shorter turbine with a projected output similar to the first proposal, attributed to sourcing a more efficient model.
- 1.3 A formal Screening Opinion as to whether Environmental Impact Assessment (EIA) would be necessary was issued on 14 February 2012. This concluded that EIA would not be required because (a) it would only exceed the height threshold, not the number of turbines; (b) the site is not in a 'sensitive area' as defined in the legislation, and (c) the specification falls well below the indicative output criteria of 50 MW given in Circular 02/99. A second Screening Opinion was issued on 20 September relating to the revised scheme. As the height would be reduced the original Screening was confirmed.

## 2. Policies

### 2.1 Legislation

Town and Country Planning (Environmental Impact Assessment) Regulations 2011

### 2.2 National Planning Policy Framework (NPPF)

The NPPF carries significant weight and presents a broad overview of central government's approach to planning policy. It presumes in favour of sustainable development (as defined in the document) within the context of a plan-led system and up-to-date adopted local policies. The NPPF must be viewed in its entirety, but particular specific elements in this case are section 3 'Supporting a prosperous rural economy' and section 10 'Meeting the challenge of climate change'. Both support the proposal in principle at strategic level. Paragraph 28 encourages local authorities, through their adopted policies, to foster '*the sustainable growth of all types of business and enterprise in rural areas*' and to '*promote the development and diversification of agricultural and other land-based rural businesses*'. Section 10 makes particular reference to renewable energy. Paragraph 97 encourages local authorities to '*recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources*'. Paragraph 98 recognises that '*even small-scale projects provide a valuable contribution*' and advises local authorities to approve an application if its impacts are acceptable subject to other material considerations. Section 12 seeks to secure protection of the historic environment whilst recognising the need for the built environment to develop.

### 2.3 UK Renewable Energy Strategy 2009

This document sets government targets for renewable energy to 2020. It supports on-shore wind as one element of the variety of renewables required, including small-scale contributions. The strategy includes a predicted increase in energy from on-shore wind from about 3 GW in 2008 to almost 15 GW by 2020.

### 2.4 Other Guidance

CAP764 - CAA Policy and guidelines on wind turbines

TIN069 - Natural England guidance on assessing the effects of onshore wind farms on birds

### 2.5 Herefordshire Unitary Development Plan (UDP)

S1	-	Sustainable development
S2	-	Development requirements
S6	-	Transport
S7	-	Natural and historic heritage
S11	-	Community facilities and services
DR1	-	Design
DR2	-	Land use and activity
DR3	-	Movement
DR4	-	Environment
DR13	-	Noise
E12	-	Farm diversification
T8	-	Road hierarchy
LA2	-	Landscape character
LA5	-	Protection of trees, woodlands and hedgerows
NC1	-	Biodiversity and development
NC7	-	Compensation for loss of biodiversity
NC8	-	Habitat creation, restoration and enhancement
NC9	-	Management of features of the landscape important for fauna and flora
CF4	-	Renewable energy

2.6 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Councils website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspp>

### 3. Planning History

3.1 SH900974PF domestic extension at Pentwyn  
 SH940526FZ agricultural building at Pentwyn  
 S121643/F – the previous application for a turbine on this site, withdrawn 13 September 2012.

### 4. Consultation Summary

#### Statutory Consultees

- 4.1 National Air Traffic Services (NATS/NERL) - has examined the proposal from a technical safeguarding aspect and finds no conflict with safeguarding criteria. No objection to the proposal.
- 4.2 MoD - Was consulted by the applicant prior to submission and again by the Council for this application and the previous one. Referred the details on to Defence Geographic Centre (DCG) and Geospatial Air Information Team (GAIT). Request to be notified of any turbine being built, but no objections raised. Any further comments received will be reported to committee
- 4.3 Civil Aviation Authority (CAA) – is only a statutory consultee for onshore projects of more than 50 MW but provides standard advice drawing attention to statutory obligations to notify and consult aviation bodies, for example to enable any structure over 70 feet (21.3 metres) to be plotted on aeronautical charts.
- 4.4 Black Mountains Gliding Club, Talgarth – no objections; there are no issues for the club regarding this proposal.

