

F/YR11/0113/F  
8 February 2011

**Applicant : Wind Ventures Limited**

**Agent : Miss E Browning  
Engena Limited**

**Land At Treading Field, Treading Drain, Tydd St Giles, Cambridgeshire**

**Erection of 4no wind turbines (maximum height to tip 126.0 metres, hub height 80.0 metres), a 80.0 metre high permanent meteorological mast, substation, external transformers, temporary construction compound and formation of access tracks, hardstanding areas and associated infrastructure**

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**The proposal is before the Planning Committee due to the level of objections received.**

**The site area is 6.33 hectares.**

**This application is a Major.**

**1. SITE DESCRIPTION**

The application site is located at Treading Field in Tydd St Giles Fen. The site is to the South of Broad Drove West, to the West of Cross Drove, the North of Goredike Bank and to the East of the District Border with South Holland District Council. The application is for 4 turbines, however, there is also a further application for 2 turbines within the South Holland District, which are being dealt with by South Holland District Council.

The site is flat in character and consists predominantly of open agricultural fields and drainage ditches. An existing wind monitoring mast sits within the site. There are residential dwellings in the wider area around the site and the settlements of Gorefield, Newton and Tydd St Giles sit to the South and East of the site.

**2. HISTORY**

- F/YR10/0176/F - Erection of a 70.0 metre high meteorological mast – Granted 6 May 2010.
- F/YR09/0395/SCOP - Screening and Scoping Opinion: Erection of 2 wind turbines – Further details required.

**3. CONSULTATIONS**

***Parish Council (Tydd St Giles)***

Views of all residents, Councillors and County Councillors must be taken into consideration. Have received numerous letters of objection. Cannot support the application on the grounds of noise, shadow flicker, impacts on wildlife and the visual impact upon the area.

***Parish Council (Gorefield)***

Some of Gorefield's residents will be affected by the development. Councillors are aware that in general most residents object and are concerned about the affect it will have on the village roads and infrastructure during the construction period.

***CCC Archaeology***

To be updated at Committee

***Environment Agency***

No objections but comment that the operational development of the scheme should not result in the deterioration of the drain and suspended solids in runoff from the site must be minimised. The EA supports the use of SUDs schemes where appropriate.

***FDC Scientific Officer***

No response received

***FDC Planning Agreements Officer (S106)***

No response received

***FDC Conservation Officer***

The closest buildings (within our District) appear to be the Grade II Listed Gorefield Church of St Pauls at c. 2,700m and the Grade II\* Listed Tydd St Giles Church at c. 4,200m distance.

***CCC Highways***

Pre-construction and post construction condition surveys of the entire access route must be undertaken with a representative of the LHA present. A programme for necessary repairs must be produced and agreed with the LPA on completion of construction. Full details of any works to the public highway shall be submitted to and approved in writing by the LPA. The routeing and mitigation measures are acknowledged and accepted.

***CCC Police Architectural Liaison***

No response received

***FDC Environmental Protection***

Request a condition relating to the submission of a scheme for protocol to operate the turbines should complaints of shadow flicker arise. Request a condition relating to the control of noise from the construction and operation of the turbines. Provide noise guidance notes.

<b><i>Civil Aviation Authority</i></b>	Have studied the information provided and the CAA do not wish to make any site-specific objections. There is a requirement in the UK for all structures over 300 feet high to be charted on civil aviation maps. Developers will need to provide details of the development to the Defence Geographic Centre in a timely manner. This can be implemented through a planning condition.
<b><i>Save Our Swans</i></b>	No response received
<b><i>The Ramblers Association</i></b>	No response received
<b><i>Anglian Water</i></b>	No response received
<b><i>Campaign to Protect Rural England</i></b>	No response received
<b><i>Government Office – East of England</i></b>	No response received
<b><i>EDF Energy Networks</i></b>	No response received
<b><i>NATS</i></b>	<ul style="list-style-type: none"> <li>- Initial response advised that based on primary technical findings the proposed development does conflict with the safeguarding criteria and therefore NATS objects. Will notify you in 8-10 weeks the results of the operational assessment and if this shows the impact to be acceptable the objection will be withdrawn.</li> <li>- Following further assessment the response was that they have no safeguarding objection to the proposal.</li> </ul>
<b><i>Save Our Skyline</i></b>	No response received
<b><i>Defence Estates – Safeguarding Bylaws</i></b>	No response received
<b><i>British Telecom</i></b>	No response received
<b><i>The Wildlife Trust</i></b>	No response received

**RSPB**

Supportive of renewable energy projects providing that adverse impacts upon wildlife are avoided by appropriate siting and design. Wish to register a holding objection as there is insufficient evidence provided to reach the conclusions in the ES.

Following the receipt of further information the RSPB remove its objection providing that suitable conditions can be applied to secure appropriate mitigation/enhancement measures and sound post-construction monitoring.

**Wildfowl and Wetlands Trust**

No response received

**Cambs Bat Group**

No response received

**Natural England**

- Climate change represents the most serious long term threat to the natural environment. Natural England is therefore supportive of renewable and clean energy in appropriate locations where there will not be unacceptable impacts on the natural environment. The application site is in the vicinity of the Nene Washes Special Protection Area (SPA) and Ramsar Site. On a precautionary basis we submit a holding objection until ornithological survey work is undertaken.
- We support the mitigation and proposed habitat enhancements for water vole and this should be secured by an appropriately worded condition.
- Support the micro-siting of the turbines to maintain a separation distance of 50m from key nodes of bat activity. Wish to see bats included in the post-construction monitoring mitigation.
- We do not object to the proposal on landscape and visual grounds.

