

REFUSAL OF FULL PLANNING PERMISSION

MR JONATHAN CHARLES LODGE
C/O AGENT

Application No: **E/27328** received: 31/10/2012 for:

Proposal : INSTALL ONE WIND TURBINE 500 KW OUTPUT (HEIGHT TO HUB 35M, BLADES 26M EACH (3) 61M TO BLADE TIP) PLUS ANCILLARY DEVELOPMENT

Location : FIELD ADJACENT TO PEN Y GAER, NEAR LLANDOVERY, SA20 0US

Carmarthenshire County Council HEREBY REFUSE FULL PLANNING PERMISSION for the development proposed by you as shown on the application form, plan(s) and supporting document(s) for the following reason(s):

REASONS

- 1 The development, if approved would be contrary to policy UT5 of the Carmarthenshire UDP, which states:

UT5 - RENEWABLE ENERGY

IT IS THE POLICY OF CARMARTHENSHIRE COUNTY COUNCIL THAT PROPOSALS WHICH DEVELOP, GENERATE OR CAPTURE ENERGY FROM NATURALLY SUSTAINABLE SOURCES OR WHICH MINIMISE ENERGY REQUIREMENTS WILL BE PERMITTED PROVIDED THAT:

- (i) **PROPOSALS EITHER INDIVIDUALLY OR CUMULATIVELY WOULD NOT CAUSE DEMONSTRABLE HARM BY VIRTUE OF HAVING SIGNIFICANT ADVERSE IMPACT ON THE QUALITY OF THE LOCAL ENVIRONMENT, ON SITES OF NATURE CONSERVATION, HISTORICAL OR ARCHAEOLOGICAL IMPORTANCE, AGRICULTURAL VALUE, AREAS DESIGNATED FOR THEIR LANDSCAPE VALUE, OR TO SPECIES OF NATURE CONSERVATION AND ECOLOGICAL VALUE;**
- (ii) **PROPOSALS DO NOT HAVE A SIGNIFICANT ADVERSE IMPACT IN TERMS OF NOISE AND TRAFFIC GENERATION AND/OR WATER OR AIR POLLUTION AND/OR SCALE AND DESIGN;**
- (iii) **PROPOSALS, WHEREVER POSSIBLE MAKE USE OF EXISTING APPROPRIATE DERELICT OR UNDERUSED AREAS OF LAND, OR REDUNDANT BUILDINGS, AND THAT ANY NEW ANCILLARY WORKS OR STRUCTURES ARE MINIMISED.**

in that the proposed wind turbine would adversely affect the historic value, setting and archaeological importance of Pen y gaer Iron Age hill-fort, will also have a significant adverse impact upon the landscape character of the immediate area and will result in the degradation of the overall landscape character of the upper Bran valley, and it has not been clearly demonstrated how the transportation requirements of the wind turbine to the site will not impact

upon the ecological and landscape character value of the hedgerows and trees along the narrow C2272 road to the site.

- 2 The development, if approved would be contrary to policy UT6 of the Carmarthenshire UDP, which states:

UT6 - WIND ENERGY

IT IS THE POLICY OF CARMARTHENSHIRE COUNTY COUNCIL THAT PROPOSALS FOR WIND TURBINES, WIND FARMS OR GROUPS OF WIND TURBINES WILL BE PERMITTED PROVIDED THAT THE FOLLOWING CRITERIA ARE MET IN FULL:

