

Application Number: F/YR12/0303/F

Minor

Parish/Ward: March/March North

Date Received: 16 April 2012

Expiry Date: 11 June 2012

Applicant: Mr. R. Moore

Richard Moore Engineering

Proposal: Erection of 1 x 41.4 metre high (hub height) wind turbine

Location: Three Acres, South Junction, Creek Road, March

Site Area/Density: 0.066ha

Reason before Committee: This proposal is before the Planning Committee in the wider interest.

1. EXECUTIVE SUMMARY/RECOMMENDATION

The proposed wind turbine has an overall height of 55.9 metres. In planning policy terms the proposal partly accords with national, regional and local planning policy in that it contributes to the need for renewable energy, does not adversely affect noise and has an appropriate access. However, Section 6 of the Council's Wind Turbine Development Policy Guidance (WTDPG) sets out the criteria for assessing planning applications based on biodiversity, landscape character, landscape capacity, visual impacts, cumulative landscape impacts and cumulative visual impacts. The proposal is considered to be an unacceptable dominant visual feature in the landscape, which would overpower sensitive adjoining residential locations within and around the settlement of March and as such would conflict with the aims of the WTDPG, and other National, Regional and Local Policy. In addition, the application does not meet biodiversity criteria. The application is, therefore, recommended for refusal.

2. HISTORY

Of relevance to this proposal is:

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|-----|-----------------|--|---|
| 2.1 | F/YR11/0920/SCO | Screening Opinion – Erection of 1 wind turbine | Further details not required 20/12/2012 |
| | F/YR11/0357/F | Erection of a 40.0 metre high meteorological mast for a temporary period of 6 months | Granted 23 June 2011 (for 6 months) |
| | F/YR11/0898/F | Erection of 2 wind turbines | Application withdrawn/cancelled |
| | F/YR02/0605/F | Construction of 7 timber moorings | Granted 19 September 2002 |

3. PLANNING POLICIES

3.1 National Planning Policy Framework:

Paragraph 2: Planning law requires that application for planning permission must be determined in accordance with the development plan.

Paragraph 14: Presumption in favour of sustainable development.

Paragraph 93: Meeting the challenge of climate change, flooding and coastal change.

Paragraph 109: Conserving and enhancing the natural environment.

3.2 **Draft Fenland Core Strategy July 2012:**

CS12: Responding to climate change and managing the risk of flooding in Fenland.

CS14: Delivering and Protecting High Quality Environments across the District.

3.3 **Fenland District Wide Local Plan:**

EMP1: Proposals will normally be favoured for new, or the extension or expansion of existing firms ... outside DABs the expansion of existing firms will only be permitted where certain criteria are satisfied.

E1: To resist development likely to detract from the Fenland landscape. New development should meet certain criteria.

E8: Proposals for new development should: allow for protection of site features, be of a design compatible with their surroundings, have regard to amenities of adjoining properties and provide adequate access.

E20: To resist any development which by its nature gives rise to unacceptable levels of noise, nuisance and other environmental pollution.

3.4 **East of England Plan:**

SS1: seeks to bring about sustainable development

ENG2: The development of new facilities for renewable power generation should be supported with the aim that by 2010 10% of the region's energy, and by 2020 - 17%, should come from renewable sources (excluding energy from offshore wind)

ENV2: Planning Authorities should protect and enhance the diversity and local distinctiveness of countryside character by developing area-wide strategies and Landscape character assessments to ensure development respects/enhances local landscape character.

ENV3: Ensure that new development minimises damage to biodiversity.

ENV4: Ensures that the landscape, historic and wildlife value of farmland is increased whilst responding to issues such as climate change.

4. **CONSULTATIONS**

4.1 ***March Town Council:*** Recommend refusal – inappropriate development for this area and too intrusive.

4.2 ***Network Rail*** No observation to make.