#### Internal Council consultations

- 4.5 The Head of Environmental Health and Trading Standards confirms that, on the basis of the submitted details, the proposed turbine will not give rise to nuisance from noise. Details provided of registered Private Water Supplies in the vicinity: one at Pentwyn itself, and one at 'The Nest' 660 metres to the North-west; no others within 750 metres of the site. No objections raised.
- 4.6 The Transport Manager commented on the first application (S121643/F) that further information was required, to clarify the methodology for delivering components to site. This information was provided by the applicant and consulted upon as additional information. The resulting comments were as follows: the details confirm the use of standard HGVs, which can use the relevant highways without modification. The turn into Pentwyn would be tight but given the low number of trips the likelihood of damage is minimal. No objections raised at the time.
- 4.7 On this revised resubmission, further comments received are as follows: The detailed assessment on component delivery is accepted. The C1208 is narrow and, if the proposal is approved, traffic management is necessary, along with assessment of the carriageway condition before and after the delivery exercise took place. No objection, subject to a condition being recommended for a Traffic Management Plan to be submitted and approved in advance, to ensure road safety and reparation of any damage that might occur.

#### Conservation Manager (Landscapes)

- 4.8 Landscape concerns raised at pre-application stage have been addressed; the report is thorough and detailed, the zones of theoretical visibility are clear and well presented. The magnitude of change at some viewpoints would be 'medium' rather than 'low'. In two instances the turbine could be noticeable, being distantly visible above the skyline. However this will not be a determining factor of the landscape character or dominate the field of view. The use of a cable-laying 'mole plough' would minimise physical impacts and the cabling route would avoid trees and hedgerows. The application meets the requirements of UDP policy LA2. The landscape change would not be so significant as to affect overall character or visual amenity. The application demonstrates that landscape impact has been considered in the choice of location.
- 4.9 Further comments received on this resubmission: The smaller turbine would be much closer in height to surrounding trees. It is relatively small compared to other masts and turbines in Herefordshire at 50-60 metres – a turbine at that larger scale could not be supported in this location. Cumulative impact of further turbines would also raise concerns should any be proposed in the future. I remain of the view that this turbine would bring identifiable change but would not have a significant negative impact on the wider landscape character.

#### Conservation Manager (Ecology)

- 4.10 The Senior Ecologist provided advice at the pre-application stage as to the siting of single small to medium-sized turbines so as to avoid harm to bats. A buffer of more than 50 metres from any woodland, tree or hedgerow was recommended.
- 4.11 On the first application (S121643/F) the following comments were made: The proposal observes the recommended distance and there is little likelihood that foraging bats would be affected. The submitted ecological survey was undertaken at an appropriate time of year by a suitably qualified and experienced consultant. Further surveys would only be required if any ponds and/or hedgerows and trees would be affected; however this is not the case and the report is acceptable. The turbine would be sited in accordance with current Natural England guidelines away from hedgerow corridors.

- 4.12 In response to this resubmission it was confirmed that the previous comments remain valid. A condition to secure a habitat enhancement scheme is recommended.

#### Conservation Manager (Archaeology)

- 4.13 The Archaeological Advisor states that the site is within a broad area of general archaeological interest. Prehistoric remains are present in the surrounding area. However, he comments that the site choice avoids any obvious impacts and is unlikely to harm the setting of recorded or designated sites. No objection to this particular proposal, although noting that this should not set any precedent. A condition is recommended for a watching brief during operations. Confirmation received of no further comments on the revised shorter turbine proposal.

### **5. Representations**

- 5.1 Dorstone Parish Council: During consideration of the withdrawn application (S121643/F), the Parish Council visited neighbours and displayed the application in the village hall. Parishioners raised questions relating to site suitability, precedent, wildlife, traffic, noise, and how to visualise the height of the proposal.
- 5.2 The Parish Council stated that it appreciates the applicant's efforts to minimise impacts but could not support the proposal at that time, due to residents' expressed uncertainties.
- 5.3 The Parish Council now supports this application by a majority vote, subject to the following comments: the application has attracted a number of comments and concerns from parishioners. Given the sensitivity, the Parish Council requests the matter is determined by the Planning Committee. The Council shares concerns that approval should not set a precedent. The applicant is requested to clarify points raised by parishioners. Should permission be granted, a condition is requested to ensure that redundant equipment be removed and the ground restored.
- 5.4 CPRE: Commented on application S121643/F as follows: Considers the turbine would be visible from parts of the valley floor, especially near Dorstone. Concerns about the ridge opposite and the Herefordshire Trail from Arthur's Stone and Merbach Hill. The Herefordshire Black Mountains area is on Natural England's shortlist of possible future AONB designations. A precedent would be set for further turbines. Details of component transportation are unclear. With regard to this resubmission The CPRE repeats previous comments on visual impact, noting that the application's analysis of the viewpoints has not changed. Questions whether components would overhang the flatbed lorries and cause damage to hedges or trees.
- 5.5 Comments from residents: Up to the time of writing letters of objection from 28 people have been received, slightly fewer than those received on the earlier application. Key comments received previously were concerned with the principle of wind turbines generally and in this location in particular, visual and landscape impact, highways and traffic. Concerns were also raised about the potential for noise, flicker, disturbance, and effects on groundwater and wildlife. Objections to the height of the proposed turbine led to the applicant's agreement to a 10 metre reduction. In response to previous comments about local road use, further details about transport of components are included in this resubmission.
- 5.6 The main points still being raised are summarised as follows:
- It would set a precedent for other turbine proposals
  - The proposed turbine is too big; the size and scale is inappropriate
  - It could not be accommodated without causing damaging visual impact
  - There would be significant impact over a wide area including Hay on Wye
  - It will tower over the countryside
  - It will be half as high as Hereford cathedral