Following the receipt of further information the comments were:

- In relation to the Nene Washes SPA no likely significant effect is predicted.
- Agree with the conclusions reached in the ES with regards to raptors and waders.
- Request a condition relating to a monitoring scheme for birds.
- No longer object to the application.

**Chatteris Airfield**

No response received

<b><i>Sibson Airfield</i></b>	No response received
<b><i>Peterborough Business Airfield</i></b>	No response received
<b><i>Marshals Paddock</i></b>	No response received
<b><i>Town Planning Technician South East</i></b>	No response received
<b><i>Fenland Aerodrome</i></b>	No response received
<b><i>Joint Radio Company Ltd</i></b>	Do not foresee any potential problems based on known interference scenarios and the data provided.
<b><i>Countryside Access Team</i></b>	BOAT No. 19 and Bridleway No. 13 runs along the edge and within the site. The turbine locations all appear to allow at least the 200m separation distance from these routes. We have no objections to these locations. Some concern over the use of parts of these public rights of way for construction traffic however this can be addressed through the inclusion of informatives.
<b><i>South Holland District Council</i></b>	No response received
<b><i>National Grid UK Transmission</i></b>	No response received
<b><i>English Heritage</i></b>	Have assessed the impacts on Grade I and II* Listed Buildings and Conservation Areas in Fenland and determined that there will be a degree of change to the setting of some of these heritage assets but that change will not amount to harm. There are no Scheduled Monuments affected. Recommend that the application is determined in accordance with national and local policy guidance.
<b><i>Local residents/interested parties:</i></b>	<b>194 letters of objection</b> received concerning (in summary): <ul style="list-style-type: none"> <li>- The noise from the turbines will affect all residents and detract from the peace and quiet of the area.</li> <li>- The infrastructure of the area cannot cope with the heavy construction traffic.</li> <li>- The roads are already in a poor state of repair.</li> <li>- Houses in the area are inherently liable to subsidence and the heavy plant machinery will cause further problems.</li> </ul>

- The local environment will be permanently damaged by the construction works. Untold damage will be done to the wildlife and flora of the whole vicinity.
- There will be no benefit for anyone living in the area as wind turbines do not generate efficient electricity and the electricity provided to the local area will not be subsidised by the proposed scheme.
- The cost of the development far outweighs any benefits that the scheme might provide.
- Negative effect on house prices.
- Concerns over the potential for shadow flicker and there is no proof that this will not adversely affect livestock and livelihood.
- It has been suggested that a wind survey done at this site indicated that the site would not be productive.
- Concerns over further degradation to signal strength for TVs and mobile phones.
- There are an extremely high number of wind turbines in Fenland already. It seems to be a dumping area.
- It looks suspicious that applications for wind farms are always sited as far away from the County capitals as possible.
- Electricity generation from wind farms is inefficient and expensive, relying on Government subsidies.
- Wind Farms destroy peace and tranquillity.
- The concrete needed to erect the turbines is hardly green or environmentally friendly.
- Why is the infrasound measurement, the low frequency noise, not measured when assessing the suitability of the site.
- The impact on wildlife is devastating. Birds and bats will be killed, habitats will be destroyed and horse riders pose a safety risk if their horses are startled by the turbines.
- The turbines will be a distraction when in the fields or the roads.
- The turbines will be a blot on the landscape.

- Will result in the area changing from rural to industrial.
- Concerns over the potential for ice throw.
- Renewable energy should be out at sea where it does not affect people's lives.
- This application will set a precedent for others.
- The turbine distance of 200m from the bridleway is not enough and is lower than the distance recommended by the British Horse Society.
- Specific habitats for Barn Owls, Little Owls and Sparrow Hawks have been created nearby.
- The location of some of the turbines is close to a number of field drains and the proposal could affect the conveyance of water in these drains and could increase flood risk.
- The turbines will be prominently visible for many miles in all directions with little opportunity for any screening.  
The site falls within the migratory flight line of whooper swans.

**131 letters of support** have been received concerning (in summary):

- Clean air is just as important as climate change and by increasing the amount of alternative energy sources we can cut the amount of toxic emissions in our atmosphere.
- Tackling climate change should be a number 1 priority.
- Delaying projects like this only adds to the danger that we will forever damage the planet.
- We need to reduce our reliance on fossil fuels.
- Climate change is a national concern and local issues should not override this.
- Wind farms do not detract from the beauty of the landscape. They are clean and un wasteful.
- Paying for fuel from abroad is a waste of money.
- Developing wind farms is a key way in which we can break the cycle of dependency on foreign countries.
- Climate change is an imminent threat.
- Fossil fuels pollute with oxides of

- sulphur and nitrogen.
- They are safer than nuclear.
  - The project will inject income in to the area and provide jobs, contracts and trade for the area.
  - They are visually better than nuclear power stations, factories and high rise flats.

1 petition has been received containing 21 signatures against the development and 3 signatures for the development.

### **Fenland Residents Against Wind Turbines (FenRATS)**

A number of documents have been submitted by a residents group (FenRATS) in objection to the proposed wind farm. These documents are summarised below:

FenRATS Document dated 30 April 2011 – Initial objection. The key concerns are as follows (in summary):

- Concerns over landscape and visual impact.
- Cultural Heritage Issues
- Noise Issues
- Sleep Disturbance and health issues
- Effects on living conditions
- Ecology issues
- Recreational interests
- The benefits of the proposal are at best very small and may even be insignificant.
- The proposal is contrary to a number of the Development Plan Policies.
- The material considerations are not sufficient to justify overriding the development plan.
- Demonstrated that severe harm would be done to the landscape, the living conditions of the residents, their health, listed buildings and important bird populations.
- The harm of the proposal would outweigh any benefits of the scheme.



