

Erection of 1 no 500 KW wind turbine and associated infrastructure.

Report Item No
A4

Land West Of Heather Lane Heather Lane Ravenstone
Coalville Leicestershire LE67 2AH

Application Reference
15/00147/FUL

Applicant:

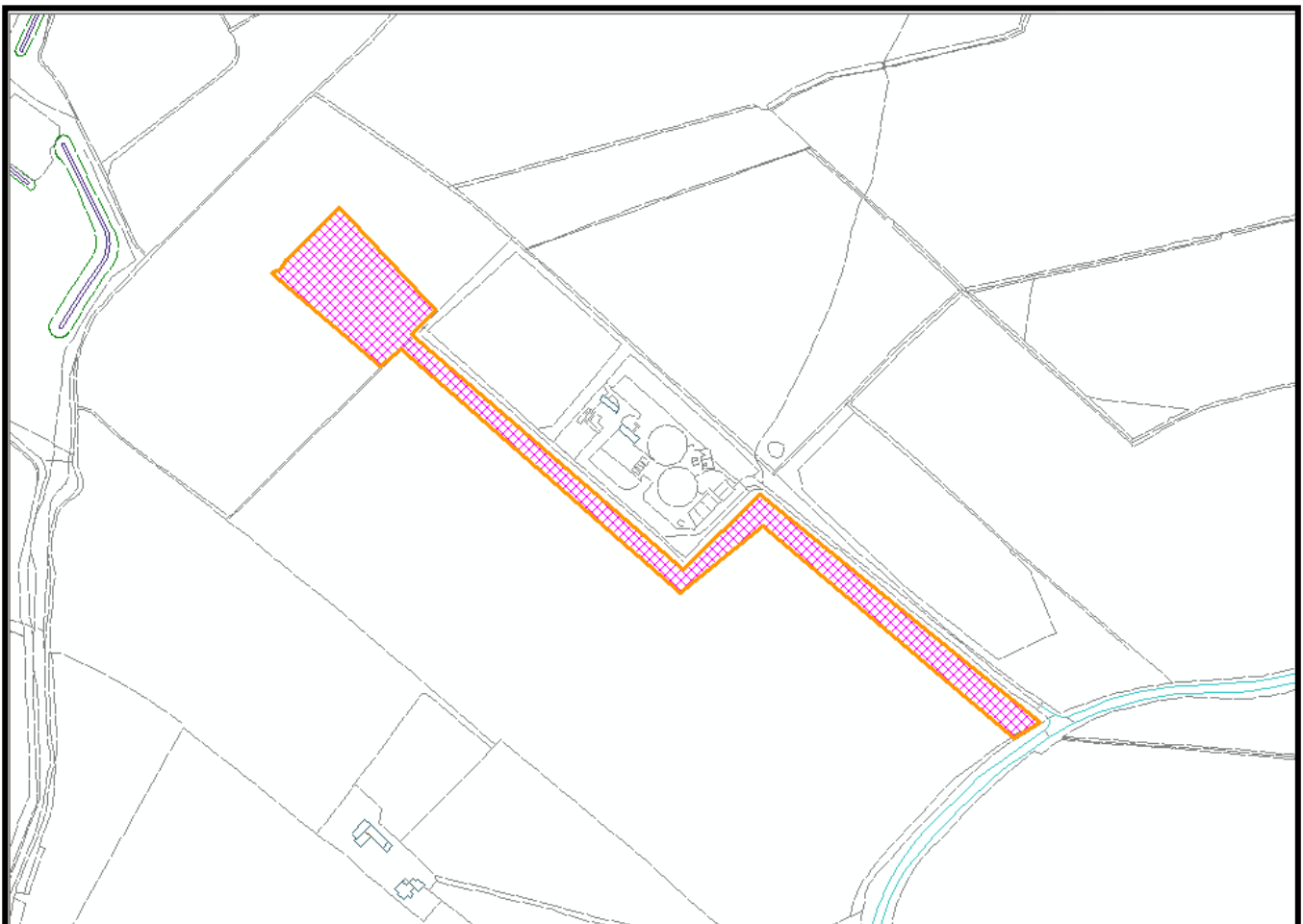
Date Registered
13 February 2015

Case Officer:
Ebony Mattley

Target Decision Date
10 April 2015

Recommendation:
PERMIT

Site Location - Plan for indicative purposes only



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Executive Summary of Proposals and Recommendation

Call In

The application has been called in at the request of Cllr Smith on the following grounds:- the turbine is not required, strong local opposition, is located next to National Forest and loss of visual amenity.

Proposal

This application seeks full planning permission for the erection of a wind turbine and associated infrastructure including access track at land off Heather Lane, Ravenstone. The 1 no. three bladed 500 kilowatt turbine with a 54 blade diameter on a 50 metre (hub height) monopole, would measure a maximum of 77 metres to blade tip.

Consultations

Members will see from the main report below that objections have been received in respect of the proposal, including from Ravenstone and Packington Parish Councils with x objection letters being received from members of the public.

Planning Policy

The application site is outside the Limits to Development as defined in the adopted North West Leicestershire Local Plan. One of the core planning principles of the National Planning Policy Framework (NPPF) as set out in Paragraph 17 is to support the transition to a low carbon future in a changing climate by encouraging the use of renewable resources and the development of renewable energy. This is set out further in Paragraph 93 of the NPPF which states that planning has a key role in supporting the delivery of renewable and low carbon energy and associated infrastructure which is central to the economic, social and environmental dimensions of sustainable development. A recent written Ministerial Statement 'Local Planning' was published on 18 June 2015 which states that local planning authorities can find the proposal acceptable if, following consultation, they are satisfied it has addressed the planning impacts identified by affected local communities and therefore has their backing. In accordance with the Statement, amendments to the relevant sections within the National Planning Practice Guidance (NPPG) have also been undertaken to reflect these changes.

Conclusion

There is specific planning policy support for the development of renewable energy projects at a national level and it is considered that the proposed erection of a 500 kW wind turbine would contribute to the overall outputs of renewable energy. It is however considered that these positive benefits of renewable energy of the proposed development must be carefully balanced against the harmful impacts and perceived impacts. The scheme has been assessed from its landscape and visual impacts, impacts upon areas of historical and designated landscapes, impact upon residential amenity in relation to safety, noise and shadow flicker, ecology, coal, River Mease SAC/SSSI and other associated impacts including highway considerations, aviation and electromagnetic interference.