- It will be visible over a large area of Herefordshire, Shropshire and Powys
- It will harm Little Mountain (Local Nature Reserve)
- Tourism businesses would suffer, adverse effects on walkers and riders
- It would be visible from Arthur's Stone and Brecon Beacons National Park
- There would be serious adverse effects on landscape and heritage
- The Golden Valley has been a candidate for AONB status since the 1980s
- Moving parts are not in keeping with the rural unspoilt character of this part of the country
- Wildlife would be adversely affected (e.g. birds, bats, newts, dormice)
- It would interfere with air traffic and military low-flying exercises
- Artic lorries going up there day after day, lorry after lorry, will have an enormous effect on a narrow road and its hedges
- It will be noisy
- There will be shadow flicker
- The technical details submitted are shallow, vague, inaccurate and misleading
- There are no specific noise assessment details for the particular model of turbine proposed
- The ambient background noise is very low so any additional noise will be noticeable
- Wind turbines are inefficient and their usefulness is questionable
- The proposal offers no economic benefits or employment yet would adversely affect local people and property values

Other comments concerned matters such as likely wind speeds, efficiency calculation methodology, the type of camera lens used for pictorial information in the application, and the applicant's personal circumstances or motives.

5.7 Two letters of support were received, stating 'I wholeheartedly support this application. It is a sensitive improvement on the previous application, reducing visual impact considerably' and that everyone should do their bit to limit fossil fuel use.

5.8 The consultation responses can be viewed on the Council's website by using the following link:-

[www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx](http://www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx)

Internet access is available at the Council's Customer Service Centres:-

[www.herefordshire.gov.uk/community\\_and\\_living/consumer\\_advice/41840.asp](http://www.herefordshire.gov.uk/community_and_living/consumer_advice/41840.asp)

## **6. Officer's Appraisal**

### Key Issues

6.1 The key points in this case are:

- National policy (NPPF) and government initiatives
- Renewable energy and sustainability
- Precedent
- Choice of technology and site
- Landscape, heritage assets and archaeology
- Visual impact, tourism
- Access and highways (construction phase)
- Biodiversity
- Groundwater
- Safety and amenity (e.g. noise, flicker, air traffic)

### National policy (NPPF) and government initiatives

- 6.2 The NPPF carries significant weight as an indicator of current Government thinking. It supports renewable energy projects on a range of scales and types, subject to good design and adequate protection for landscapes, biodiversity and heritage. The applicant has considered these factors, which are discussed further below. Section 3 of the NPPF promotes a prosperous rural economy. It generally supports agricultural diversification, whilst acknowledging the importance of rural tourism and leisure. Section 10 requires local authorities to support moves to a low carbon future, to promote renewable energy sources, and to approve proposals where mitigation is possible. Section 11 nevertheless seeks to conserve and enhance the natural environment including valued landscapes. Paragraph 187 of the NPPF requires local authorities to look for solutions rather than problems and ‘at every level ... seek to approve applications for sustainable development where possible’. Government acknowledges there could be some tension between these requirements, but local planning authorities are expected to exercise professional judgement in striking a balance between the various determining factors. External funding schemes fluctuate but remain supportive of small-scale schemes such as single turbines.

### Renewable energy and sustainability

- 6.3 Paragraph 98 of the NPPF states that local authorities ‘should not require applicants to demonstrate the overall need for renewable or low-carbon energy’. The application states that the purpose of the proposal would be farm diversification, domestic self-sufficiency and reduction of carbon footprint. A turbine of this type must be connected via the grid and this has been confirmed as possible, using existing infrastructure within the applicant’s farm. The export of surplus power to the grid is regarded favourably by Government advice. Officers accept that the proposal would contribute to overall government approaches to sustainable renewable energy provision. This meets the relevant parts of UDP policies S1, S11 and CF4 on these topics.