FenRATS document dated 13 July 2011: A copy of a presentation with information by Michael Jefferson. The key points of this document were:

- Local Authorities should be required to rule that, where mean wind speeds are below 7m/s at 45 metres above ground level, as stated in the Government's wind speed database, then no wind energy proposals will be contemplated. This would save considerable costs and upset, allowing sharper focus on accelerating developments where mean wind speeds are higher.
- Refuse permission for the placing of any wind turbine higher than 25 metres to blade tip closer than 1.5km from the nearest residential property, unless the property owner has previously agreed compensation with the developer.
- The wind speed at Treading Bank is 6.3m/s above sea-level.

FenRATS visualisations received 14 December 2011. This contained the site location and viewpoint maps and existing and proposed visualisations of the wind farm from Guanock Farm (within the District of South Holland) and Ashtree Barn and St Malo, both on Broad Drove West.

FenRATS document dated January 2012 – Review of the December 2011 Residential Amenity Assessment produced by E4 Environment Ltd. The main points raised within this document are as follows (in summary):

- 37 properties were identified as experiencing significant effects but only two were visited.
- The plan showing properties is at a scale of 1:12500 despite the Landscape Partnership's request for 1:5,000.
- The residential survey relies on the Lavender Test but uses terms that do not appear in the test which is misleading.
- The survey relies too much on the terms 'overbearing' and

'overwhelming' and it is not clear how these definitions were sourced.

- Virtually every property within 1km of the nearest turbine will suffer significant effects, 37 in total.
- The viewpoints were not selected with sufficient care.
- The wireframes do not comply with best practice guidelines.
- Assessing the visual impact on a property from publicly accessible locations is most unsatisfactory.
- Quotes taken from other appeal decisions have been taken out of context and are misleading.
- The danger with relying on Inspectors' decisions is that all landscapes are different, all properties are different and all wind farm proposals are different.
- The assessor has been overly reliant on vegetation for screening.
- Have grave doubts over the accuracy of the Residential Survey Table.
- It is unfortunate that in some of the wireframes the turbines are not shown facing the viewer.
- The submitted information is inadequate and inaccurate.

FenRATS received 27 March 2012 – Copies of Appeal Decision Notices – Foxton Lane, Sedgefield, Country Durham – Dismissed March 2012; Carland Cross, St Newlyn East for the dismantling of a wind farm – Allowed January 2010; West Linton Farm, East Riding of Yorkshire – Allowed December 2009.

FenRATS document dated May 2012 – Supplementary Response on Residential Amenity Impacts. The key points are as follows (in summary):

- The effects on The Birches and Ashtree Barn are of the highest order of magnitude.
- The effects on all 37 properties within 1km of the nearest turbine would far exceed the threshold of significance in EIA terms.

- The proposed planting scheme at The Birches and Ashtree Barn would be ineffective for 10-12 years and there is substantial doubt over the effectiveness after this lengthy period of time.

FenRATS document dated April 2012 – Review of the Engena Proposed Planting Schemes for The Birches and Ashtree Barn.

- The screening proposals make it plain that the applicant considers the visual effects of the turbines on these properties to be unacceptable.
- It is clear that the proposed planting will not completely screen the turbines even after 10 years.
- The effects on Ashtree Barn and The Birches were assessed as being substantial/major.
- Why were similar planting schemes not proposed for other properties in the area which had similar assessments?
- The proposed planting will be ineffective and the turbines will have an unacceptable impact on the living conditions of all the properties listed in the review.

#### 4. POLICY FRAMEWORK

FDWLP Policy

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|----|---|
| E1 | - New development for which a rural location is essential should be sited on a site which minimises visual impact, of a scale and design that can be assimilated into the landscape and adequately screened and landscaped with native species. |
| E3 | - Where appropriate, conditions requiring landscaping and tree planting schemes will be imposed on planning permissions to ensure that new development significantly contributes to the visual character of the neighbourhood.                  |
| E8 | - Proposals for new development should:<br>Allow for the protection of site features;<br>Have regard to the amenities of adjoining properties;  |

East of England Plan	SS1 ENV3 ENV4 ENG1	<p>Provide adequate access.</p> <ul style="list-style-type: none"> <li>- Achieving Sustainable Development</li> <li>- Biodiversity and Earth Heritage</li> <li>- Agriculture, Land and Soils</li> <li>- CO2 Emissions and Energy Performance</li> </ul>
Core Strategy (Draft Consultation – July 2011)	ENG2 CS12	<ul style="list-style-type: none"> <li>- Renewable Energy Targets</li> <li>- Renewable energy proposals will be supported and assessed on their own merits taking account of the following factors: <ul style="list-style-type: none"> <li>- The surrounding landscape, townscape and historical features,</li> <li>- Residential amenity</li> <li>- Specific highway safety, designated nature conservation and biodiversity considerations</li> <li>- High quality agricultural land.</li> </ul> </li> </ul>
National Planning Policy Framework (NPPF)	Paragraphs 2 and 11	<ul style="list-style-type: none"> <li>- Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.</li> </ul>
Achieving Sustainable Development	Paragraph 14	<ul style="list-style-type: none"> <li>- Presumption in favour of sustainable development.</li> </ul>
Core Planning Principles	Paragraph 17	<ul style="list-style-type: none"> <li>- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants.</li> <li>- take account of the different roles and character of different areas ....., recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;</li> <li>- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change ....., and encourage the use of renewable resources (for example, by the development of renewable energy);</li> </ul>
Meeting the challenge of climate change, flooding and coastal change	Paragraphs 93 to 98	<ul style="list-style-type: none"> <li>- To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should: <ul style="list-style-type: none"> <li>● have a positive strategy to promote energy from renewable and low</li> </ul> </li> </ul>

carbon sources;

- 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;
- consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources;

When determining planning applications, local planning authorities should:

- approve the application if its impacts are (or can be made) acceptable.