- 4.3 **Architectural Liaison Officer** The height of the turbine should have no detrimental effect on operation of the emergency services air operations unit. The crime impact assessment of the proposals is low and we would not object to granting of permission for this application.
- 4.4 **Anglian Water** No concerns from a groundwater perspective.
- 4.5 **Local Highway Authority (CCC):** Given the existing level and type of vehicle generated by the uses within the site, and the modest additional level of traffic likely to be generated for a short time during the construction phase, I do not consider that I could sustain a recommendation of refusal of this proposal.
- 4.6 **Natural England** This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. The protected species survey has identified that bats, a European protected species may be affected by this application. Further survey effort is required in accordance with Bat Surveys - good practice guidelines and you should request additional information from the applicant. If it is not provided, then the application should be refused.
- 4.7 **Middle Level Commissioners** The Boards South Creek pumping station and main drain is approximately 210 m north east of the site. In addition, the access track and small open water course immediately north of the site are owned by the Board who advised the applicant that they will not permit turbines to overhang Board drains. Based on the evidence submitted, it would appear that the turbine layout does not otherwise detrimentally affect either the Commissioners/Boards systems – any relevant issues will require prior written consent.
- 4.8 **CAA** CAA did not support or oppose the proposal but state that the CAA has no responsibilities for safeguarding sites other than its own property.

- 4.9 **Environmental Protection Officer** We recommend that the following conditions should be added to a planning permission should it be granted.
- Night-time noise levels
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 minute) as measured in accordance with ETSU-R-97.
- Day-time noise levels
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 10 metres per second.
- 4.10 **Joint Radio Company** Cleared with respect to radio link infrastructure.
- 4.11 **Environment Agency** We have reviewed the submitted Flood Risk Assessment (FRA) with regard to tidal and designated main river flood risk sources and consider this to be acceptable for scale and nature of the proposed development. No objections.
- 4.12 **CCC Rights of Way Team** Public Footpath No 4, March, runs along the north bank of the River Nene, close to the proposed turbine's location. We have no objection to the application.
- 4.13 **Local residents/interested parties** 22 separate objections were received from individuals and 18 objections were received from 9 households raising the following issues:
Affected by noise, flicker and visually.
Distance from residential properties less than that recommended in recent House of Lords Bill.
Disturbance to habitat.
Risk to safety of walkers.
Contrary to wind turbine development policy guidance.
Visible from public footpaths.

Reduce property values.

Not against wind power as a form of alternative energy but turbines should be sensibly sited and at distances sufficiently far away from residents, workers, wildlife and passers by.

Contradictory statements in the application. Road infrastructure leading to Three Acres is wholly inadequate.

We suggest using photo cell panels on the roofs.

This is a backward step for the town of March.

Various health and safety objections re, fire, stability issues etc.

The turbine would be one more obstruction to using the right of way which is completely blocked by obstructions and signs and I feel quite intimidated when I try to use it.

The cumulative effect of adding a large turbine will have a visual impact.

Bats are in the vicinity and this must be a serious consideration for the panel.

The turbine should be positioned on the original spot of the other turbine away from tourist/residential moorings (adjoining).

The turbine would conflict with my full planning permission for 7 timber landing stages for winter storage and summer holiday moorings (tourism).

The effect of water on noise is that it carries the sound further and magnifies it.

4.14 **MOD (Defence Infrastructure Organisation) Safeguarding Officer**

The MOD is now in a position to remove its objection, as of 17 July 2012, the MOD has ceased safeguarding the Primary Surveillance Radar at RAF Cottesmore from wind farm development proposals. If planning permission is granted, the MOD will require that the turbine (55.9 metres in height from ground level to blade tip) be fitted with 25 candela omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point.