### Precedent

- 6.4 Dorstone Parish Council, whilst voting to support the proposal, has drawn attention to the fears of objectors that approval would lead to further turbine proposals by the same applicant and/or other landowners. Policy cannot take account of this because each proposal is considered on its own merits and every site is different. However, officers take the view that the construction of one small-scale turbine in this area would not set a precedent, should any further applications be made. On the basis of cumulative impact and the absorption capacity of the landscape and locality, there would be strong policy arguments for resisting any further development of this type in any form or size. It could thus be regarded as a protection in policy terms from further proposals. The Senior Landscape Officer has endorsed this view, stating that cumulative impact from further turbines in this area could have a significant adverse effect that may not be supported, whilst this particular proposal would not in itself pose such a threat.

### Choice of technology and site

- 6.5 The application sets out a justification for the turbine location. The area has high wind and rainfall figures compared to sunshine which, in the applicant’s view, favours wind turbines over solar panels. The chosen model is of modest height and estimated as capable of producing 200,000 kW of electricity per annum. Appendix 2.1 of the supporting statement gives details of the equipment, explaining that it was chosen for its attributes on safety, design, quietness and efficiency.
- 6.6 Alternative sites were considered by the applicant at various points within the farm. Whilst not the applicant’s primary option, the final choice was considered to be viable, able to achieve

more than the advisory distance of 50 metres from hedges and trees, and the least visible from any public viewpoint or other dwelling. The location would minimise track length, infrastructure, and impacts on trees, hedges or biodiversity.

- 6.7 Government has consistently advised that the planning system relates primarily to land use and should not seek to judge a renewable energy proposal on viability, efficiency or need. The NPPF (paragraph 98) specifically warns local authorities against requiring applicants to demonstrate 'need' in this context. The same paragraph states that local authorities should recognise the contribution of smaller projects. Nevertheless the application does offer reasoning, pointing out that a turbine can generate more power when needed during the winter months, in preference to solar panels in some circumstances. Officers acknowledge the applicant's efforts to consider the relevant factors. It is considered that, on technology and site choice there is no conflict with UDP policies S1, S2 or S11 and the proposal would comply with policies DR1, DR2, LA2 and CF4.

#### Landscape, heritage and archaeology

- 6.8 Local landscape characters are 'Wooded hills and farmlands' on the lower slopes and 'Ancient Timbered Farmlands' (on the highest area), typified by hedgerows, tree cover, clumps of woodland and small fields. The site is not within or adjoining any designated landscape area. Brecon Beacons National Park is more than 5 kilometres to the west, with hills, valleys and forest blocks in between. The Senior Landscape Officer has acknowledged the application's consideration of alternatives, the methodology for site choice and impact minimisation, and the use of underground cabling. She states that, on balance, the landscape change would not be so significant as to affect overall character. In her view, the application demonstrates that landscape impact has been taken into account in the choice of location, and the proposal meets UDP policy LA2. The applicant has stressed that the turbine blades would be coloured a non-reflective matt grey or off-white, to avoid being overly conspicuous or create reflections.
- 6.9 On this revised resubmission the Senior Landscape Office reiterates her earlier comments, but observes that the smaller turbine would be much closer in height to surrounding trees. The cumulative impact of any further turbines the might be proposed would raise concerns. Officers remain of the view that the landscape has capacity to absorb this one turbine and would not have a significant negative impact on the wider landscape character or conflict with UDP policy CF4.
- 6.10 Section 12 of the NPPF requires applicants to assess effects on any heritage assets or their setting. However, it stresses that the level of detail should be 'proportionate and no more than is sufficient to understand the potential impact'. The supporting statement includes an assessment of local cultural heritage. This explains the methodology, identifying all cultural assets within 2 kilometres of the site, and 5 Scheduled Ancient Monuments all more than 1.5 kilometres from site. Tables 4.4 and 4.5 in the report consider these sites, concluding there would be 'virtually no direct views' and no overall impact that would affect any such assets or their setting. The closest listed building is Brynspeard, 510 metres to the south west but not visible from the site. The topography and tree cover mean that views of the turbine would be generally limited or glimpses.
- 6.11 The Supporting Statement also includes a desk-based assessment which concluded no likelihood of on-site archaeological remains, confirmed by a walk-over. The Archaeological Advisor notes Arthur's Stone Neolithic monument as the most significant above-ground heritage asset but it is 2.8 kilometres to the east across the Dore valley. He confirms the site has low potential for any likely remains and the footprint of disturbance would be limited. In his view the proposal is broadly permissible, subject to a condition to enable a watching brief during groundworks.



- 6.12 The site is not within or near any Area of Outstanding Natural Beauty (AONB). The site is adjacent to the undesignated Golden Valley. In response to objectors' suggestions that the Golden Valley is a candidate for AONB designation, Natural England has confirmed that the area was listed in the 1980s for possible future consideration, but has never been assessed and is not on any current agenda.