Conserving and Para 109  
enhancing the natural  
environment

The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains where possible.

## 5. ASSESSMENT

### ***Nature of Application***

This is a full application for the erection of 4 wind turbines, an 80 metre high permanent meteorological mast, substation, external transformers, temporary construction compound and formation of access tracks, hardstanding areas and associated infrastructure. The wind turbines have a maximum tip height of 126 metres and a hub height of 80 metres.

The application forms part of the proposed wind farm with a further 2 wind turbines to be sited within the South Holland District, to the West of Fenland's District Boundary. In total the wind farm will comprise of 6 turbines, however, this application is for the 4 turbines that fall within Fenland. South Holland District Council have a separate application for the 2 turbines within their district.

The application has been accompanied by a number of documents including proposed visualisations, an Environmental Statement and a Non-Technical Summary. The developers carried out community consultation in the form of a public exhibition at Sutton St Edmund Village Hall prior to submitting the application.

The application is considered to raise the following key issues;

- Principle and policy implications
- Layout and Design
- Highways and Access
- Landscape Character and Visual Amenity
- Ecology and Biodiversity
- Section 106 Requirements.

It is considered that, by applying the planning balance considerations, it should be determined whether the above issues raise any adverse effects that could outweigh the significant benefits that a renewable energy scheme of this scale would bring.

### ***Principle and Policy Implications***

The proposal has been considered in line with the Development Plan Policies and National Guidance, in the form of the new National Planning Policy Framework (NPPF). Initially when the application was submitted the National Policy Guidance were in the form of PPSs, but these have now been superseded by the NPPF. Accordingly this application has been assessed under the NPPF, the Fenland District-Wide Local Plan, 1993, the East of England Plan and also the new Core Strategy, which is currently at Draft Consultation stage, but does carry some weight.

The Government has set a target of generating 20% of the UK's electricity by 2020 and also aims for the UK to be on a path to cut its carbon dioxide emissions by 60% by 2050, as well as maintaining reliable and competitive energy supplies. The development of renewable energy is considered to be a key part of meeting this target which has led to the view that renewable energy schemes should be supported where they do not result in other adverse impact upon the area that outweigh the renewable energy benefits. This application is for the erection of 4 wind turbines and associated infrastructure. Wind turbines are a sustainable and efficient source of renewable energy and, therefore, comply, in principle, with the provisions of the NPPF and emerging Core Strategy.

Policy E1 of the Fenland District-Wide Local Plan 1993 seeks, amongst other things, to ensure that new development for which a rural location is essential should be sited on a site which minimises visual impact, of a scale and design that can be assimilated into the landscape and adequately screened and landscaped with native species.

Policy E3 of the Fenland District-Wide Local Plan 1993 advises that where appropriate, conditions requiring landscaping and tree planting schemes will be imposed on planning permissions to ensure that new development significantly contributes to the visual character of the neighbourhood.

Policy E8 of the Fenland District-Wide Local Plan 1993 seeks, amongst other things, to protect the amenities of adjoining residential properties and ensure that development is in keeping with the character of the surrounding area.

The RSS East of England Plan Policy SS1 seeks to bring about sustainable development through a number of measures in order to help meet obligations on carbon emissions, amongst other criteria.

The RSS East of England Plan Policy ENV3 seeks to ensure that new development minimises damage to biodiversity by avoiding harm to local wildlife sites and wherever possible achieving environmental gains in development sites through retention of existing assets, enhancement measures and new habitat creation.

The RSS East of England Plan Policy ENV4 aims to ensure that the landscape, historic and wildlife value of farmland is increased whilst responding to issues such as climate change.

The RSS East of England Plan Policy ENG1 advises that new development should be designed to optimise its carbon performance and the supply of energy from renewable and low carbon energy sources should be encouraged.

The RSS East of England Plan Policy ENG2 states that the development of new facilities for renewable power generation should be supported in order to meet the regions targets.

Paragraphs 93 to 98 of the NPPF highlight the importance of providing renewable energy sources. Paragraph 98 states that applications should be approved, unless material considerations indicate otherwise, and that Local Planning Authorities should recognise the valuable contribution renewable energy projects have in relation to cutting greenhouse gas emissions. This demonstrates that there is a strong presumption in favour of renewable energy projects.

Policy CS12 of the Core Strategy (Draft Consultation July 2011) states that proposals for renewable energy will normally be supported. Whilst it is noted that only limited weight can be afforded to the provisions of the emerging Core Strategy, it demonstrates Fenland's direction in terms of proposals for renewable developments. CS12 would, therefore, suggest that more weight should be afforded to sustainability principles rather than visual appearance.

Upon receipt of the application The Landscape Partnership were engaged by Fenland District Council in order to review the application and provide professional and technical advice in relation to the Landscape and Visual matters related to the proposal. This include the application of the criteria and guidance in the Wind Turbine Development Policy Guidance which forms part of the evidence base for the LDF.

### ***Layout and Design***

This application seeks full planning permission for the erection of 4 wind turbines and associated equipment and buildings. The application forms part of a wider scheme of 6 turbines, where the two additional turbines fall within the South Holland District. The site comprises agricultural fields with drainage ditches.

The proposed turbines are to be a maximum height of 126 metres to the blade tip, and a hub height of 80 metres. The turbines are the 3 bladed design with a rotor diameter of 92 metres. The turbines are to be finished in a semi-matt grey colour.

