AGENDA ITEM NO.11

Application Number: F/YR12/0939/F
Minor
Parish/Ward: March
Date Received: 30 November 2012
Expiry Date: **25 January 2013**
Applicant: Mr M Mottram
Agent: Miss R Goodfield, Mosscliff Environmental Ltd.

Proposal: Erection of a 36.4m high (hub height) 50 kw wind turbine and control unit
Location: Land North West of Potash Farm, Whittlesey Road, March

Site Area/Density: 290 sq metres

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

1. **EXECUTIVE SUMMARY/RECOMMENDATION**

This is a full application for a proposed single wind turbine at land off Whittlesey Road in March. The application had previously been submitted under reference F/YR12/0594/F which was withdrawn due to lack of biodiversity and auto-tracking information. The proposed wind turbine has an overall height of 46 metres**.** The proposal is considered to accord with national regional and local planning policy in contributing to the need for renewable energy. However, the proposal is considered unacceptable in visual terms given its prominence and isolated position.

2. **HISTORY**
Of relevance to this proposal is:-

2.1	F/YR12/0967/F	Erection of a 2-storey 3-bed agricultural dwelling with detached garage/carport and office.	Pending decision
2.2	F/YR12/0594/F	Erection of a 36.4 metre high (hub height) 50kw wind turbine and control unit.	Withdrawn 9 October 2012
2.3	F/YR12/0418/F	Erection of an extension to rear and addition of cladding to enclose open storage area of existing agricultural building – Potash Farm.	Granted 17 July 2012
2.4	F/YR12/0341/O	Erection of an agricultural dwelling and office store – Land SE of Potash Farm.	Granted 25 June 2012

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.
Paragraph 98: Need for renewable energy and acceptable impacts.

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.
E3: To retain existing trees and hedgerows. To impose, where appropriate, conditions on planning applications requiring landscaping and tree planting schemes. To request the submission of a landscaping scheme with planning applications on visually important sites.

3.4 **The Fenland Wind Turbine Development Policy Guidance June 2009 (WTDPG)**
Details contained under assessment section.

4. **CONSULTATIONS**

4.1	***Town Council***:	Recommend refusal. Inappropriate site for this proposal.
4.2	***Natural England***	The 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. It would appear that bats may be affected therefore the standing advice chart was followed which concluded that there were no suitable features for roosting within the application site and therefore the LPA should accept the findings of the submitted report and consider promoting biodiversity enhancements for bats on the site.
4.3	***Chatteris Airfield***	No objections due to the distance from the Airfield.

4.4	***Middle Level Commissioners***	It would appear that whilst the turbine layout does not detrimentally affect the Boards system, prior written consent may be required for the installation of the turbine and to accommodate the export cable. Whilst the proposal is likely to inflict minimal damage, care needs to be taken to prevent the severing of surface and foul water sewers. Any works that affect any on-site open watercourses will require an ES and a Risk Impact Assessment. Require test results to prove that the proposed surface water drainage system will work efficiently.
4.5	***Countryside Access Team***	There are no Public Rights of Way within the fall over height of the proposed turbine and there are no Public Bridleways within 200m, therefore no objections.
4.6	***CCC Police Architectural Liaison Officer***	The height of the turbine will have no detrimental impact on the operation of emergency services air operations unit. There is a potential for theft of cabling therefore it is recommended that any cables are buried to a substantial depth i.e. at least 1.8 metres below ground level. No objections to the granting of permission.
4.7	***CCC Archaeology***	Have no archaeological records for this deep fen area where archaeological remains are unlikely to be present in the upper sediment profile.
4.8	***Civil Aviation Authority***	Any structure of 150m or more must be lit in accordance with the Air Navigation Order and should be appropriately marked. Any structure 70 feet in height or greater must be notified to the Defence Geographic Centre at least 6 months from the start of construction.
4.9	***Environment Agency***	No objections to the proposal but make advisory comments in relation to ensuring that sensitive electrical equipment is installed above predicted flood levels and measures are put in place to prevent pollution during the life of the turbine and the decommissioning.