The scheme is not considered to cause any significant impacts in respect of these considerations and there are no other material impacts identified, that would indicate that the proposal is not in compliance with local development plan policies and overarching government

guidance. Accordingly the application is recommended for approval, subject to the imposition of planning conditions.

RECOMMENDATION:- PERMIT SUBJECT TO THE IMPOSITION OF CONDITIONS

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. Proposals and Background

This application seeks full planning permission for the erection of a wind turbine and associated infrastructure and access track at land off Heather Lane, Ravenstone.

The 1 no. three bladed 500 kilowatt turbine with a 54 blade diameter on a 50 metre (hub height) monopole, would measure a maximum of 77 metres to blade tip.

The submitted details confirm that this turbine's height and scale for the purposes of this application is only a candidate (sample) turbine, as the exact model of the wind turbine to be used at the site would be decided through a future tendering process. As such this application seeks consent for a turbine up to a maximum of 77 metres in height. The turbine has a predicted 20 year life span.

The other infrastructure includes a kiosk measuring approximately 5.9 by 2.6 metres, a concrete foundation base measuring 12 by 12 metres and a crane pad measuring 35 by 15 metres is proposed.

The access from Heather Lane will utilise an existing field gate. A proposed 3.5 metres wide access track and turning head is proposed across the turbine field, incorporating the underground cabling.

The turbine and associated infrastructure will be situated within an overall site of approximately 0.3 hectares.

During the course of the application, following concerns raised by officers the applicant has provided the following additional information:-

- a) Additional cumulative assessment
- b) Additional wireframes and photomontages
- c) Access junction layout and visibility splay plan

Re-consultation has been undertaken with the County Highway Authority

The application site is located within an existing agricultural arable field, approximately 715 metres southwest of Hall Farm, farm buildings. There is a sewage treatment works to the southeast, with the Woodland Trust's Queen Elizabeth Jubilee Woodlands to the west. The site is located 1km southwest of Ravenstone and 3.5 km west of Coalville. The application site is located outside Limits to Development, as defined by the North West Leicestershire Local Plan Proposals Map 2002.

The application is accompanied by:-

Coal Mining Risk Assessment,
Heritage and Archaeological Statement,
Ecological Appraisal,
Landscape and Visual Impact Appraisal,
Noise Impact Assessment
Planning Statement,

Statement of Community Engagement,
Transport, Storage and Crane Guidelines,
Delivery Route Assessment and Traffic Management Plan,
Technical and Operational Assessment
Technical Specification

Planning History:-

None

2. Publicity

257 No neighbours have been notified. Last notified 02 March 2015

Site Notice posted 04 March 2015

Press Notice published 11 March 2015

3. Consultations

Ravenstone With Snibston Parish Council consulted 02 March 2015

Heather Parish Council consulted 02 March 2015

Packington Parish Council consulted 02 March 2015

Environmental Protection consulted 02 March 2015

County Highways Authority consulted 02 March 2015

Environmental Agency consulted 02 March 2015

Severn Trent Water consulted 02 March 2015

Natural England consulted 02 March 2015

County Archaeologist consulted 02 March 2015

LCC Ecology consulted 02 March 2015

Airport Safeguarding consulted 02 March 2015

NWLDC Conservation officer consulted 02 March 2015

English Heritage consulted 02 March 2015

Coal Authority consulted 02 March 2015

MOD Safeguarding consulted 02 March 2015

National Air Traffic Services consulted 02 March 2015

4. Summary of Representations Received

The following summary of representations is provided.

Statutory Consultees

Ravenstone Parish Council objects on the following grounds:-

- a) Detrimental visual impact
- b) Proximity to residential areas contrary to guidance setting out no less than 2000 metres with new approved residential development would be closer still
- c) Proximity to ancient woodland, being the Jubilee Wood
- d) Noise
- e) Wildlife, including birds affected when the turbine is operational

Packington Parish Council objects on the following grounds:-

- a) the construction would be detrimental to the outlook of the vicinity

b) approving this could set a future precedent.

The Coal Authority raises no objection, subject to the imposition of a planning condition.

NERL Safeguarding raises no objection.

Joint Radio Company raises no objection.

Civil Aviation Authority provides advice to the applicant.

Historic England advises that the application should be determined in accordance with national and local policy guidance and on the basis of the Authority's specialist conservation advice.

Severn Trent raises no objection.

Natural England raises no objection.

Environment Agency do not wish to make formal comment on the application.

Coventry Airport raises no objection.

Leicestershire County Council - Highways raises no objection, subject to the imposition of a planning condition.

Leicestershire County Council - Ecology raises no objection, subject to the imposition of a planning condition.

Leicestershire County Council - Archaeology raises no objection, subject to the imposition of planning conditions.

Leicestershire County Council - Footpaths raises no objection.

NWLDC Environmental Protection raises no objection, subject to the imposition of a planning condition.

NWLDC Conservation Officer raises no objection.

At the time of writing no comments have been received from East Midlands Airport or the Woodland Trust.

Third Party Representations

14 letters of objection has been received raising the following concerns:-

Impact upon the Landscape

- Visual impact will dominate the landscape/dramatically alter the landscape character
- Contrary to PPS7
- None of the viewpoints were taken from Ravenstone
- Significant impact as a result of 75 metres height, industrial appearance, compounded by movement of the blades.
- The site lies in greenbelt

- Fundamentally undermines the principles contained with the Ravenstone Conservation Area Appraisal and Study
- Ravenstone is at the heart of the National Forest and is the site of the Queen's Diamond Jubilee Wood
- Picturesque and tranquil view would be spoilt
- The two turbines in view will dominate the aspect from Ravenstone

Impact upon Residential Amenity

- Loss of view
- Impairment to the residential amenity value of the area which will reduce property prices
- Too close to residential properties
- Central Government policy is being developed with the Distances from Residential Premises Bill which is proposing a minimum distance of 1500 m for 50m-100m turbines
- Leicestershire County Council believes that turbines should not normally be closer than 2km to the nearest home, except for those related directly to the generation for that home
- The UK Noise Association recommends that wind turbines are not sited within 1 mile/1.6 km of houses
- Health effects
- Noise, low frequency and vibration
- Strobe effect causes distress
- A health impact assessment must be carried out

Impact upon Wildlife

- Sited close to an area specifically created to attract wildlife
- Impact upon the wildlife - birds and evidence that wind turbines disturb nesting and feeding grounds, and the rotating blades kill birds

Other

- Affect the local primary school
- Given proximity to the Diamond Jubilee Woodland, would adversely affect walkers and horse riders of the local paths and bridleways, comprising safety due to the distraction to horses
- Adverse effect on the experience of local and recreational users of these facilities because of its constant active presence and would significantly reduce the visual amenity.
- Increasing evidence that wind as a sustainable and economic model for energy is flawed
- No economic benefit
- Most wind turbines in similar size to that proposed are more commonly used as part of a wind farm
- Interference with television reception and a survey should be carried out
- Concern it will set a precedent for future wind turbine applications
- Already suffered from years of open cast mining and now subject to this
- Implement solar panels instead
- The proposal should not be permitted if the local community is against it, as set out in the Localism Act 2011
- Appeal decision - Wells Farm, Sewstern Lane - noise and effects on people living and

working close to the turbines, landscape impact, setting and visual amenity of heritage assets

- A public right of way has been missed by the applicants.