The proposed layout of the turbines is to be in a semi-linear fashion, with the 4 turbines extending to the South West from Cross Drove. Each turbine will have an area of hardstanding around the base and an external transformer. A temporary construction compound and 33kV substation will be sited off Cross Drove at a distance of approximately 160 metres South West of the site access. .

In addition to the turbines a permanent wind monitoring mast is proposed to replace the existing temporary one on site. This will be of a un-guyed, galvanised steel, lattice tower mast with sensors mounted on booms at various heights. The overall height of this mast will be 80 metres. The mast is to be sited adjacent to the Treading Bank track and to the South East of Turbine 2.

It is considered that from the submitted information the layout and design of the turbines is partly determined by providing a minimum offset from neighbouring residential properties. For this reason the layout is not fully linear or aligning to

existing field patterns or ditches as indicated in the Wind Turbine Development Policy Guidance. There would also be some overlapping of blades from some locations to the east and west and also a visual relationship with the existing pylons to the south. The proposed layout has sought to balance these competing requirements.

### ***Highways and Access***

The main access into the site is via an existing access point off Cross Drove. The track will run through the site linking each turbine to create an access road throughout. Parts of the existing tracks within the site will be utilised and upgraded with the addition of new tracks to link the turbines together. Where possible, the tracks throughout the site will be utilised, however, where it is necessary to create new tracks these have been designed to follow field boundaries as much as possible to minimise the impacts on farming the local biodiversity. The upgraded and new tracks will be made up of a crushed stone surface over a stone sub surface and geotextile membrane.

For the purposes of construction of the wind farm the vehicles will utilise the major routes towards the area, including the A47 and would then follow the B1187 to Marshalls Bank to the site area. This proposal includes some minor road improvements, including some road widening at Gull Road, the temporary removal of some lampposts throughout the route for the duration of delivery only and road alterations at Marshalls Bank/Harolds Bank and Turnover Bank/Hassock Hill Drove. In addition to these works it has been suggested that a scheme for pre-construction and post-construction road surveys be put in place to identify and rectify any damage to the Highway verges that has been caused by this process. The Local Highways Authority have provided a number of conditions to be attached to any permission given in relation to road condition surveys, a repair programme and proposed highway works.

The highway impacts have been taken into consideration and it is considered that they are acceptable and are unlikely to have an adverse effect upon the surrounding area. As such the highway arrangements are considered to be in line with the criteria contained within the relevant Local and National policies. The highways considerations do not, therefore, outweigh the benefits of such a scheme in relation to Government targets and the benefits of renewable energy schemes.

### ***Landscape Character and Visual Amenity***

The site is located in relatively open countryside with the surrounding area being predominantly agricultural. The topography of the area is relatively flat, with wide views, punctuated by some dwellings and agricultural buildings, as well as some trees and hedging in the wider area. By their very nature, wind turbines are very visible in the landscape and this has to be fully considered in balance with the renewable benefits of the scheme. Policy E1 of the Fenland District Wide Local Plan requires screening where possible to mitigate the visual impact of countryside proposals. Although this has been noted it is acknowledged that screening of the turbines themselves would not be possible in many locations and, therefore, this has to be considered in balance with the renewable benefits of the scheme as a whole. The NPPF promotes the provision of sustainable development and states that if the impacts are acceptable (paragraph 98) applications should be approved.



This application has been accompanied by a number of visualisations of the proposed wind farm from a number of viewpoints within the surrounding area.

There are a number of dwellings nearby, with the closest ones (within Fenland District) being along Cross Drove, Broad Drove West, Goredike Bank and Elloe Bank. In light of the nearby dwellings the Landscape Partnership have provided a report and assessed the visual impacts on the nearby residential properties. They initially responded in July 2011 and advised that;

‘The application has been assessed in regard to the criteria in the Wind Turbine Development Policy Guidance. This finds the application acceptable in terms of Landscape Character, Landscape Capacity, Impact on Bridleways, Cumulative Landscape and Visual Impacts (for existing and consented schemes.) The application does not fully meet the criteria in terms of visual impact for properties within 2km and guidance on form and siting. The extent of the adverse impacts on residential locations needs to be fully examined through a Residential Amenity Study produced by the applicant.’

Following this initial response the Applicant produced further studies and work in response to The Landscape Partnership’s recommendation and submitted a Residential Amenity Study along with further visual representations some of which were from additional viewpoints. This was further assessed by The Landscape Partnership who, in relation to the Fenland Area, assessed that eleven properties would experience significant adverse impacts. However, of these only Ashtree Barn, at a distance of 0.7km, would be so adversely affected by the proposal that ,

‘On balance the effect would be overwhelming and unavoidable. This opinion is influenced by the proximity and number of turbines, the angle of the array, the lack of any existing detractors, the south facing views affected from the main views from the house, garden and grounds.’

Following this response the Applicants have produced a planting and screening scheme in relation to Ashtree Barn. Ashtree Barn currently has an existing laurel hedge to the southern boundary of the private garden with a further field boundary hedge bordering a small paddock adjacent to landowners property. The developers are proposing to plant an area of woodland to produce further screening in order to mitigate against the visual impact of the turbines. This planting scheme is to sit adjacent to the field boundary which abuts the small field to the South of Ashtree Barn and will serve to, over time, screen the views of the proposed wind farm, as well as enhancing existing habitats. The Landscape Partnership have commented and advised that within a period of 10 years the proposed planting scheme would serve to incrementally reduce in successive years the visual impact of the proposed turbines. In addition, if the existing laurel hedge is allowed to grow this would further reduce the visual impact of the proposal. It is also noted that the developers have advised that the planting could be carried out prior to the commencement of the construction of the wind farm and the turbines are unlikely to be in place within the first year whilst the planting scheme begins to get established. It is acknowledged that whilst the planting scheme grows there will be some significant visual impact affecting the residential amenity of the property. However, it is considered that on balance the interim effect on this one property is not considered to be sufficient to warrant a refusal in this instance.