4.10	***CCC Highways***	Initial comments were that the proposed delivery route will involve negotiating the roundabout at the junction of the A141 and Whittlesey Road. No information has been given in relation to the length of the vehicles. This needs to be known to determine if the junction can be safely negotiated. Following this further information was provided by the Agent and the LHA commented as follows: The swept path analysis and HCV details addresses the highway issues outlined previously therefore no further highways comments on this application,
4.11	***MOD***	No objections to the proposal. If permission is granted they require notification of the date construction starts and ends, the maximum height of construction equipment and the latitude and longitude of the turbine.
4.12	***FDC Environmental Protection***	Noted the information in relation to noise and recommend conditions relating to day-time and night-time noise levels, remedial action and monitoring be included if permission is granted.
4.13	***Joint Radio Company Ltd***	Do not foresee any potential problems based on known interference scenarios.
4.14	***Local residents/interested parties***	6 letters of objection received concerning (in summary): - Will the electricity cables overhead be affected in any way? - There will be a detrimental visual impact and the turbine would be dominant visually. - Concerns over the noise of the turbines. - Will impact the value of the nearby properties. - Concerns over the impact on wildlife. There are families of barn owls that hunt in this area and bats are regularly seen at night. -The House of Lords are currently approaching the second reading of a bill that would make the construction of a turbine of this size illegal within 1500 metres of any private dwelling. - Concern over the findings of the biodiversity checklist. There are bat roosts within the derelict barn near Stonea House,

a barn owl has been seen at dusk, the drainage ditches alongside Whittlesey Road is often home to swans and breeding ducks.
- These turbines can have major impacts on the wildlife and it appears that no consideration has been given to biodiversity research.
- The findings of the biodiversity state that there are bats in the barn but as the turbine is over 50m away then it poses no threat. However bats travel further than 50m when hunting for food.
- Concerns that the application states that there are no watercourses within 20 metres however the Plantwater Drain runs adjacent to the site. In addition the application states that surface water will be disposed of via main sewer however there are no mains sewers in this area.
-The application site has recently been heavily waterlogged.
- Concerned over the potential amount of noise, light flicker and electronic noise that could impact the 12 properties within 750m of the proposal.
- Health implications associated with the noise and shadow flicker.
- There will be an increase in background interference for the amateur radio users in the area.
- The visual impact on neighbouring dwellings and associated impacts on house values.
- There are already highway safety issues along this stretch of road and a wind turbine will cause a distraction for drivers and the heavy construction vehicles will cause problems.
- The visual impact will be adverse with the turbine being visible from the A47 and Gaul Road.
- Should the turbine malfunction there is the potential for oil from the hub to pollute the surrounding area.
- The site has been undeveloped for many years and now plans have been submitted for a turbine and 2 houses.
-Is there any proof that wind turbines produce sufficient energy to justify them.
-The structure is unsightly and there are better ways of producing renewable energy i.e. solar panels.

- Birds trying to avoid the turbine might then fly into the numerous overhead cables.
- Have recently agreed to have a barn owl nesting box in their barn near the site.
- Will be detrimental to the family run rural tourism business in the area.

5. SITE DESCRIPTION

5.1 The site is situated on an area of agricultural land to the West of the main settlement of March and to the South of Westry. Some isolated dwellings sit to the North, South, East and West of the site. A railway line runs approximately 38 metres to the North of the proposed location. The site is relatively flat and open and adjoining sites consist predominantly of agricultural land.

There was a previous application for a turbine on this site under planning reference F/YR12/0594/F – which was withdrawn. This application has been resubmitted and has included additional biodiversity information. The size and location of the turbine remain the same as the earlier withdrawn application.

6. PLANNING ASSESSMENT

6.1 Nature of Application

The application seeks full planning permission for the erection of a 3 bladed wind turbine with a hub height of 36.4 metres and an overall height of approximately 46 metres to blade tip. The turbine will be used to generate electricity to reduce the farms reliance on fossil fuels, energy bills and carbon emission. The application includes a control box to be sited adjacent to the turbine.

The following key issues have been considered;

- Principle and policy implications
- Visual Impact/Landscape Impact
- Biodiversity
- Design
- Access.

Principle and Policy Implications

The proposal has been considered in line with National Guidance, in the form of the new National Planning Policy Framework (NPPF) and Development Plan Policy in the form of the Fenland District-Wide Local Plan, 1993, and the new Fenland Communities Development Plan Draft Core Strategy; these are listed in the relevant section of this report.