- (i) PROPOSALS EITHER INDIVIDUALLY OR CUMULATIVELY WOULD NOT CAUSE DEMONSTRABLE HARM BY VIRTUE OF HAVING A SIGNIFICANT ADVERSE IMPACT ON THE QUALITY OF THE LOCAL ENVIRONMENT, OR TO SITES OF NATURE CONSERVATION, HISTORICAL OR ARCHAEOLOGICAL IMPORTANCE, AGRICULTURAL VALUE, AREAS DESIGNATED FOR THEIR LANDSCAPE VALUE, OR TO SPECIES OF NATURE CONSERVATION AND ECOLOGICAL VALUE;
- (ii) THE SITING, DESIGN, LAYOUT AND MATERIALS USED SHOULD BE SYMPATHETIC TO THE CHARACTERISTICS OF THE LAND-FORM, CONTOURS AND EXISTING FEATURES OF THE LANDSCAPE;
- (iii) PROPOSALS DO NOT GIVE RISE TO PROBLEMS OF HIGHWAY SAFETY OR PLACE UNACCEPTABLE DEMANDS ON THE PROVISION OF PUBLIC SERVICES;
- (iv) ANCILLARY WORKS, BUILDINGS AND STRUCTURES ARE KEPT TO A MINIMUM AND SITED UNOBTRUSIVELY WITHIN THE LANDSCAPE;
- (v) PROPOSALS SHOULD NOT LEAD TO A SIGNIFICANT ADVERSE INCREASE IN RISK OR NUISANCE TO, AND IMPACTS ON THE AMENITIES OF, NEARBY RESIDENTS OR OTHER MEMBERS OF THE PUBLIC ARISING FROM WIND TURBINE OPERATION, SHADOW, FLICKER, SAFETY RISK, RADIO OR TELECOMMUNICATIONS INTERFERENCE;
- (vi) NO TURBINE SHOULD CAUSE DEMONSTRABLE HARM TO THE AMENITY OF ANY RESIDENTS;
- (vii) NEW CONNECTIONS TO THE LOCAL ELECTRICITY DISTRIBUTION NETWORK SHOULD ACCORD WITH POLICY UT2.

in that the proposed wind turbine would adversely affect the historic value, setting and archaeological importance of Pen y gaer Iron Age hill-fort, will also have a significant adverse impact upon the landscape character of the immediate area and will result in the degradation of the overall landscape character of the upper Bran valley, and it has not been clearly demonstrated how the transportation requirements of the wind turbine to the site will not impact upon the ecological and landscape character value of the hedgerows and trees along the narrow C2272 road to the site. The proposal would also cause significant and demonstrable harm to the residential amenity currently enjoyed by the residents of Bwlch y Fforest and Rhandirberthog, Llandovery from both the issue of visual amenity as the proposed turbine would form a dominant new element within any direct views from the properties and in the case of shadow flicker as the dwellings are within the shadow flicker zone, has windows that directly face the wind turbine, which have uninterrupted views.

- 3 The development, if approved would be contrary to policy BE 1 of the Carmarthenshire UDP, which states:

BE1 - SCHEDULED ANCIENT MONUMENTS AND ARCHAEOLOGICAL REMAINS OF NATIONAL IMPORTANCE

IT IS THE POLICY OF CARMARTHENSHIRE COUNTY COUNCIL THAT DEVELOPMENTS OR WORKS WHICH WOULD ADVERSELY AFFECT THE PRESERVATION, ARCHAEOLOGICAL POTENTIAL, AMENITY, HISTORIC VALUE OR THE SETTING OF SITES

OF A SCHEDULED ANCIENT MONUMENT OR ARCHAEOLOGICAL REMAINS CONSIDERED OF NATIONAL IMPORTANCE WILL NOT BE PERMITTED.

in that the proposed wind turbine would adversely affect the historic value, setting and archaeological importance of Pen y gaer Iron Age hill-fort.

- 4 The development, if approved would be contrary to policy GDC 8 of the Carmarthenshire UDP, which states:

GDC8 - VISUAL IMPACT AND PHYSICAL TOPOGRAPHY

IT IS THE POLICY OF CARMARTHENSHIRE COUNTY COUNCIL THAT THE SITING AND DESIGN OF PROPOSED DEVELOPMENTS SHOULD HAVE FULL REGARD TO THE PHYSICAL CHARACTER AND TOPOGRAPHY OF THE SITE BY:

- (i) **AVOIDING CONSPICUOUS LOCATIONS ON PROMINENT SKYLINES OR RIDGES;**
- (ii) **INTEGRATING INTO THE CONTOURS OF THE SITE;**
- (iii) **AVOIDING LOCATIONS THAT WOULD HAVE AN ADVERSE VISUAL IMPACT ON PROMINENT BUILDINGS, LANDSCAPES, OPEN SPACES AND THE GENERAL LOCALITY FROM THE SITE;**
- (iv) **ENSURING THE HEIGHT OF ANY NEW BUILDING IS IN SCALE WITH ADJOINING BUILDINGS, SO AS NOT TO LEAD TO UNACCEPTABLE OVERLOOKING OR OVERSHADOWING;**
- (v) **UTILISING TOPOGRAPHY TO MAXIMISE ENERGY EFFICIENCY, WHERE FEASIBLE.**

in that the proposed wind turbine will have a significant adverse impact upon the landscape character of the immediate area and will result in the degradation of the overall landscape character of the upper Bran valley.