It is acknowledged that the proposal will have some notable effects on the character of the area. However, the nature of the proposal is considered to be compatible in scale with the local landscape character. In regard to visual effects there will also be some notable visual impacts including on a number of the surrounding residential properties. However, the nature and number of these effects are not considered on balance sufficient to outweigh the renewable energy benefits of the proposed development. The impact on the most affected property, Ashtree Barn, can be mitigated to a degree by a planting scheme which can be suitably conditioned.

### ***Ecology and Biodiversity***

The application has been accompanied by an Environmental Statement which has fully assessed the impacts of the proposed wind farm on Ornithology and Non-Avian Ecology. The assessments carried out included desk studies, field surveys, vantage point surveys, breeding bird surveys, a barn owl survey, habitat surveys, mammal surveys, and herpetofauna surveys. In relation to the ornithological surveys seven bird species of elevated status were found to be present on the site, these being the Golden Plover, Hen Harrier, Marsh Harrier, Peregrine, Merlin, Little Egret and Barn Owl. A number of other bird species listed as birds of conservation concern were also recorded. No significant negative-effect risks were identified in relation to the Nene Washes and The Wash SPAs. Measures to avoid minor adverse effects to BoCC Red and Amber-listed breeding birds during the construction and decommissioning phases have been identified. The assessments conclude that the proposed wind farm is expected to have no significant impacts on values ornithological receptors. In addition, following the surveys on designated wildlife sites, UK Lincolnshire and Cambridgeshire BAP priority habitats, Badgers, Bats and Water Voles, the conclusions were that, given the design of the wind farm and the implementation of mitigation measures the proposal is predicted to have no significant impacts on valued ecological interests.

In addition to the surveys and existing biodiversity issues the proposed woodland planting scheme being proposed to mitigate the visual impacts on Ashtree Barn will also serve to enhance the habitats and biodiversity of the surrounding area.

A number of consultations were carried out to groups involves with ecology and biodiversity issues and the responses are summarised at the beginning of this report. Natural England have raised no objection to the proposal and advise that they agree with the findings in relation to raptors and waders, they state that there is no predicted significant effect in relation to the Nene Washes and they request a condition relating to a monitoring scheme for birds.

The impacts of the proposed wind farm on the ecology and biodiversity of the area have been considered in conjunction with the overall benefits of the production of renewable energy. It is considered that the proposal will not have any significant effects on the local wildlife and habitats and flora and fauna and is, therefore, considered to be acceptable in terms of biodiversity and ecology considerations.

### ***Section 106 Requirements***

Discussions in relation to the required Section 106 package are currently on-going and, therefore, the Section 106 Agreement requirements will be verbally updated at the Planning Committee.

## **Conclusion**

This application has been considered fully in line with the relevant National and Local Policies and the key issues identified throughout this report fully balanced between the material planning considerations and the renewable energy benefits. A renewable energy development of this scale and capacity is considered to make an important contribution to the Government's aim of reducing carbon dioxide emissions, and, therefore, National and Local Policies are generally supportive of such schemes. The development is unlikely to result in any adverse material planning impacts that outweigh the renewable benefits.

It is considered that in light of the issues discussed in this report the proposed development is considered to be acceptable and, therefore, is recommended for approval.

## **6. RECOMMENDATION**

### **Grant, subject to Conditions**

- 1. The development permitted shall be begun before the expiration of 3 years from the date of this permission.**

*Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.*

- 2. The permission hereby granted shall expire not later than 25 years from the date when electricity is first exported from any of the wind turbines to the electricity distribution grid (First Export Date). Written notification of the First Export Date shall be given to the Local Planning Authority no later than 14 days after the event.**

*Reason - In the interests of the appearance of the locality.*

- 3. Not later than 12 months before the end of this permission, a decommissioning and site restoration scheme shall be submitted for the written approval of the Local Planning Authority. The scheme shall make provision for the removal of the wind turbines and associated ancillary equipment to a depth of at least 0.2 metres below ground. The scheme shall include the management and timing of any works, a traffic management plan to address likely traffic issues during the decommissioning period, an environmental management plan to include details of measures to be taken to protect wildlife and habitats and a programme of implementation. The approved scheme shall be fully implemented within 12 months of the expiry of this permission.**

*Reason - In the interests of the appearance of the locality.*

- 4. Should the development hereby permitted not be used for the production of energy for a continuous period of 12 months, the turbines and associated buildings shall be removed in their entirety within 6 months and the land shall be restored to its former condition in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.**

*Reason - To prevent the retention of a development within the countryside that is not being used for its intended purpose.*

5. Prior to the commencement of the development hereby approved adequate temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.

*Reason - To minimise interference with the free flow and safety of traffic on the adjoining public highway.*

6. No development shall take place until a scheme to secure any repairs to the proposed access route required as a consequence of the development have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include proposals for a condition survey of the length of road shown as the access route and a programme and methodology for any necessary repairs following the completion of construction. A representative of the Local Highways Authority shall be present during all surveys. The scheme shall be implemented as approved.

*Reason - In the interests of highway safety.*

7. Prior to the commencement of the development hereby permitted, full details of any works to the public highway shall be submitted to and approved in writing by the Local Planning Authority.