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 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.

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 Wind Turbine Development Policy Guidance (WTDPG) was produced by landscape consultants for FDC in April 2008. The WTDPG has been adopted as supplementary planning guidance by the Council. The WTDPG sets down a number of landscape character types and then sets out 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*
- *Mitigation*
- *Guidance on Form and Siting*

Where wind turbine development is considered appropriate in the light of the above criteria, schemes should then be considered 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 (6-10),*
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,*
8 *Within the 2km 'prominent' zone for existing and proposed turbines*
9 *Within the 400m settlement buffer.*

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 footpath). 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 turbines 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/ Landscape Impact

The site is not located within any national or locally designated landscape areas. The proposed siting and height of the turbine remain the same as that proposed in the previously withdrawn application, therefore, the main issues remain as before. The nearest residential property is situated at a distance of approximately 280 metres from the application site. The turbine would be highly visible in the immediate locality and is in an isolated position and within 2km of a settlement where turbine proposals should be carefully considered as they are likely to be highly prominent features. It is, therefore, important to consider the impact of the turbine on the overall appearance of the Fenland landscape in terms of visual impact and landscape impact. In this instance, given the proposed siting of the turbine and the general open characteristic of the surrounding area, it is considered that the proposal would have a dominant visual impact on the surrounding area. To summarise, the turbine would be highly visible in the immediate locality and is in an isolated position within 2km of a settlement, therefore, it is considered that the proposal would be unacceptable in visual terms.

Biodiversity

The previous application was submitted with minimal biodiversity information and no walk over surveys had been carried out. This application has been accompanied by a biodiversity checklist and an additional Ecological Appraisal. In this application the biodiversity checklist states that the site has been surveyed for bats, barn owls, breeding birds and badgers but advises that there were no evidence of roosts or commuter routes for these. These results have been expanded on in the Ecological Appraisal which concludes that "the habitats to be affected by the development are of low ecological value and bats are unlikely to be attracted onto the site". It concludes that "the proposed turbine is located over 50 metres from the nearest linear habitat feature that may be used by bats, barn owls are considered to be at low risk of a strike from wind turbines due to their low hunting height except at their nesting location and the field survey did not identify evidence of barn owl nesting activity in the vicinity of the turbine location." The report also identifies that there are no or slight issues with regards to impacts on great crested newts, water voles, otters, white clawed crayfish , reptiles and badgers. It is noted that a number of the letters of objection state that there are bats and barn owls in close proximity to the site and that they fly across the site. Natural England has assessed the submitted report in terms of bats and have no objections to the proposal, as detailed in Section 4 of this report. Natural England has not assessed the proposal in terms of other species, however. No response has been received from the RSPB.

Design

The proposed turbine consists of a 3-bladed design on a tower with a hub height of 36.4 metres and an overall height of 46 metres to blade tip. The associated control unit and switchgear building is to be 2m x 2m x 1.5m and is to be positioned adjacent to the base of the turbine tower. Shadow flicker created by the turning of the turbine blades at certain times of day should also be considered. In terms of this proposal the impact is considered to be minimal given the proximity of the nearest property. It is unlikely that there will be noise impact from the turbine.

Access

Access to the site would be via Whittlesey Road and the existing access to Potash Farm. The Supporting Planning Statement includes a chapter on Traffic and Transport indicating the vehicle types and routes for the proposal. The Local Highways Authority have assessed this information and their response is summarised earlier in this report. An auto-track template for the vehicles along the route has been provided in order to establish whether any temporary widening or removal of street furniture is required and the LHA have raised no objections to this.