#### Visual Impact and tourism

- 6.13 Section 3 of the Planning, Design and Access Statement includes the standard methodology to explain the approach taken, using a variety of information sources. In defining the Zone of Theoretical Visibility (ZTV) it highlights an initial 10 kilometre radius, but concentrates on a 5 kilometre radius for more detailed study as more suitable for a relatively small single turbine. Local topography has been used to inform the approach. It ignores the presence of buildings vegetation and other screening structures, highlighting the point that the study is based on a 'worst case' scenario. Within the study area, the report identified eight viewpoints at varying distances from the site ranging from 0.6 km to 7.3 km. The choice of viewpoint is stated to concentrate on particular locations from which the site may be visible, rather than those from which it could not be seen at all. The study technique has been to use photographs taken from each viewpoint, to be overlain by computer-generated 'wireline' views to show the topography with the turbine added. The photographs are intended to be indicative and illustrative. To avoid duplication of the considerable work undertaken, this has not been amended to reflect the shorter turbine now proposed. This confirms the 'worst case' approach; in practice the shorter turbine would be less visible than the previously proposed 35 metre one.
- 6.14 The Senior Landscape Officer accepts the submitted details as according with nationally recommended guidelines, acknowledging that key points are identified, with clear Zones of Theoretical Visibility and suitable baseline data. Offers consider that, although the turbine would be visible from at least 2 viewpoints and partially from others, due to distance this would not dominate the field of view. The radio mast on Vagar Hill is distantly visible from the site, and the much higher hills above Craswall are visible on the skyline. From the National Park or Offas Dyke Path the turbine would be unlikely to be noticeable since the site is over 7 kilometres away and at a lower level. At close quarters only glimpses would occur, due to topography and self-seeded holly trees on the farm which afford evergreen screening.
- 6.15 No evidence has been found to suggest that the presence of a single small-scale turbine would be likely to adversely affect tourism. This concern could not be substantiated as a basis for refusing planning permission.
- 6.16 On landscape, heritage and visual impact this particular proposal is not regarded as being contrary to UDP policies S7, LA2, any of the archaeology policies in chapter 9 (ARCH1-ARCH8), or section 12 of the NPPF. Any future proposals for other turbines would be judged specific circumstances, including height and cumulative impacts if this one were approved and built.

#### Access and highways during construction

- 6.17 Paragraphs 25 to 30 inclusive of the supporting statement explain the transportation details for the construction phase. Construction vehicles would follow motorways and trunk roads until the last phase, on the B4348 through Dorstone to reach the C1208 road to Pentwyn. Paragraph 34 provides a table giving estimated movements for a 4-week period with a total of 8 component deliveries by HGV; week 3 having 6 of those deliveries. Aggregate tipper trucks and concrete-mixer lorries would total 18 during weeks 1 and 2. A crane for final assembly would be deployed as one journey in week 4.
- 6.18 On request, the applicant has provided the following delivery information:

- a) The turbine tower would be transported in two sections one inside the other;
- b) Large sections are delivered on standard 10-tonne articulated flatbed lorries;
- c) The existing road is adequate to accommodate such vehicles;
- d) No hedges or trees would be affected.

- 6.19 The C1208 is single-track, requiring all users to exercise care and make way from time to time when meeting. However, HGVs and tractors do use this road, which passes farms towards Hay-on-Wye. The proposal for a smaller turbine gives further weight to the applicant's view that all the equipment could safely be brought to site using vehicle types which already use roads in this area. The additional information also gives details of transport arrangements for all other components. On completion, 2 visits per year for maintenance using a normal 4WD vehicle are envisaged.
- 6.20 The Transportation Manager has accepted the additional and revised information, noting that numbers of movements are low and over a limited temporary period. There are no particular concerns that the turn into Pentwyn could not be achieved. The terms of policies DR3 and T8 can therefore be met, subject to precautionary arrangements being put in place. Attention is drawn to the provision of Sections 59 and 278 of the Highways Act, which enable the local authority to secure any repairs to the public highway without public cost, should the need arise. A condition is recommended requiring a Traffic Management Plan to ensure compliance with UDP policy DR3.