*Reason - In the interests of highway safety.*

8. The proposed ecological mitigation measures contained within the submitted Environmental Statement, including for the enhanced habitats for water voles, should be implemented.

*Reason - In the interests of protecting and enhancing the biodiversity and ecological features of the site and surrounding area.*

9. Prior to the commencement of the development hereby permitted the ditch enhancements for water vole to provide simultaneous benefits to farmland birds should be expanded to benefit a wider range of birds and an alternative foraging habitat should be provided elsewhere within the land holding, details of which should be submitted to and approved in writing by the Local Planning Authority.

*Reason - In the interests of protecting and enhancing the biodiversity and ecological features of the site and surrounding area.*

10. Notwithstanding the submitted details post-construction monitoring, including corpse searches, should be carried out in years 1, 2, 3 and 5 following the start of operations.

*Reason - In the interests of protecting and enhancing the biodiversity and ecological features of the site and surrounding area.*

11. Prior to the commencement of the development hereby permitted the developers should provide details of the development to the Defence Geographic Centre.

*Reason - To enable the turbines to be charted on civil aviation maps.*

12. No development shall take place until a scheme detailing the protocol for the assessment of any complaints of shadow flicker resulting from the development, including remedial measures, has been submitted to the Local Planning Authority and has been approved in writing. Operation of the turbines shall take place in accordance with the agreed protocol.

*Reason - In the interests of protecting the amenities of nearby residents and those using the surrounding area.*

13. All construction and decommissioning shall be carried out in accordance with BS 5228:2009 Code of practice for noise and vibration control on construction and open sites.

*Reason - In the interests of protecting nearby residential amenity.*

14. Hours of work during construction and any associated traffic movements to or from the site that is audible to residents near the site shall be limited to 08.00 to 18.00 on Mondays to Fridays and to 08:00 to 13.00 on Saturdays. No work shall take place outside these hours (including on Bank or other Public Holidays) except works to erect turbines, dust suppression, emergency work, commissioning or testing of wind turbines where such work has been previously agreed in writing by the Local Planning Authority.

*Reason - In the interests of protecting residential amenity.*

15. No development shall commence until there has been submitted to the Local Planning Authority details of a nominated representative for the development to act as a point of contact for local residents together with the arrangements for notifying and approving any subsequent change in the nominated representative. The nominated representative shall have responsibility for liaison with the Local Planning Authority in connection with any noise complaints made during the construction, operation and decommissioning of the wind farm.

*Reason - In the interests of protecting nearby residential amenity against noise.*

16. The noise emission (LA90, 10 minute) from effects of the wind turbine, as measured in free field conditions at any dwelling, shall not exceed during night hours 2300 – 0700, the greater of 43dB(A) or 5dB(A) above the night hours background noise (LA90, 10 minutes) as measured in accordance with ETSU-R-97.

At all other times the noise emission (LA90, 10 minute) from the effects of the wind turbine, as measured in free field conditions at any dwelling, shall not exceed the greater of 35dB(A) or 5dB(A) above the

Quiet Waking Hours background noise (LA90, 10 minute) at wind speeds within the site not exceeding 12 metres per second.

Where a property is financially involved the noise limits are increased for daytime and night time noise to 45dB(A) or 5dB(A) above background noise levels.

Quiet day-time periods are defined as all evenings from 6pm to 11pm, plus Saturday afternoons from 1pm to 6pm and all day Sunday, 7am to 6pm. Night-time is defined as 11pm to 7am.

*Reason - In the interests of maintaining acceptable noise levels and protecting residential amenity.*

17. The level of noise emissions from the combined effects of the existing and proposed wind turbines (including the application of any tonal penalty) when calculated in accordance with the attached Guidance Notes, shall not exceed the values set out in the Noise Monitoring Results and Derived Noise Limits (dBLA90) of derived noise limits Table – Table X. Noise limits for dwellings which lawfully exist or have planning permission for construction at the date of this consent but are not listed in the Table of Property Locations – Table XX, shall be those of the physically closest location listed in Table XX unless otherwise agreed with the Local Planning Authority.

Within 28 days from the receipt of a written request from the Local Planning Authority and following a complaint to the Local Planning Authority from the occupant of a dwelling which lawfully exists or has planning permission at the date of this consent, the wind farm operator shall, at the wind farm operator's expense, employ an independent consultant approved by the Local Planning Authority to assess the level of noise emissions from the wind farm at the complainant's property following the procedures described in the Guidance Notes.

The wind farm operator shall provide to the Local Planning Authority the independent consultant's assessment and conclusions regarding the said noise complaint, including all calculations, audio recordings and the raw data upon which those assessments and conclusions are based. Such information shall be provided within 3 months of the date of the written request of the Local Planning Authority unless otherwise extended in writing by the Local Planning Authority.

Wind speed, wind direction and power generation data shall be continuously logged and provided to the Local Planning Authority at its request and in accordance with the attached Guidance Notes within 28 days of such request. Such data shall be retained for a period of not less than 12 months.

*Reason - In the interests of maintaining acceptable noise levels and protecting residential amenity.*

18. The delivery of any construction materials or equipment for the construction of the development, other than turbine blades, nacelles and towers, shall be restricted to the hours of 07:00 – 18:00 on Monday

to Friday inclusive, 08:00 – 13:00 hours on Saturdays, with no such deliveries on a Sunday or Public Holidays.

*Reason - In the interests of residential amenity.*

19. Prior to the erection of any turbine, details of the finish and colour of the wind turbines and any external transformer units shall be submitted to and approved in writing by the Local Planning Authority. No name, sign, symbol or logo shall be displayed on any external surfaces of the turbines or any external transformer units other than those required to meet statutory health and safety requirements. The agreed colour finishes of the wind turbines shall not be changed without the prior written consent of the Local Planning Authority.