7. CONCLUSION

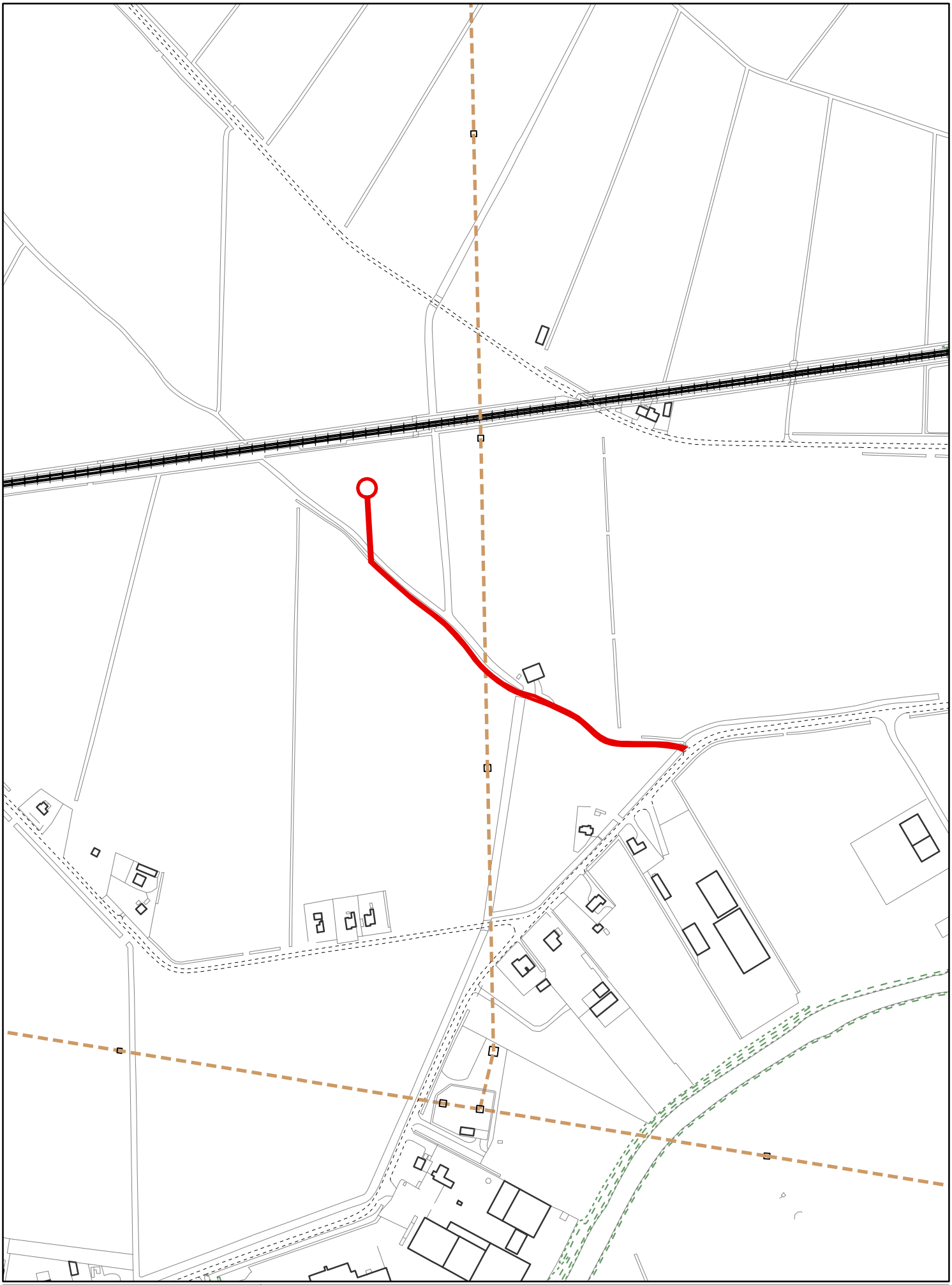
7.1 The proposed wind turbine has an overall height of 46 metres. The proposal is considered to accord with national regional and local planning policy in contributing to the need for renewable energy. However, the renewable benefits of the proposal should be considered in line with the impacts on the surrounding area and nearby dwellings. The WTDPG advises that proposals within 400m of a settlement are highly unlikely to be considered acceptable in visual amenity terms and proposals within 2km of a settlement should be

carefully considered as turbines are likely to be highly prominent features. Therefore, in this instance the proposal is considered to represent a visually dominant feature which would have an adverse effect on the surrounding area and nearby residential amenity given the open nature of the area in which it is set.