#### Biodiversity

- 6.21 The application includes reporting of an extended phase 1 habitat survey conducted in May 2012. The site and surroundings comprise small improved pastures, hedgerows and trees. The survey did not find significant populations of any priority species of any kind. Special attention was paid to the possibility of bats and birds being present. The survey was undertaken in May, and some evidence of small numbers of Common pipistrelle was found. However the site is high (over 300m AOD), the survey indicates a low level of use by a bat species which is relatively common; no evidence of potential roosts was found within 200m of the site. Common bird species were noted around the site but the report did not highlight any particular concerns. The location has been chosen at an optimum distance of more than 50 metres from any trees or hedges and the report concludes that effects on biodiversity would be negligible.
- 6.22 The Senior Ecologist has confirmed that the submitted ecological survey was undertaken at an appropriate time of year by a suitably qualified and experienced consultant. Further surveys would be required if any ponds and/or hedgerows and trees would be affected. However this is not the case and the report is accepted as adequate. The turbine would be sited in accordance with current Natural England guidelines away from hedgerow corridors. Under such circumstances Natural England recommends that surveys are not required. There could be opportunities to enhance or improve habitats by gapping up hedgerows, protecting hedges from grazing animals, and trimming back where ponds are shaded. A condition is recommended to that effect.
- 6.23 On the basis of the above the application would be in accordance with UDP policies S7, NC1, NC6 and NC7.

#### Groundwater

- 6.24 The site is above 300m AOD, is in flood zone 1 (low risk) and is not within a groundwater protection zone. The footprint of the hardstanding would be about 80 sq m. Further information received on drilling depths shows that the site topography is typified by bedrock. The application states the turbine would be 'fixed in place by galvanised bolts into a concrete

foundation 6m diameter and 1m deep'. It would be gravity held, would not be deep-piled, and would have no effect on ground or surface water flows.

- 6.25 The application reports preliminary studies undertaken with regard to groundwater, finding that the site is 600 metres from the Pont-Y-Weston Brook and the nearest river is the Dore at 1.5 kilometres. The site is not on a Principal Aquifer or Source Protection Zone. A springs is marked on the OS map to the south of Pentwyn and it is understood that legal agreements exist for the use of spring water by a neighbour. However the turbine site is above this spring and more than 200 metres to the north. The Environmental Health Officer dealing with private water supplies has not reported any risk. Other springs in the vicinity are considerably further away.

Safety and amenity (e.g. noise, flicker, air traffic)

- 6.26 The application includes a noise assessment undertaken to appropriate professional standards. This includes a graph showing estimations of indicative noise output over distances of 0 to 1000 metres. Established standards set a nominal acceptable noise level of 35 dB  $L_{A90}$  at 250 metres distance. The graph shows this can be met, and the nearest properties apart from the applicants' are not less than 500m away, giving a likely noise level of 20 - 26 dB  $L_{A90}$ . At 1 kilometre distance there would be no audible noise. The report takes account of strong prevailing winds. The Environmental Services Manager has studied the report and has no objections, accepting the findings as reasonable, with no risk of noise nuisance. On balance there would be no conflict with UDP policies DR13 and CF4. A condition is recommended to require adherence to specific noise limits and distances.
- 6.27 The application quotes government technical guidance to the effect that shadow and flicker can occur under certain circumstances within 130 degrees either side of north from the turbine site. However this will only occur 'within ten rotor diameters' and in oblique low level light. This means that in this case, with a rotor diameter of 16.5 metres, flicker would only occur within 165 metres of the turbine on the northern side. There are no structures within that distance or sector.
- 6.28 The application considers air traffic safety. It notes the required consultation distances for various establishments including radar areas.
- 6.29 National Air Traffic Services (NATS) was consulted and has no objections. The site is more than 60km from the nearest civil airport (Gloucestershire) and is not directly within a military low flying area. The application states that BT was consulted by the applicant with regard to any possible effects on telecommunications and has not raised any objections.
- 6.30 Both the Ministry of Defence (MoD) and Civil Aviation Authority were consulted and are therefore aware of the proposal. MoD refers applications to their Defence Geographic Centre (DGC) and Geospatial Air Information Team (GAIT). Comments received entail a request for a notification on completion of the turbine construction, for noting on their records. This would need to be undertaken by the applicant. The CAA offers standard advice, drawing attention to guidance on the internet. None of the above has offered any objection. Black Mountains Gliding Club is located approximately 23 kilometres (direct) from the site at Talgarth. The club was consulted and has no concerns or objections to the proposal.
- 6.31 There are no Public Rights of Way or public access areas in the site's vicinity or within the standard 'full height fall' distance ( i.e. tip height +10% = 27.6 metres)
- 6.32 On the basis of the above, officers accept that the application has paid proper and thorough attention to matters of safety and amenity and find no reason to doubt the assertions made.