1 letter of support has been received stating the following:-

Green energy sources are valuable to our society as fossil fuels dwindle and steps should be taken for a better and sustainable future society to benefit all.

All responses from statutory consultees and third parties are available for Members to view on the planning file.

5. Relevant Planning Policy

National Policies

National Planning Policy Framework

The NPPF (Paragraph 215) indicates that due weight should be given to relevant policies in existing development plans adopted before 2004 according to their degree of consistency with the Framework. The closer the policies in the development plan to the policies in the Framework, the greater weight they may be given.

Save where stated otherwise, the policies of the North West Leicestershire Local Plan as listed in the relevant section below are consistent with the policies in the NPPF and, save where indicated otherwise within the assessment below, should be afforded weight in the determination of this application.

The following sections of the NPPF are considered relevant to the determination of this application:

Paragraph 14 (Presumption in favour of sustainable development)
Paragraph 17 (Presumption in favour of sustainable development)
Paragraph 93 (Meeting the challenge of climate change, flooding and coastal change)
Paragraph 97 (Meeting the challenge of climate change, flooding and coastal change)
Paragraph 98 (Meeting the challenge of climate change, flooding and coastal change)
Paragraph 109 (Conserving and enhancing the natural environment)
Paragraph 118 (Conserving and enhancing the natural environment)
Paragraph 119 (Conserving and enhancing the natural environment)
Paragraph 123 (Conserving and enhancing the natural environment)
Paragraph 131 (Conserving and enhancing the historic environment)
Paragraph 132 (Conserving and enhancing the historic environment)

Adopted North West Leicestershire Local Plan (2002)

The application site is outside Limits to Development as defined in the adopted North West Leicestershire Local Plan. The following Local Plan policies are relevant to this application:

Policy S3 - Countryside
Policy E2 - Landscaped Amenity Open Space
Policy E3 - Residential Amenities
Policy E4 - Design

Policy E7 - Landscaping
Policy F1 - National Forest General Policy
Policy T3 - Highway Standards
Policy T8 - Parking

Other Guidance

The Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations')
Circular 06/05 (Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System)
River Mease Water Quality Management Plan - August 2011
River Mease Development Contributions Scheme - November 2012
Leicester, Leicestershire and Rutland Landscape Character Areas - 2006
The Assessment and Rating of Noise from Wind Farms (ETSU-R-1997)
Written Ministerial Statement: Local Planning (18 June 2015)
National Planning Practice Guidance - March 2014 - including updates to renewable energy (18 June 2015)

6. Assessment

The main issues for consideration in the determination of this application relate to the principle of development, landscape and visual impacts, cumulative landscape and visual impacts, impact upon heritage assets, ecology, impact upon residential amenity, highway considerations, impact upon the River Mease Special Area of Conservation/SSSI, coal, aviation, electromagnetic interference and other matters.

Principle of Development

At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF states that there are three dimensions to sustainable development:- economic; social; and environmental.

There is support and encouragement for sustainable development and the sensitive exploitation of renewable energy sources within the NPPF.

One of the core planning principles of the National Planning Policy Framework (NPPF) as set out in Paragraph 17 is to support the transition to a low carbon future in a changing climate by encouraging the use of renewable resources and the development of renewable energy. This is set out further in Paragraph 93 of the NPPF which states that planning has a key role in supporting the delivery of renewable and low carbon energy and associated infrastructure which is central to the economic, social and environmental dimensions of sustainable development.

Paragraph 97 within the NPPF states that to help increase the use and supply of renewable and low carbon energy, Local Planning Authorities (LPAs) should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. It says LPAs should:-

- a) have a positive strategy to promote energy from renewable and low carbon sources
- b) design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts
- c) consider identifying suitable areas for renewable and low carbon energy sources, and

- d) supporting infrastructure, where this would help secure the development of such sources support community-led initiatives for renewable and low carbon energy, including development outside such areas being taken forwards through neighbourhood planning; and
- e) identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.

Paragraph 98 within the NPPF states that "applicants should not be required to demonstrate the overall need for renewable energy and that planning application should be approved if their impacts or can be made acceptable". Notwithstanding Paragraph 98, since the introduction of the National Planning Practice Guidance (NPPG), this now confirms that the LPA would need to consider energy generating potential.

The accompanying Planning Statement estimates that the 500 kW turbine is expected to generate 1,270,000 kWh per year, equivalent to providing electricity to approximately 297 homes per year and would save approximately 566 tonnes of carbon dioxide per annum.

The application site is located outside the limits to development where permission for new development would not normally be granted unless it is for certain uses as set out under Policy S3 of the Local Plan. The supporting information states that the proposal is a diversification opportunity for the farm which will help sustain the farm business in the long term by reducing farming costs for the landowner. As such it can be considered to be a farm diversification scheme and would fall within category (b) of Policy S3. It is also considered that the proposal would fall within criteria (c) (is a public service or utility which cannot, for operational reasons, be accommodated within the defined Limits) of Policy S3 and as such would constitute an acceptable form of development in this location. This view is further supported by the appeal decision for application reference 12/00343/FUL (Wind Monitoring Mast at Stretton en le Field) (Appeal Ref: APP/G2435/A/12/2185513) where the planning inspector stated: "the mast is however a utility, as it relates to the provision of electricity, and it would be unlikely to be able to be accommodated within the LP defined Limits of Development."

In the circumstances that the NPPF supports proposals which provide energy from renewable energy, as well as the fact that Policy S3 of the Local Plan would support renewable energy projects in the countryside, it is considered that the overall principle of the provision of a wind turbine would be acceptable.