*Reason - In the interests of the appearance of the locality.*

20. The temporary construction compound shall be removed from the site within 3 months of the commissioning of the final turbine.

*Reason - To safeguard the visual amenities of the area.*

21. All cabling between the turbines and the switchgear building shall be laid underground.

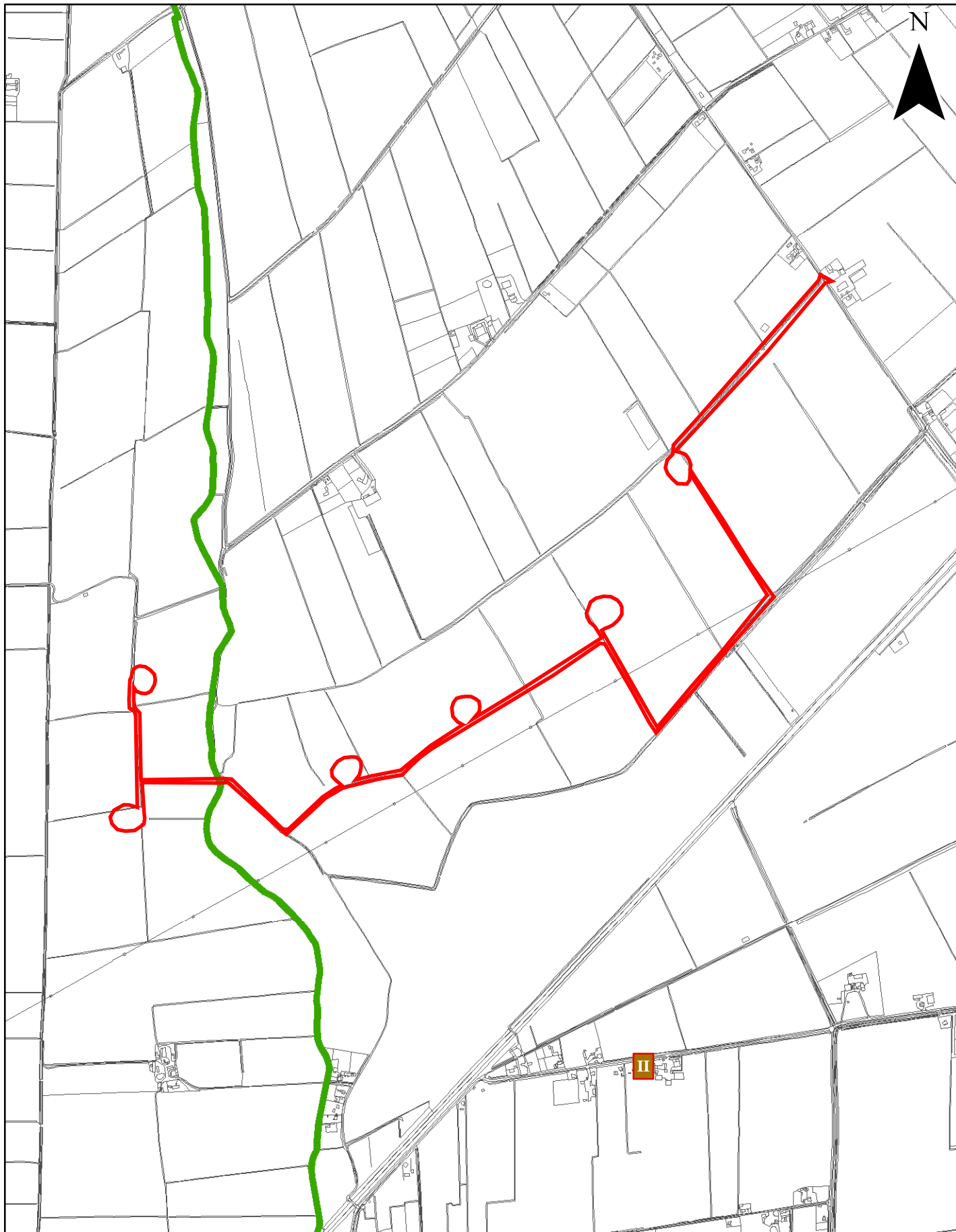
*Reason: To safeguard the visual amenities of the area.*

22. The overall height of the wind turbines shall not exceed 126 metres to the tip of the blades when the turbine is in a vertical position as measured from natural ground conditions immediately adjacent to the turbine base.

*Reason - To safeguard the visual amenities of the area.*

23. Prior to the commencement of the development hereby permitted a planting mitigation scheme for the benefit of Ashtree Barn shall be submitted to and approved by the Local Planning Authority. This shall follow the principles set out in the submission by E4Environment Ltd of 7/3/12. on behalf of the applicant. The scheme shall include details of species, implementation specification and ongoing maintenance and management for the duration of the planning consent. The approved planting scheme shall be fully implemented prior to the erection of any turbines on site

*Reason - In the interests of protecting residential amenity.*



Scale: 1:15,000

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**Development Services**

**Reference: F/YR11/0113/F**





Treading Wind Farm



prepared on behalf of



Application boundary

Land ownership boundary

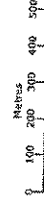
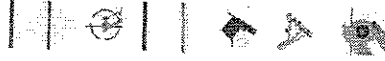
Proposed turbine location with external transformer (orange) and handstanding (+ 20m microsting) upgraded access track

New access track

Temporary construction compound (blue) and 33kV substation (red)

Neurological mist

33kV substation (red)



Application Plan

Scale 1:10,000 at A2

Site Layout