## Conclusion

- 6.33 The application covers the aspects required in order to make a proper appraisal. Information on component delivery and transportation has been provided and a Traffic Management Plan to cover final practical details would be required before commencement. The submitted surveys and assessments are considered satisfactory to address the key issues. The site has been chosen carefully from a number of alternatives, taking account of matters of distance, visual impact, viability and amenity.
- 6.34 Although comprising open, hilly and attractive upland landscape, the area has no designation which merits special consideration for preventing such development. On balance the application is thorough, and presented in a clear and concise manner. Statutory consultees have not objected to any aspect of the proposal. Visual impact is a subjective matter but, in this case, no exceptional circumstances have been identified that would outweigh the matters assessed above. There is no reason why, if approved, this turbine should set a precedent for others; any application is judged on its own characteristics, including cumulative impact.
- 6.35 The applicant has demonstrated that this proposal could be successfully assimilated into its setting, offering only distant or partial views of the turbine in the main, particularly in light of the reduction in height. The proposal is therefore recommended for approval.

## RECOMMENDATION

**That planning permission be granted subject to the following conditions:**

- 1. A01 Time limit for commencement (full permission)**
- 2. B01 Development in accordance with the approved plans**
- 3. The external colour and finish of all parts of the structure hereby approved shall be permanently maintained in accordance with details which have first been submitted to and approved in writing by the local planning authority.**

**Reason: To protect the visual amenities of the area and to comply with the requirements of policy DR1 of the Herefordshire Unitary Development Plan.**

- 4. In relation to the development hereby permitted, no deliveries of components shall be made to the site unless or until a Traffic Management Plan (TMP) has been submitted to and approved in writing by the local planning authority. The TMP shall include the following in particular:**
  - a. Estimated timescales for start and finish of the turbine installation;**
  - b. Provision for joint site meetings between contractors and officers of the local highways authority before the start and after completion of the delivery and construction period;**
  - c. The numbers, types, size and weights of all vehicles to be used to deliver components;**
  - d. Provision for agreement under section 278 of the Highways Act 1980 for the undertaking of any works required in reparation of any damage to the highway incurred by vehicles accessing the site;**
  - e. Details of the deployment of banksmen, where necessary, along the B 4348 and C1208 roads**
  - f. Means of ensuring all delivery drivers accessing the site are fully informed as to road conditions and their responsibilities along the delivery route**

**The TMP shall be implemented in accordance with the approved details.**

**Reason: In the interests of highway safety, and to conform with the requirements of policy DR3 of the Herefordshire Unitary Development Plan**

5. **Before the development hereby permitted begins, a Habitat Enhancement Scheme shall be submitted to and approved in writing by the local planning authority. The Scheme shall include in particular:**
  - a. **Away from the immediate vicinity of the turbine, new planting proposals and a plan to restore identified sparse hedgerows at Pentwyn Farm;**
  - b. **Proposals for additional habitats to attract birds, reptiles, insects and small mammals;**
  - c. **Double stock-proof fencing of some hedgerows to prevent over-grazing;**
  - d. **Measures to reduce shading to ponds, to increase light levels reaching the water;**
  - e. **A management plan to ensure after-care of planting and continuity for habitats created.**

**Reason: To improve biodiversity and connectivity for wildlife and restore hedgerow cover, in accordance with the requirements of policies S7, DR4, NC1, NC8 and NC9 of the Herefordshire Unitary Development Plan.**

6. **E03 Site observation - archaeology**
7. **I16 Restriction of working hours during construction**
8. **H06 Vehicular access construction**
9. **I06 Restriction on noise levels**
10. **Within six months of the equipment hereby approved becoming redundant, inoperative or permanently unused, the turbine and all associated infrastructure shall be removed and re-used, recycled, all materials recovered, or be finally disposed of to an appropriate licensed waste facility, in that order of preference.**

**Reason: To ensure a satisfactory form of development, avoid any eyesore from redundant plant, prevent pollution, and to safeguard the environment when the materials reach the end of their life, in accordance with policies S1, S2, DR1 and CF4 of the Herefordshire Unitary Development Plan.**

#### **Reason for Approval**

1. **The proposal has been considered having regard to possible impacts on visual amenity (including shadow flicker), landscape, biodiversity, and potential noise nuisance. The principles relating to renewable energy, sustainability and carbon footprint reduction have been taken into account in light of current national policy. With regard to visual amenity in particular, the site is remote with no neighbours within 500 metres of the site. The site is also generally screened or partly screened from public viewpoints by vegetation and the topography. Views of the turbine would primarily be distant and/or partial and would not be considered to dominate the field of view. The need for renewable energy carries weight provided other factors can be mitigated and the site has been chosen and assessed with this in mind. In light of the above, the proposal is considered to accord with, or be capable of compliance with, policies S1, S2, S7, S11, DR1, DR2, DR3, DR13, T8, LA2, LA5, NC1 and CF4 of the Herefordshire Unitary Development Plan and the National Planning Policy Framework, with particular (but not exclusive) reference to**

paragraphs 28, 93, 97 and 98.