In summary, there is specific planning policy support for the development of renewable energy projects at a national level and it is considered that the proposed erection of a 500 kW wind turbine would contribute to the overall outputs of renewable energy, whilst also bringing benefits to the existing agricultural operations, consistent with national planning policy. Accordingly whilst there is no in-principle objection to the use of renewable wind energy, which is a national priority, this must be carefully balanced against all other planning matters being adequately addressed.

Impact upon the Visual Landscape

As discussed earlier in this report the application site in policy terms lies outside limits to development, and is therefore within an area designated as countryside.

Paragraph 17 of the NPPF also states that planning should recognise the intrinsic character and

beauty of the countryside and supporting thriving rural communities within it, and paragraph 109 states that the planning system should protect and enhance valued landscapes.

Paragraph 97 of the NPPF supports this, stating that cumulative landscape and visual impacts of renewable energy sources should be addressed. Paragraph 98 of the NPPF also states that when determining wind turbine planning applications, local planning authorities should "approve the application if its impacts are (or can be made) acceptable."

Landscape and Visual Impacts

Landscape Impacts

Landscape impacts are the effects of a proposed development on the fabric, character and quality of the landscape and concern the degree to which a proposed renewable energy development will become a significant or defining characteristic of the landscape. The National Planning Practice Guidance (NPPG) states that some landscapes may be more sensitive to certain types of change than others and it should not be assumed that a landscape character area deemed sensitive to one type of change cannot accommodate another type of change.

The site does not fall within any national or local protected landscape designations, such as Areas of Outstanding Natural Beauty. Notwithstanding the lack of formal landscape designation or recognition, the character of the area is valued locally by its residents. Objections have been received on the grounds of the turbine being an alien feature and detracting from the character of the landscape. The NPPF recognises that the "intrinsic character and beauty of the countryside" is a material planning consideration.

The site lies within Natural England's Leicestershire and South Derbyshire Coalfield Landscape Character Area (National Character Area (NCA) 71) and some of its key characteristics include mixed and arable pasture, gently undulating landform of shallow valleys and ridges and localised areas of small fields and dense hedgerows. Some of its key characteristics make reference to the area's former mining heritage. Although the Long Moor Surface Mine was until recently in operation to the west of the site, it is now the site of the Diamond Jubilee Woodland. NCA71 provides the overriding landscape features and characteristics of the site within a wider landscape context. A more localised assessment of character can be found within the County Landscape Character Assessment undertaken by Leicestershire County Council in 2001 and the National Forest Strategy 2004-2014, as discussed below.

Within the Leicester, Leicestershire and Rutland Landscape Character Assessment (2001) the site lies in 'The Coalfield' Character Area, and within the National Forest Strategy (2004-2014) the site is identified as being within the 'Enclosed Farmlands' Character Area.

The 'Coalfield' is distinguished by a denser settlement patterns than almost any other part of Leicestershire. Whilst it is recognised that there is a distinctive landscape character found to the very north east of 'The Coalfield' area towards Coleorton, most of the area is characterised by a gently undulating landform. The area is characterised as having relatively dense settlement patterns, mixed farmland with low woodland cover and effects of past and present coal and clay working. The 'Enclosed Farmlands' area is characterised by predominantly open, sparsely wooded mixed farmland, a strong rural character and field patterns defined by hedgerows.

There is no specific reference to the sensitivity of these different character areas in any of these Assessments. However, the Landscape Visual Impact Assessment (LVIA) considers that local

landscape's susceptibility to change is considered Low/Medium, meaning that the has a medium level of sensitivity which is capable of accommodating the proposed turbine without introducing significant harm to the wider landscape character.

For the avoidance of doubt the National Forest is a non-statutory designation and that no specific designation applied to the Queen Elizabeth Jubilee Woodland.

In respect of topography, with the exception of the area within the Diamond Jubilee Woodland's containing the lake which is flat and the application site sits on a similar level, the turbine is considered to be sited on lower ground, in comparison to surrounding land levels. Levels rise steeply to the south east along Heather Lane, in the direction of Heather, with levels also rising from the lake to the south back towards the Woodland's car park (and entrance on Heather Lane, between Normanton le Heath and Heather) to the south west of the turbine.

The immediate landscape is characterised by hedge lined fields and scattered trees, with the turbine adjacent to tree plantation 'Long Spinney Moor'. The surrounding land is either in agricultural use or is covered by National Forest plantations, along with the Woodland Trust's Queen Elizabeth Diamond Jubilee Woodland. The plantations and Woodland are largely planted with young trees with some areas, including the Woodland, being open for public access.

The villages of Ravenstone and Heather, along with nearby farm buildings, provide some urban influence within the landscape, and there are isolated pockets of development at other farms, individual dwellings and the newly created car park to the Diamond Jubilee Woodland.

There are also other examples of man-made intervention, namely wooden telegraph poles in close vicinity, electricity pylons in the wider landscape (towards Coalville), the existing turbine at Cattows Farm (ref: 13/00165/FUL), the consented but not constructed solar farm Between School Lane Normanton Le Heath and Ashby Road Ravenstone (ref: 14/00786/FULM) and more immediately the Severn Trent infrastructure, adjacent to the site.

Upon viewing the site from the public footpaths within the Diamond Jubilee Woodland, the landscape pallet is typically that of green and brown, with the exception of the glimpses of man-made features, identified above, with the most prominent being the Severn Trent infrastructure. There are also glimpses of more contrasting and bright colours from the residential properties to the South of Ravenstone - namely a cream rendered dwelling and other examples of white rendered properties.

As such it is considered that the turbine would undoubtedly be visible, by virtue of its height and colour, but as there are other examples of both property and infrastructure (already constructed) and contrasting colours both in the foreground and background, this ensures that the turbine is not an unduly prominent and alien feature within the landscape.

It is acknowledged that the introduction of a turbine would bring a change and a degree of impact upon the visual character of the area, however the surrounding area is subject to other existing tall, static and moving structures and as such would not appear significantly out of character with its surroundings.

In summary, the lack of any statutory landscape designations on or around the site is significant in assessing the level of harm arising from the proposal. The landscape has characteristics that are fairly common in rural areas of England and is not within any formal designations or a particularly sensitive area. As such it is considered that the landscape can accommodate a

single turbine without its overall character being significantly harmed.