5. SITE DESCRIPTION

- 5.1 The application site is located on an existing industrial site at Three Acres, South Junction, Creek Road March. It comprises a number of industrial buildings in various states of repair and style, open yard storage and a

residential property within the site fronting the River Nene. The turbine is proposed in the northwest corner of the site. It has a rated power output of 225kW. The site is bounded to the south and south west by the River Nene, to the north by agricultural land (with a farm track and drain bounding the site) and to the west by degraded and overgrown land. Residential/tourist river moorings exist along and adjacent to the south boundary. There is also a right of way along the south boundary fronting the River Nene, which at present is impassable. However, the applicant is in discussion with the CCC rights of way team to relocate the right of way to the top of the river banking at which point it is intended to erect a boundary fence. The turbine is located approximately 200 metres from Mallard Way and Riverdown to the west. A partly elevated railway line runs along the east boundary of the established urban boundary. A line of established residential development is situated along Creek Road which lies to the north west of the site at a distance of between approximately 300 to 500 metres from the turbine. This residential area again forms an established urban boundary with an open aspect over agricultural land to the north east, east and south east. This turbine will be in clear view from this area. In the far distance the wind farm development at Coldham is clearly in view.

6. PLANNING ASSESSMENT

6.1 *Nature of Application*

The application seeks full planning permission for the erection of a turbine, 41.4 metres to hub and 55.9 metres to top blade tip (swept area). It has a rated power output of 225kW. The turbine will be used to generate electricity to reduce reliance on fossil fuels, energy bills and carbon emission. The colour of the turbine is white on a solid cone shaped tower with 3 GRP blades. Access to the site will be via the existing industrial access roadway, which also accommodates a public footpath.

A full Environmental Impact Assessment was not required for this application but the following key issues have been considered;

- Site history
- Principle and policy implications
- Visual Impact
- Landscape Impact/Cumulative Visual Impact
- Biodiversity
- Environmental/Amenity Considerations
- Access.

Site History

As noted above Planning Permission has been previously granted for a 40.0 metre high meteorological mast for a temporary period of 6 months immediately adjacent to the proposed turbine. This is similar in height to the hub height of the proposed turbine and is useful for comparative purposes. There is an extant consent for residential/visitor moorings close by. The turbines at Coldham Wind Farm are visible in the distance from Creek Road.

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), the Fenland District-Wide Local Plan 1993, the East of

England Plan and also the emerging Fenland Communities Development Plan Core Strategy.

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 form 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 a wind turbine. Wind turbines are a sustainable and efficient source of renewable energy and, therefore, comply, in principle, with the provisions of the NPPF, the East of England Plan and the emerging Core Strategy – but are also subject to other environmental considerations which will be outlined below.

In addition to the policy framework highlighted under Section 3 above, due regard must also be given to the Fenland Wind Turbine Development Policy Guidance June 2009 (WTDPG). This document provides local guidance in relation to wind turbine development. It is recognised that there is a need to ensure that future development is in balance with the local landscape and the population that lives within it. As a result, the WTDPG was produced by landscape consultants for FDC in April 2008. The WTDPG has been adopted as supplementary planning guidance by the Council and sets down a number of landscape character types and criteria for evaluating the sensitivity of each type.

Section 6 sets out the criteria for assessing planning applications based on: *Landscape character, Landscape capacity, Visual impacts, Cumulative landscape impacts, Cumulative visual impacts, Biodiversity considerations, Heritage considerations, Recreation and transport routes, and Mitigation.*

Where wind turbine development is considered appropriate in the light of the above criteria, guidance is then given in terms of how the form and siting of turbine(s) should relate to the characteristics of the landscape type in which it is to be situated. Under the above guidance the proposed site is situated within the following designations:

- 1 *“The Fens” landscape character area which has a medium - high landscape capacity for groups of 17+,*
- 2 *A high landscape capacity for single turbines*
- 3 *A high landscape capacity for small turbine groups (2-5),*
- 4 *A high landscape capacity for small/medium turbine groups (6-11),*
- 5 *A medium-high landscape capacity for medium turbine groups (12-16),*
- 6 *A medium-high landscape capacity for large turbine groups (17+),*
- 7 *Within the 5km conspicuous zones for existing turbines.*

In terms of landscape capacity within the Drained Fenland character type the WTDPG advises that the “cumulative impact of wind turbine development needs to be carefully considered”.