**INFORMATIVES:**

1. **N11A Wildlife and Countryside Act 1981 (as amended) - Birds**
2. **N11C General**
3. **HN01 Mud on highway**
4. **HN21 Extraordinary maintenance**
5. **Applicant to notify CAA/GAIT DGC on construction**

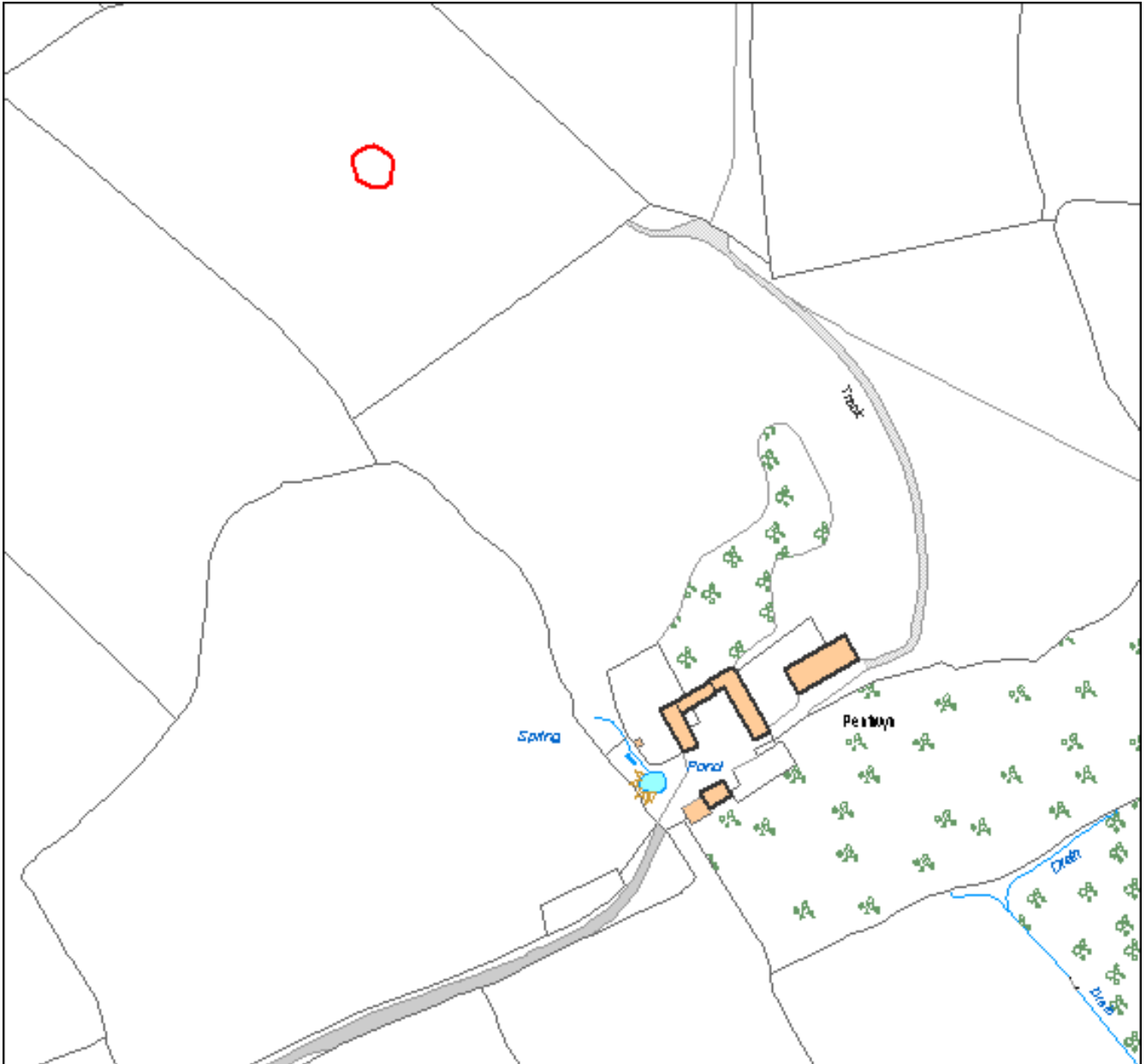
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** S/122606/F

**SITE ADDRESS :** PENTWYN FARM, DORSTONE, HEREFORD, HEREFORDSHIRE, HR3 6AD

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Further information on the subject of this report is available from Debby Klein on 01432 260136