Visual Impacts

Visual impacts concern the degree to which proposed renewable energy development will become a feature in particular views and the impact this has upon the people experiencing those views. In assessing the impact on visual amenity, factors to consider include: establishing the area in which a proposed development may be visible, identifying key viewpoints, the people who experience the views and the nature of the views.

The accompanying LVIA follows the relevant guidelines and evaluates the effect of the proposed turbine on landscape character and visual amenity. The effect of the development depends on its scale, as well as the sensitivity of its surroundings and the capacity of those surroundings to absorb the impact of the turbine given its physical characteristics, the topography, consistency and content of the landscape, and the cumulative effects of other development.

The LVIA has been supported by plans presenting landscape character areas, topography, Zones of Theoretical Visibility to the turbine's hub and blade tip and photo views of existing, photomontages with the turbine superimposed and wireframes from 14 viewpoints. The level of study is considered to be proportionate to this scale of scheme and as there are no local, national or international landscape designations affected.

The accompanying Zone of Theoretical Visibility (ZTV) assesses the potential visual impact on the proposed turbine and assumes a worst case scenario without trees, hedges and buildings. Areas in which the turbine up to the hub is theoretically visible is in close proximity to the site. In terms of areas in which the turbine up to the maximum blade tip is theoretically visible is inevitably lower and concentrated. This is reflective of the viewpoints for a single turbine in an agricultural landscape - that the impacts are generally expected to be more significant in close proximity to the site and reduce rapidly with distance.

The photo viewpoints, photomontages and wireframes from the 14 viewpoints have been provided which predominantly range from approximately 500 metres to 3 km from the turbine, with 2 viewpoints from the north-west at a distance ranging up to 4km from the turbine.

In response to a letter of objection, viewpoint 2 is taken from Ravenstone. It is not necessary for photomontages to be taken from every single viewpoint and distance; their purpose is to provide a visual aid and should ideally be taken from public vantage points, such as roads and footpaths to provide views from which the turbine would be visible to the public. The selected viewpoints offer a useful range of study providing line of sight photographs from different directions. Extensive officer site visits have also been undertaken close to the site and from the Diamond Jubilee Woodlands.

Officers are in general agreement with the assessment and conclusions reached by the applicant within the landscape and visual impact appraisal, with the exceptions being the level of impact upon the public rights of way within the Queen Elizabeth's Diamond Jubilee Woodlands, which are expanded upon in the table below.

PLANNING APPLICATIONS- SECTION A

Viewpoint	Approx. distance from turbine	Officer observations from submitted details	Conclusions reached in LVIA by applicant	Officer Agree (A) / Disagree (D)
7. View north from the junction of the PROW on the eastern fringe of the Queen Elizabeth Diamond Jubilee Wood	1.15 km SSW of turbine	The pole is similar in height to mature tree planting but with upper pole, hub and blades protruding above the tree line. Ravenstone Hall in the background.	Minor adverse effect	Disagree Moderate
8. View from the 'Legacy Camera' position within the Queen Elizabeth Diamond Jubilee Wood	1.1 km SW of turbine	Prominent, can be seen against backdrop of residential properties to the south of Ravenstone	Moderate/Minor effect, with mature woodland planting expected to fully screen the proposed turbine resulting in no effects in 5-10 years time.	Disagree Moderate De-creasing to moderate/ minor effects once planting established
10. View east from Bridleway and Public Footpath east of Normanton le Heath	0.8 km due west of turbine	Prominent, can be seen against backdrop of residential properties to the south of Ravenstone	Moderate/Minor effect, with mature woodland planting expected to fully screen the proposed turbine resulting in no effects in 5-10 years time.	Disagree Moderate De-creasing to moderate/ minor effects once planting established

It is also acknowledged that the greatest visual impacts are those closest to the turbine, and thereby by virtue of the close proximity and extent and range of the public footpaths from the Woodland, the turbine would be visually prominent from this location.

It would be difficult to quantify that the wind turbine would result in people not visiting the Diamond Jubilee Woodland and the public rights of way as this is very much down to people's preference and it is not clear how it would be demonstrated that the proposal would reduce visitors to the area. It is also considered that given the Cattows Farm turbine is already visible from the Diamond Jubilee Woodland (when facing south), there has been no evidence presented to demonstrate that this turbine has already resulted in a loss of tourism.

Furthermore, it is not considered that the proposed turbine would result in any further additional visual impact from users of the woodlands, than what already exists from the Cattows Farm turbine (given that the two turbines are not both easily viewed from within the same point, from within the Woodlands).

It is clearly impossible to mitigate all of the visual impacts of a wind turbine. The level of visual prominence will reduce further away from the turbine, with distance, topography, and existing vegetation, buildings and overhead powerlines reducing its impact. The use of a non-reflective

off-white colour to the tower and blades will also reduce the turbine's visibility in longer views.

As noted above the area is not of a significant scenic quality and it is not within any national or local statutory landscape designation. Whilst there will be some impact on and change to the landscape, given the above circumstances the turbine would not significantly undermine or change its character or that of the National Forest and therefore on balance this impact is not so significantly detrimental to the landscape and its visual amenities to justify a reason for refusal in this case.

A condition has been imposed requiring the cable trench to be installed underground to ensure that there would be no visual harm caused.

In summary, it is considered that wind turbines have to be tall structures to be effective and located away from features which could interfere with the wind speed and flow across the site, which often results in them being prominent within the landscape. As such, it is acknowledged that there would be a change and an impact upon the visual appearance of the area. However, given the overall scale of the turbine against the backdrop of existing natural and man-made landscape features and topography there would not be any significant detrimental impacts upon the countryside nor is the turbine considered to harm the local character or landscape of the National Forest.

Cumulative Landscape and Visual Impacts

With regard to the cumulative impacts of wind turbines consideration has been given to advice contained within the NPPG.

The cumulative landscape impacts are the effects of a proposed development on the fabric, character and quality of the landscape; it is concerned with the degree to which a proposed renewable energy development will become a significant or defining characteristic of the landscape. Cumulative visual impacts concern the degree to which proposed renewable energy development will become a feature in particular views (or sequence of views) and the impact this has upon the people experiencing those views.

Cumulative visual impacts may arise where two or more of the same type of renewable energy development will be visible from the same point, or will be visible shortly after each other along the same journey. Simultaneous effects include viewing a number of schemes from a single fixed viewpoint without an observer turning their head, and repetitive effects where the observer is able to see two or more schemes, but only if they turn around. Sequential effects on visibility occur when an observer moves through a landscape and sees two or more schemes.