In terms of visual impact the WTDPG advises that:

- *Proposals within 400m of a settlement are highly unlikely to be considered acceptable in visual amenity terms.*
- *There should be no shadow flicker for any residential properties or on A or B roads.*
- *Proposals within 2km of a settlement should be carefully considered as turbines are likely to be highly prominent features*
- *Turbines should be set back a minimum distance of 200m from public Footpaths. The WTDPG advises that for National Trails this should be 3 times the distance of the overall height of the turbine.*
- *Residential properties and users of recreational routes/facilities are likely to be considered more sensitive as receptors.*

In terms of cumulative landscape impact the WTDPG advises that that there is a danger that excessive development of wind turbines in any landscape would at some point result in such material change as to unbalance and overpower the existing key characteristics of the landscape. To prevent this it advises that within the Drained Fenland character type not more than 25% of the area should be within 2km of a turbine development (prominent zone) and not more than 75% within 5km (conspicuous zone).

- *Proposals for new wind turbine development, detached from existing turbine sites by more than 500m but within 4km of existing turbine developments are unlikely to be acceptable in visual terms. In some circumstances a distance greater than 500m is required.*
- *Proposals for new development within 10km of existing turbine developments need to be carefully considered.*
- *Settlements of more than 10 dwellings should not have wind turbines in more than 90° of their field of view from public or residential viewpoints within or around the settlements from a distance of 10km from the settlement.*
- *No more than 25% of the length of A and B roads and railways should be within 2km of wind turbines (prominent zone) and no more than 75% of its length being within 5km of turbines (conspicuous zone)*
- *Turbines within 4km of each other are likely to demonstrate a significant cumulative impact from a number of locations and are less likely to be considered acceptable in visual/landscape terms, unless they form a relatively modest extension to an existing turbine development.*

Visual Impact

As noted above the hub height of the proposed turbine hub is 41.4 metres plus blades bringing the overall height to 55.9 metres. The effect of this structure in the landscape can be envisaged by comparing the height of the existing 40 metre high meteorological mast. The turbine can clearly be seen from Creek Road as can the wind turbines at Coldham – all within a visibility arc of approximately 90 degrees. The turbine will also be seen in the vicinity of the River Nene to the south of the site and from various other viewpoints in the area. The nearest groupings of residential properties are situated at a distance of approximately between 200 metres and 500 metres from the proposed turbine, with the turbine being located approximately 200 metres from Mallard Way and Riverdown to the west. A line of established residential development is situated along Creek Road which lies to the north west of the site at a distance of between approximately 300 to 500 metres from the turbine. This residential area again forms an established urban boundary with an open

aspect over agricultural land to the north east, east and south east. This turbine will be in clear view from this area. In the far distance the wind farm development at Coldham is also clearly in view. The turbine would be clearly visible in the immediate locality and would be viewed in the context of the Coldham Wind Farm. The impact of the turbine on the visual amenity of the surrounding area is considered to be unacceptable and conflicts with the WTDPG which states that proposals within 400m of a settlement are highly unlikely to be considered acceptable in visual amenity terms. Furthermore, the WTDPG identifies that proposals for new development within 10km of existing turbine developments and proposals within 2km of a settlement should be carefully considered as turbines are likely to be highly prominent features.

The proposal will also be seen from the adjoining River Nene as it is between 40 and 70 metres from 2 rights of way on the north and south bank of the River Nene - this being an important tourist asset which the Council seeks to protect, enhance and promote. The turbine is within the recommended 200 metre minimum distance from public footpaths - in this case 2 rights of way - and as such is in conflict with the WTDPG.

Landscape Impact/Cumulative Visual Impact

The site is not located within any national or locally designated landscape areas. However, it is important to consider the impact of the turbine on the overall appearance of the Fenland landscape in terms of cumulative visual impact and the proximity of existing turbines at Coldham. The wind farm at Coldham is viewed at a distance from established residential development situated along Creek Road, but would be seen along with the proposed turbine within a visibility arc of approximately 90 degrees. The WTDPG advises that that:

- there is a danger that excessive development of wind turbines in any landscape would at some point result in such material change as to unbalance and overpower the existing key characteristics of the landscape,
- Proposals for new development within 10km of existing turbine developments need to be carefully considered.