- 5 The development, if approved would be contrary to policy GDC 19 of the Carmarthenshire UDP, which states:

GDC19 - RETENTION OF LANDSCAPE FEATURES

IT IS THE POLICY OF CARMARTHENSHIRE COUNTY COUNCIL THAT ALL PROPOSED DEVELOPMENT MUST WHEREVER PRACTICAL MAKE APPROPRIATE PROVISION FOR THE RETENTION AND PROTECTION OF EXISTING TREES AND HEDGEROWS OF HIGH AMENITY VALUE AND ALSO FOR OTHER LANDSCAPE FEATURES SUCH AS WATERCOURSES, BANKSIDE VEGETATION, AND WETLANDS.

in that the application has not included satisfactory details in relation to the retention and protection of existing trees and hedgerows along the transport route for the proposed wind turbine along the C2272 road.

- 6 The development, if approved would be contrary to policy EN 8 of the Carmarthenshire UDP, which states:

EN8 - LANDSCAPE FEATURES OF MAJOR IMPORTANCE FOR FLORA AND FAUNA

IT IS THE POLICY OF CARMARTHENSHIRE COUNTY COUNCIL THAT DEVELOPMENT WHICH WOULD CAUSE HARM TO THE INTEGRITY OR CONTINUITY OF THE FOLLOWING LANDSCAPE FEATURES (WHICH ARE OF MAJOR IMPORTANCE FOR WILD FAUNA AND FLORA) WILL ONLY BE PERMITTED IF IT CAN BE DEMONSTRATED THAT THE REASONS FOR THE DEVELOPMENT CLEARLY OUTWEIGH THE NEED TO RETAIN THE FEATURES AND THAT MITIGATING MEASURES CAN BE PROVIDED FOR, WHICH ARE WITHIN THE CONTROL OF THE DEVELOPER, WHICH WOULD REINSTATE THE INTEGRITY OR CONTINUITY OF THE FEATURES.

THE FOLLOWING LIST OF FEATURES APPLY:

HEDGEROWS; DITCHES AND BANKS; STONE WALLS; TREE BELTS; WOODLANDS; VETERAN TREES; PARKLANDS; GREEN LANES; RIVER CORRIDORS; LAKES; PONDS, WETLANDS; MARSHLANDS; MOORLANDS; ROAD VERGES; OR HABITAT MOSAICS OR NETWORKS OF OTHER LOCALLY IMPORTANT HABITATS.

APPROPRIATE MANAGEMENT OF THESE FEATURES WILL BE ENCOURAGED THROUGH THE IMPOSITION OF CONDITIONS ON PLANNING PERMISSIONS, AND BY THE USE OF PLANNING AGREEMENTS AND BY ENTERING MANAGEMENT AGREEMENTS WITH LANDOWNERS AND DEVELOPERS WHERE APPROPRIATE.

in that the application has not included satisfactory details in relation to the retention and protection of existing trees and hedgerows along the transport route for the proposed wind turbine along the C2272 road.

- 7 The development, if approved would be contrary to policy EN 13 of the Carmarthenshire UDP, which states:

EN13 - HEDGEROWS

IT IS THE POLICY OF CARMARTHENSHIRE COUNTY COUNCIL THAT PROPOSALS WILL NOT BE PERMITTED WHICH WOULD RESULT IN THE SIGNIFICANT LOSS, DAMAGE AND/OR FRAGMENTATION OF THOSE HEDGEROWS WHICH ARE IMPORTANT FOR THEIR LANDSCAPE, HISTORICAL, OR NATURE CONSERVATION VALUE.

in that the application has not included satisfactory details in relation to the retention and protection of existing trees and hedgerows along the transport route for the proposed wind turbine along the C2272 road

This application has been determined within the scope of the delegated authority granted to the Head of Planning by the Meeting of Carmarthenshire County Council on 12 October 2011 (Minute No 7 refers).

DECISION DATE: 20/06/2013

SIGNED: _____



Graham Noakes
Senior Development Management Officer
for and on behalf of
EIFION W BOWEN, BSc, Dip TP, MRTPI
HEAD OF PLANNING