The information submitted considers simultaneous cumulative visual effects, successive cumulative visual effects and sequential cumulative visual effects. Furthermore, during the course of the application, the applicant has provided additional information and assessment of the cumulative impacts, taking into consideration other turbines.

The applicant has therefore provided cumulative zones of theoretical visibility to the maximum blade tip with the Cattows Farm, Ashby Road and Farm Town turbines. The supplied photomontages and ZTV plans demonstrate that the applicant has met the requirements to inform a landscaping and visual impact assessment, as set out in the NPPG.

From most viewpoints, it is considered unlikely that there would be any simultaneous effects, although there are examples of repetitive effects and sequential effects.

In the case of the two turbines consented at Farm Town, Coleorton and the single turbine at Cattows Farm, it is possible that there could be limited simultaneous views of the proposal with these turbines, given the closer proximity. It is considered, however that where a proposed turbine is in close proximity, the others will be in the distance, and vice versa.

The applicant concludes that the proposed turbine can be accommodated without unacceptable landscape and visual effects and that any significant effects are contained with relatively close proximity of the turbine and will affect a limited number of receptors, as topography and natural screening features combine to filter the effects to the wider area.

Overall officers are in agreement with the findings and conclusions reached by the applicant in their assessments in respect of these matters.

Cumulative Impacts Upon the Diamond Jubilee Woodlands

From within the Diamond Jubilee Woodland, given that the proposed turbine is located to the east and the Cattows Farm turbine to the south west, it is not considered that the two turbines would be easily visible from the same viewpoint. The Cattows Farm turbine is most visually prominent from within the Diamond Jubilee Woodland when facing and walking in the direction of the car park, and at this point the proposed turbine would be behind or to the side (left) of the visitor/user. Accordingly the only time the two may be visible without the user turning their head is within the Woodlands and facing in south east direction - towards the middle point of the area between the two turbines, where the two turbines might be on the users/visitors outer peripheries.

It is not considered that this proposed turbine would be read in conjunction with the approved solar farm, ref: 14/00786/FULM given the physical separation and the solar panels are low level in nature, reaching a maximum of 2.7 metres in height.

Further matters for consideration are the visual impact of the proposed development upon areas of designated and historical landscape.

Impact upon the Historical Environment

The proposed development must be considered against sections 66(1) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that when considering a planning application for development that affects a listed building or its setting the decision maker, "shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess and that special regard shall be had to the desirability of preserving or enhancing the character or appearance of a Conservation Area, respectively.

The Planning Practice Guidance states that great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting.

In addition to the designated Conservation Areas, there are 13 Listed Buildings in Ravenstone, including the Grade II* St. Michael's Church, Ravenstone Hall, Ravenstone Hospital, Chaplains House and Chapel. There are 8 Listed Buildings in Heather, including the Grade II* St. John's Church and Manor House. There are 4 Listed Buildings in Normanton le Heath, including the Grade II* Holy Trinity Church and 6 Listed Buildings in Swepstone, including the Grade II* St.

Peter's Church.

The scheme has been considered by English Heritage who state that the application should be determined in accordance with national and local policy guidance, and on the basis of specialist conservation advice.

The Council's Conservation Officer confirms that:-

"I have viewed the site from a number of vantage points and considered the heritage statement submitted as part of the application. I consider this to be a thorough assessment of the impact of the proposal and a good basis for judging the proposal in conservation terms. Given the topography and location of the site and surroundings I consider the impact on heritage assets would be limited. The verticality of the nearby churches on the skyline would not be significant and the relationship with secular listed buildings would be acceptable. Although the turbine is likely to be visible from Ravenstone Hall I do not consider the setting would be unduly harmed by the proposal given the existing relationship between the hall and outlying rural landscape and the distances involved. I have no objection on heritage grounds."

In summary, for the reasons discussed above it is considered that the scheme would not result in an unacceptable impact upon local heritage assets and the historical landscape. The scheme is therefore considered to be in accordance with the overarching guidance contained within chapter 12 of the NPPF and Sections 66(1) and 72 of the Listed Buildings and Conservation Areas Act 1990.

In addition, the scheme has been considered by the County Archaeologist who advises that a condition requiring a programme of archaeological work including a Written Scheme of Investigation is submitted to and approved in writing by the Local Planning Authority.

Ecology

Paragraph 109 of the NPPF recognises the wider benefits of ecosystems and that the planning system should minimise impacts on biodiversity. The NPPG states that wind turbines can have ecological impacts such as a risk of collision between moving turbine blades, birds and bats. Other risks include disturbance and displacement of bird and bat habitats. Due to the drop in air pressure close to the blades there is a risk of barotrauma (lung expansion) in bats which can be fatal. These risks are generally low, however in some situations, such as in close proximity to important habitats used by birds or bats the risk can be greater.

The site does not fall within any national or local designations. The nearest statutory designated sites are Snibston Grange located approximately 2km east of the proposed turbine, the River Mease SAC/SSSI 3 km to the west and Newton Burgoland Marshes SSSI approximately 3 km to the south. The application has been accompanied with an Ecological Appraisal which has been considered by the County Ecologist.

The proposal has been considered by the County Ecologist who has raised no objections to the proposal as it is sited in accordance with Natural England's guidance and no habitats of note or known populations of protected species will be impacted by the development. The County Ecologist have recommended a condition, requiring that the scheme be undertaken in accordance with the reptile/amphibian method statement.

In summary, given the sufficient siting of the turbine from an ecological feature that could be used for bats for foraging, it is concluded that the turbine would not have any adverse impacts

upon any sites of ecological important or protected species. Accordingly the scheme is considered to be in accordance with the overarching intentions of the NPPF and guidance contained within the NPPG.

Impact upon Residential Amenity

Proximity to Neighbouring Residents

Concerns have been expressed regarding the proximity of the turbine to residential properties.

The nearest other residential property is Long Moor Farm, approximately 350 metres south of the proposed turbine, with the properties in Ashby Road, Ravenstone, approximately 700 metres to the northeast of the application site.

Although The Wind Turbines (Minimum Distance from Residential Premises) Bill 2012-13 was at the first stage of reading in the House of Lords 14 May 2012, no date for a second reading has been confirmed since that time, and this therefore does not carry any weight. There are also a number of guidance documents and reports referred in the letters of representation, however, these are not development plan documents or emerging ones and as such carry no weight in the determination of this application.