It is considered that in this case adverse cumulative visual impact will occur to the detriment of visual amenity in the surrounding area (in particular from established residential development situated along Creek Road) which will unbalance and overpower the existing key characteristics of the landscape and therefore conflict with the WTDPG.

Biodiversity

Natural England advise that this proposal does not appear to affect any statutorily protected sites or landscapes, have significant impacts on the conservation of soils nor is the proposal an EIA development. The protected species survey identified that bats, a European protected species, may be affected by this application and that further survey work in the form of bat surveys is required in accordance good practice guidelines. The application as currently submitted is therefore in conflict with the advice received from Natural England.

Environmental/Amenity Considerations

Shadow flicker created by the turning of the turbine blades at certain times of day should also be considered. The impact is considered to be minimal given the size of the turbine and proximity of the nearest property over 200m from the turbine. Noise impact from the turbine has been assessed and noise conditions have been recommended by Environmental Protection as a safeguard in the event of any justified complaint being received.

Access

Access to the site will be via the existing industrial access roadway which also partly serves as a right of way. The Highway Authority has no objections and the access is acceptable for construction and ongoing maintenance traffic.

7. CONCLUSION

- 7.1 The proposal partly accords with national, regional and local planning policy in that it contributes to the need for renewable energy, does not adversely affect noise and has an appropriate access. However, the proposal is considered to be an unacceptable dominant visual feature in the landscape, which would overpower sensitive adjoining residential locations within and around the settlement of March and as such would conflict with the aims of the WTDPG, and other National, Regional and Local Policy . In addition, the application does not meet biodiversity criteria. The application is therefore recommended for refusal.