8 **RECOMMENDATION**

Refuse:-

1 The proposal would result in an adverse visual impact on the surrounding area and nearby residential properties by virtue of the overall height and location of the turbine. As such the proposal is contrary to Policies CS14 of the Fenland Communities Development Plan, Core Strategy Further Consultation Draft July 2012, and E1 of the Fenland District-Wide Local Plan.



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Fenland CAMBRIDGESHIRE
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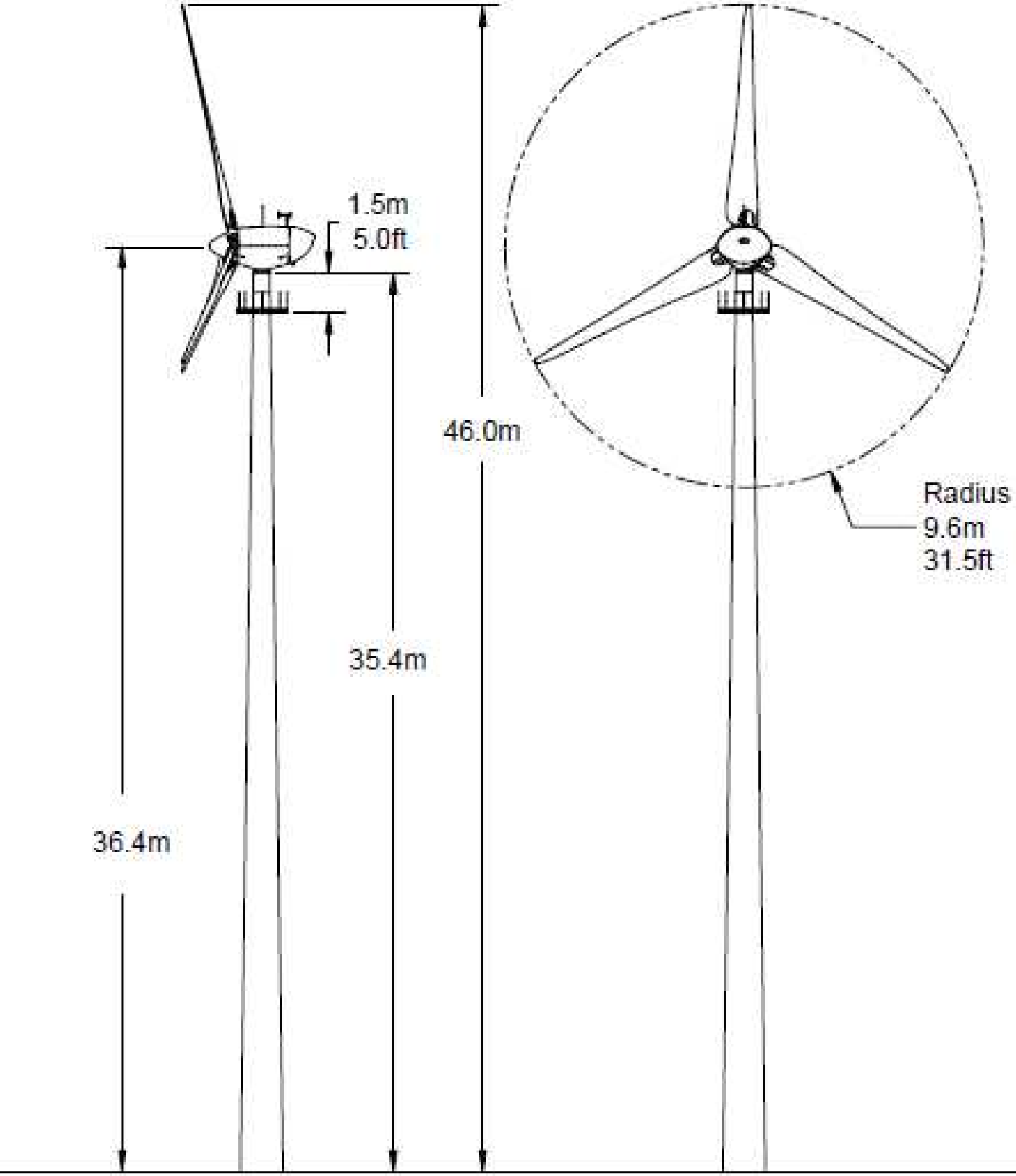
Endurance E-3120 36m Scaled Elevation Drawing



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