The NPPG states that risks can often be mitigated through appropriate siting and consultation with affected bodies. In relation to fall-over distance from the turbine to adjacent residential properties, this is calculated as the height of the turbine to the tip of the blade plus 10% which is seen as a minimum safe separation distance.

In this instance as the height of the turbine to the blade is 77 metres, with an additional 10% equates to 84.7 metres. The nearest residential properties are located well in excess of this requirement.

In summary, the distance between a turbine and occupied properties is not purely assessed in terms of the distance, but in terms of the potential impacts.

Noise

The NPPG states that the 'Assessment and Rating of Noise from Wind Farms (ETSU-R-1997)' should be used by local planning authorities when assessing and rating noise from wind energy developments.

The application has been accompanied by a Noise Impact Assessment which has been considered by the Council's Environmental Health team who raise no objections to the proposal.

Shadow Flicker

The NPPG states that under certain combinations of geographical position and time of day, the sun may pass behind the rotors of a wind turbine and cast a shadow over neighbouring properties. When the blades rotate, the shadow flicks on and off; the impact is known as 'shadow flicker'. Only properties within 130 degrees either side of north, relative to the turbines can be affected at these latitudes in the UK - turbines do not cast long shadows on their southern side.

It is generally accepted that the potential for shadow flicker to occur is seriously diminished at a

distance of ten times the rotor diameter of the turbine in question.

The turbines have 54 metres diameter blades and therefore the potential shadow flicker effect could be felt up to 540 metres, 130 degrees either side of north from the turbine.

There are no residential properties located within 540 metres (130 degrees either side of north) of the turbine. For the avoidance of doubt the outline planning permission (ref: 13/00780/OUTM) has been granted for up to 50 dwellings on land off Heather Lane, Ravenstone, however this is in excess of 540 metres from the turbine.

The guidance contained at a national level does not indicate that there are any significant safety or health risks as a result of wind turbines and on this basis it is considered that there would be minimal risks to the health and safety of neighbouring residents and properties. The NPPF also states that Local Planning Authorities should approve the application if its impacts are (or can be made) acceptable and for the reasons stated above it is considered that there are no significant impacts in respect of a noise or shadow flicker.

A recent written Ministerial Statement 'Local Planning' was published on 18 June 2015 which states:-

"I am today setting out new considerations to be applied to proposed wind energy development so that local people have the final say on wind farm applications, fulfilling the commitment made in the Conservative election manifesto. Subject to the transitional provision set out below, these considerations will take effect from 18 June and should be taken into account in planning decisions. I am also making a limited number of consequential changes to planning guidance.

When determining planning applications for wind energy development involving one or more wind turbines, local planning authorities should only grant planning permission if:-

- *the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and*
- *following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.*

Where a valid planning application for a wind energy development has already been submitted, the local planning authority and the development plan does not identify suitable sites, the following transitional provision applies. In such instances, local planning authorities can find the proposal acceptable if, following consultation, they are satisfied it has addressed the planning impacts identified by affected local communities and therefore has their backing."

In accordance with the statement, amendments to the relevant sections within NPPG has also been undertaken to reflect these changes.

The Local Planning Authority is satisfied through the consultation process that the planning related issues identified by neighbouring properties, had been considered and addressed as part of the application process, but ultimately it is for Members to decide, as decision makers, whether they are also satisfied that all issues had been addressed.

Highway Considerations

The scheme has been considered by the County Highway Authority (CHA) who originally raised concerns over the forward visibility. During the course of the application, the applicant has submitted a plan showing the access junction layout and visibility splays which have been re-considered by the CHA who raise no objection, subject to the access and junction with Heather Lane to be hard surfaced and construction to an appropriate standard.

Planning conditions are recommended to secure details of all hard and permeable surfacing on site and for the access and visibility to be provided in accordance with the submitted details.

The scheme has been considered by the County Footpath Officer who has confirmed that Public Footpath 051 (which runs adjacent to the proposed access track and then diverts in a generally north easterly direction) would not be affected by the proposed development and therefore raises no objection. In response to the neighbouring objection regarding use of bridleways, there is no statutory distance between a turbine and a designated bridleway.

Impact on the River Mease Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI):

The site lies within the catchment area of the River Mease Special Area of Conservation (SAC). Discharge from the sewage treatment works within the SAC catchment area is a major contributor to the phosphate levels in the river. Therefore an assessment of whether the proposal would have a significant effect on the SAC is required.

Given the nature of the turbine, the proposal does not include any foul drainage discharge. Although the access track is proposed to be hard surfaced, a condition can be imposed requiring details of the extent of the hard surfacing and whether any permeable surfacing could be proposed, and/or provision made for the direction of surface water to a soak-away.

Therefore it can be ascertained that the proposal on the site will, either alone or in combination with other plans or projects, have no likely significant effect on the internationally important interest features of the River Mease SAC, or any of the features of special scientific interest of the River Mease SSSI.

Coal

Parts of the site lie within the Coal Authority Referral Area and accordingly a Coal Mining Risk Assessment accompanied the application submission. The scheme has been considered by the Coal Authority who recommend a condition be imposed requiring that further site investigations be undertaken. A condition has been imposed to this effect.

Aviation

The NPPG states that wind turbines may have an adverse impact upon air traffic movement and safety either through the risk of collision with low flying aircraft or through interference with the operation of radar. No objections have been received to the proposal by Coventry City Airport or NATS and the Civil Aviation Authority have provided advice. The proposal is therefore not considered to impact upon aviation safeguarding requirements.

Electromagnetic Interference

It is recognised within the NPPG that wind turbines can potentially affect electromagnetic transmissions and that specialist organisations responsible for the operation of electromagnetic links typically require 100 metre clearance either side of a line of sight link from the swept area of turbine blades. The proposal has been considered by the Joint Radio Company who has raised no objection to the proposal based on known interference scenarios to radio systems operated by utility companies in support of their regulatory operational requirements. It is therefore not considered that the proposal would cause any electromagnetic interference.

Other Matters

Letters of Representation

In respect of other objections received which have not already been addressed within the report above:-

- There is no requirement for the applicant to submit a Health Impact Assessment.
- Loss of property value is not a material planning consideration.
- A right to a view is not a material planning consideration.
- In response to the appeal decisions outside the District, it is not considered that this carried any significant weight in the determination of this application.
- In respect of precedence, it should be noted that a planning application would be required for any potential future wind turbine developments and such an application would be considered on its own merits.