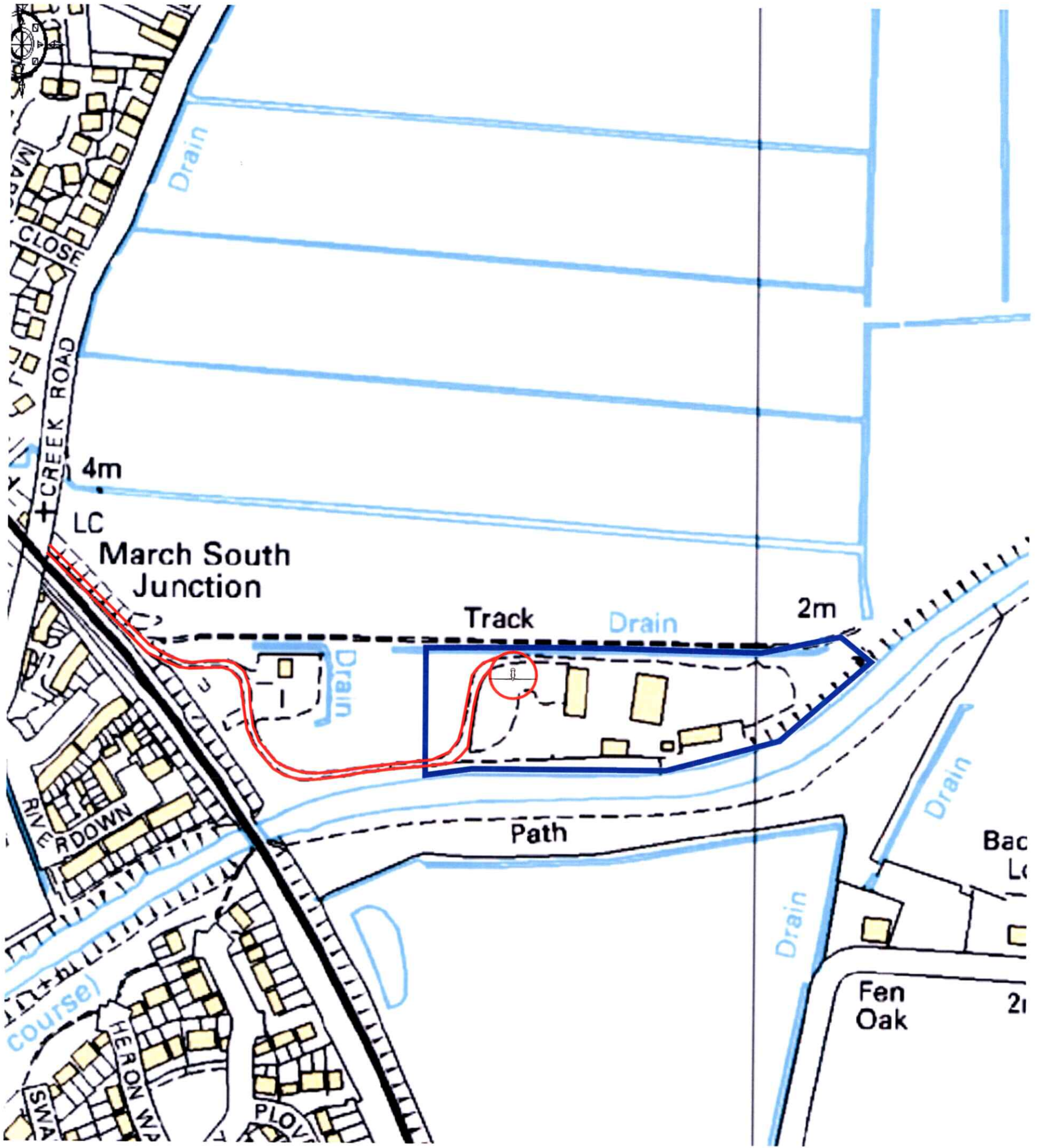
8. RECOMMENDATION

Refuse for the following reasons -

1 The proposal is contrary to:-

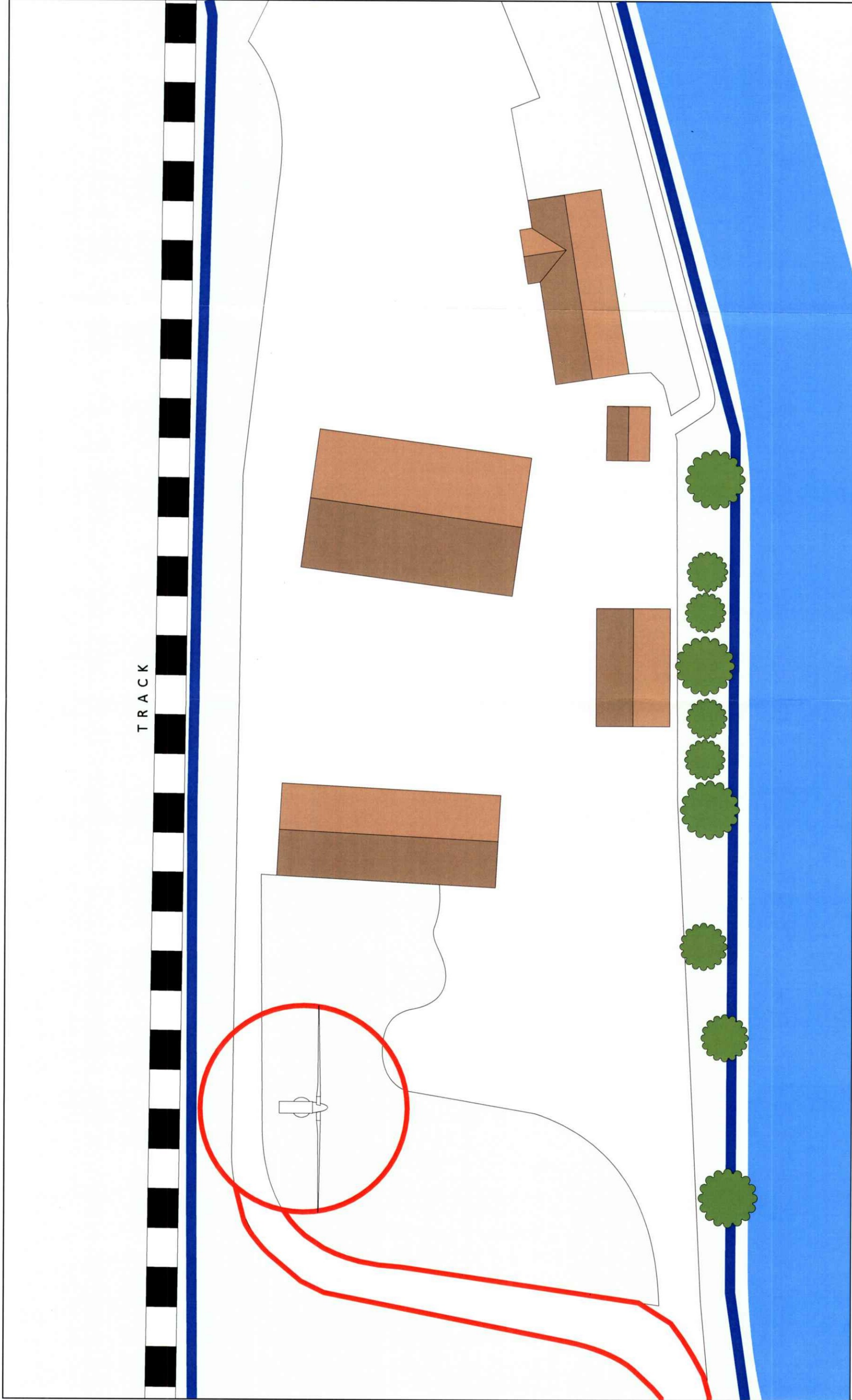
- 1 The Fenland Wind Turbine Development Policy Guidance June 2009 as it is considered to be visually unacceptable,**
- 2 Paragraph 109 of the National Planning Policy Framework 2012 in that it does not conserve and enhance the surrounding natural environment,**
- 3 Policy CS14 of the Draft Fenland Core Strategy July 2012 which seeks to deliver and protect high quality environments across the District,**
- 4 Policies E1 and E8 of the Fenland District Wide Local Plan which seek to resist development likely to detract from the Fenland landscape, be of a design compatible with their surroundings and have regard to amenities of adjoining properties, and**
- 5 Policies ENV2, 3 and 4 of the East of England Plan which seek to protect and enhance the diversity and local distinctiveness of countryside character, ensure development respects/enhances local landscape character and minimise damage to biodiversity.**

- 2 The application fails to provide a protected species survey of adjoining buildings in order to identify whether or not bats, a European protected species, may be affected by this application.**



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| PROJECT | | SMALL SCALE RENEWABLE ENERGY SCHEME | | dip planning ltd OFFICES ALSO AT: BRISTOL, CARDIFF, LONDON AND SHEFFIELD | |
| Date | MARCH 2012 | OS Ref. | | DRAWING TITLE | SITE LOCATION PLAN |
| Scale | 1:2500@A3 | Drawing no. | DLP1 | | |
| Job no. | C247 | Rev. | | | |



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| CLIENT RICHARD MOORE ENGINEERING PROJECT SMALL SCALE RENEWABLE ENERGY SCHEME | Date MAR 2012 Scale 1:500@A3 Job no. C247 | OS Ref. Drawing no. DLP2 Rev. | Drawn by |
| | | | Checked |
| DRAWING TITLE BLOCK PLAN | | DLP PLANNING LTD 4 ABBEY COURT, FRASER RD, PRIORITY BUSINESS PARK, BEDFORD MK44 3WH T 01234 832 740 F 01234 831 266 E bedford@dipconsultants.co.uk www.dipconsultants.co.uk | |
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CLIENT
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 PROJECT
 SMALL SCALE RENEWABLE ENERGY SCHEME

DRAWING TITLE
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