Conclusion

The NPPF states that there is a presumption in favour of sustainable development and that for decision-making this means approving development proposals that accord with the Development Plan, without delay.

There is specific planning policy support for the development of renewable energy projects at a national level and it is considered that the proposed erection of a 500 kW wind turbine would contribute to the overall outputs of renewable energy. It is however considered that these positive benefits of renewable energy of the proposed development must be carefully balanced against the harmful impacts and perceived impacts.

The scheme has been assessed from its landscape and visual impacts, impacts upon areas of historical and designated landscapes, impact upon residential amenity in relation to safety, noise and shadow flicker, ecology, coal, River Mease SAC/SSSI and other associated impacts including highway considerations, aviation and electromagnetic interference.

The scheme is not considered to cause any significant impacts in respect of these considerations and there are no other material impacts identified, that would indicate that the proposal is not in compliance with local development plan policies and overarching government guidance.

The NPPF supports the transition to a low carbon future in a changing climate by encouraging the use of renewable resources and the development of renewable energy and that local planning authorities should approve the application if its impacts are (or can be made) acceptable.

Accordingly the application is recommended for approval, subject to the imposition of planning conditions.

RECOMMENDATION - PERMIT, subject to the following conditions:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason- To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the submitted applications details, as follows: 'Landplan showing position of proposed turbine' Drawing No. LAND-2-001 and 'Blockplan showing proposed turbine and crane pad position' Drawing No. LAND-2-002 received by the Local Planning Authority 13 February 2015.

Reason - For the avoidance of doubt and to determine the scope of the permission.

- 3 The overall height of the turbine shall not exceed 77 metres to the tip of the blades or 50 metres to the hub height, when the turbine is in the vertical position, as measured from natural ground level immediately adjacent to the turbine base. The diameter of the blades of the turbine shall not exceed 54 metres and there shall be no more than 3 blades.

Reason - To define the scale parameters of the development, and to ensure that the ecological, noise and visual impacts of the turbine do not vary during its lifetime.

- 4 Prior to the commencement of development a scheme for the external appearance of the turbine and associated cabinet/kiosk, including materials, colour and finish shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

Reason - In the interests of visual amenity.

- 5 All cabling on the site between the turbine and the connection point shall be installed underground.

Reason- In the interests of visual amenity.

- 6 The permission hereby granted shall endure for a period of 20 years from the date when electricity is first exported from the wind turbine to the electricity grid network (the 'First Export Date'). After such time the use shall cease and the turbine and associated equipment shall be removed from site in accordance with Condition 8.

Reason - To ensure development appropriate for the area and to prevent unnecessary clutter within the landscape.

- 7 Written confirmation of the First Export Date of electricity to the National Grid from the wind turbine hereby approved shall be provided to the Local Planning Authority within one month of the date of this taking place.

Reason - To enable proper record to be kept of operational wind turbines to aid aviation safeguarding.

- 8 Not less than one year prior to the expiry of this permission a Decommissioning Method Statement shall be submitted to and in agreed in writing by the Local Planning Authority. This shall include details of the works for the removal of the turbine, ancillary equipment and structures, foundations, works for the restoration of the site and the proposed timetable for the works to be carried out. The decommissioning works shall then be carried out in accordance with the agreed Decommissioning Method Statement.

Reason - To ensure development appropriate for the area and to prevent unnecessary clutter within the landscape.

- 9 Should the wind turbine hereby approved no longer be required for the purposes of electricity generation or cease to operate for a continuous period of 6 months then a Decommissioning Method Statement as per the requirements of Condition 8 shall be submitted to and agreed in writing by the Local Planning Authority within 3 months of the end of the 6 months cessation period. The decommissioning works shall then be carried out in accordance with the agreed Decommissioning Method Statement.

Reason - To ensure development appropriate for the area and to prevent unnecessary clutter within the landscape.

- 10 No development shall commence on site until the further research and site investigation works as outlined in the submitted Coal Mining Risk Assessment by BWB (dated February 2015) has been carried out. In the event that the site investigations confirm the need for remedial works to treat any shallow mine workings and/or any other mitigation measures to ensure the safety and stability of the proposed development and/or special foundations, no development shall commence on site until these works have been carried out in full.

Reason - To ensure the stability of the development, having regard to the comments of the Coal Authority and good engineering practice.

- 11 All cables shall be set underground.

Reason - In the interests of visual amenity.

- 12 No demolition/development shall commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the

- site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
 - f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No demolition/development shall take place other than in accordance with the Written Scheme of Investigation.

Reason- To ensure satisfactory archaeological investigation and recording.

- 13 Prior to the first use of the development the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 12 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason- To ensure satisfactory archaeological investigation and recording.

- 14 Notwithstanding the submitted details no development shall commence until details of and implementation for the surfacing of the access/track, crane pad and all other associated infrastructure have first been submitted to and approved in writing by the Local Planning Authority. The information shall include the areas to be of a permeable or hard bound material (tarmacadam or concrete) and where hard surfaced, the disposal of surface water shall be to soakaway(s) or another sustainable drainage system, unless evidence to demonstrate that these means of drainage are not suitable for the site and alternative details of surface water discharge to mains sewer are first submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details and implementation period and thereafter retained.

Reason- To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) and to prevent an adverse impact on the River Mease Special Area of Conservation.

- 15 None of the pieces of the turbine nor associated infrastructure shall be brought onto the site until such time as the access has first been undertaken in accordance with the 'Access Junction Layout & Visibility Splays' Drawing No. ADC1154/004 received by the Local Planning Authority on 18 June 2015.

Reason - In the interests of highway safety.

- 16 The development hereby approved shall be carried out in accordance with Ecological Appraisal (by Avian Ecology Ltd dated 2014) including mitigation measured detailed within it.

Reason - In the interests of protected species.

- 17 The noise levels should not exceed those as specified within the submitted Noise Impact Assessment, unless an updated or amended Noise Impact Assessment is first submitted to and approved in writing by the Local Planning Authority.

Reason - The information provided is for a candidate turbine and in the interests of residential amenity.

Notes to applicant

- 1 Planning permission has been granted for this proposal. The Local Planning Authority acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 2 The Written Scheme of Investigation (WSI) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this written scheme of investigation has been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor. The Historic and Natural Environment Team, as advisors to the planning authority, will monitor the archaeological work, to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority.