

Committee Date: 27<sup>th</sup> August 2009

**Reference:** 08/00990/FUL

**Date submitted:** 05.12.08

**Date Valid:** 09.02.09

**Applicant:** Ben Moore - Ridgewind Limited

**Location:** Field No 2700, Main Street, Normanton

**Proposal:** 8 Wind Turbines and associated infrastructure, including access roads, control building, transformers, wind monitoring mast and road improvements.

**Introduction:-**

**This application seeks planning permission for the erection of a windfarm approximately 1km north east of Bottesford. The site is almost entirely arable fields and improved grassland pastures. The application is the subject of an appeal against non-determination of the application within the statutory period allowed and the purpose of the consideration is to establish the position the Council will adopt at the Appeal Inquiry.**

The application comprises 8 wind turbines and associated infrastructure including:-

Permanent Components

- Maximum of 8 wind turbines, associated electrical transformers and crane pads
- Approx 5.2 km of new access roads, mostly single track of 5m in width
- One 60m meteorological mast
- Modifications to the junction of farm track with Normanton Road and to Skerry Lane
- 630m of new bridleway
- One Control Building, combining electrical sub-station and wind farm office
- Approx 3.9km of on-site underground power and control cables
- Two culverts for watercourse crossings

Temporary Components

- One construction compound, including temporary accommodation, car parking and material storage facilities
- One 60m wind resource assessment mast (already installed)
- One wheel wash facility

The turbines would be of horizontal axis, three bladed design, each rated approx 2 MW, with a total installation capacity of 16 MW electrical output (this is reported to be sufficient to power the equivalent of approximately 7,860 homes.

- Each turbine will have a hub height of up to 60m
- The maximum height to blade tip will be 100m
- The turbine units will have either glass or carbon fibre blades, a tubular steel tower and a fibreglass nacelle which houses the generator, gearbox and mechanisms.
- They are proposed to be pale grey in colour and will have a semi-matt surface to minimise reflectance
- The exact type of turbine to be used depends on equipment availability and a competitive tendering exercise

The application is accompanied by a Environmental Impact Assessment required under the 1990 Regulations that addresses the following issues:

- Site Viability
- Ecology
- Landscape and visual impact

- Historic Landscapes
- Noise
- Hydrology
- Cultural Heritage
- Traffic and Transport
- Shadow Flicker
- Socio-economics
- Communications and Aviation

The content of the EIA is described below against each of the above headings, and the representations received in their respect. The application is also supported by a Planning Statement and design and access statement.. (n.b. Full copies of the above documents are available from the planning application file).

**Relevant History:-**

07/01062/FUL – Temporary 60m high anemometer mast. Application approved for a 3 year period on 7 November 2007.

**Planning Policies:-**

**PPS22: Renewable Energy** outlines the key principles to which regional planning bodies and local planning authorities should adhere in their approach to planning for renewable energy. More specific and detailed guidance on wind energy is contained in the accompanying Companion Guide to PPS22 issued in August 2004. The Government’s energy policy is set out in the Energy White Paper and which aims to reduce the UK’s carbon dioxide emissions by some 60% by 2050 with real progress by 2020. A target has been set by Government to generate 10% of UK electricity from renewable energy sources by 2010.

The Government's Energy Review (July 2006) announced the intention to give greater clarity to strategic issues relating to renewables. Annex D of the Energy Review seeks to renew the commitment of the Government to renewables and clarifies the role of the planning system in realising renewable projects. Annex D makes it clear that:

“New renewable projects may not always appear to convey any particular local benefit, but they provide crucial national benefits. Individual renewable projects are part of a growing proportion of low carbon generation that provides benefits shared by all communities both through reduced emissions and more diverse supplies of energy, which helps the reliability of our supplies. This factor is a material consideration to which all participants in the planning system should give significant weight when considering renewable proposals.”

**PPG16: Archaeology & Planning** sets out the policy for archaeological remains and how they should be preserved or recorded. ‘The desirability of preserving an ancient monument and its setting is a material consideration in determining planning applications whether that monument is scheduled or unscheduled.’

**PPS15: Planning and the Historic Environment** provides advice regarding heritage assets and underlines the need to give special attention to the desirability of protecting the setting of listed buildings, conservation areas and scheduled ancient monuments.

**PPS9: Biodiversity & Geological Conservation** sets out the policies for the protection of biodiversity and geological conservation through the planning system. It states that should a development pose potentially harmful aspects to the biodiversity or geology of the area ‘local authorities should use conditions and/or planning obligations to mitigate’.

**PPS7: Sustainable Development in Rural Areas** emphasises national policy in terms of protecting the countryside. It pays particular attention to designated areas (e.g. AONB’s) and advocates the use of Landscape Character Assessments to guide development needs and establishes 4 objectives of :

- Raising the quality of life and the environment

- Promoting more sustainable patterns of development
- Promoting the economic performance of the English regions
- Supporting the agricultural sector.

**PPS1: Delivering Sustainable Development** and accompanying annex **PPS: Planning and Climate Change** set out the Government's commitment to delivering renewable energy development as part of the measures to address the causes and potential impacts of climate change.

#### **East Midlands Regional Plan**

Much of the region could be suitable for the location of wind turbines subject to a number of criteria, including visual impact and the cumulative effect of a number of turbines and their actual size.

Policy 1: Regional Core Objectives - seeks a reduction in CO2 emissions by, in part, maximising renewable energy generation.

Policy 40 – Regional Priorities for low carbon energy generation - promotes renewable energy and states that in establishing criteria for on-shore wind energy, Local Planning Authorities should give particular consideration to:-

- Landscape and visual impact;
- Effect on the natural and cultural environment;
- Effect on the built environment;
- No. and size of turbines proposed;
- Cumulative impact of wind generation projects, including 'intervisibility';
- The contribution of wind generation projects to the regional renewables target;
- The contribution of wind energy projects to national and international environmental objectives on climate change

The East Midlands Regional Plan (2009) requires that on-shore wind installations should increase capacity from 54MW to 175 MW) by 2020, with an interim target for 2010 of 122MW.

#### **Adopted Melton Local Plan**

Policy OS2 – planning permission will not be granted for development outside the town and village envelopes except for, amongst other things, limited small scale development for employment, recreation and tourism which is not significantly detrimental to the appearance and rural character of the open countryside.

Policy C2 - planning permission will be granted for farm based diversification proposals provided:

- the activities would be ancillary to the main agricultural use and would not prejudice the future operation of the holding;
- the proposal should reuse or adapt any suitable farm building that is available. if a new building is necessary it should be sited in or adjacent to an existing group of buildings; e proposed development is compatible with its rural location in terms of scale, design and layout;
- there is no significantly adverse impact on the character and appearance of the rural landscape or conservation of the natural environment;
- access, servicing and parking would be provided at the site without detriment to the rural character of the area; and
- the traffic generated by the proposal can be accommodated on the local highway network without reducing road safety

Policy UT7 has not been 'saved'

**Melton Core Strategy (preferred Options) DPD** is supportive of renewable energy development, accepting that it has a place in locations which support the resource.

**Consultations:-**

Consultation reply	Assessment of Head of Regulatory Services
<p><b>English Heritage</b> – The value of this historic environment was recognised by the Inspector at the recent appeal at Thackson’s Well. It is considered the proposed windfarm will harm the historic environment of this part of the Vale of Belvoir. The information submitted for the Environmental Statement lays insufficient emphasis on the historic characteristics of the landscape and relies on an inadequate historical assessment of the historic assets under consideration. The breadth of historic connections between cultural assets in this part of the Vale have been understated in the ES. Amongst the important assets in the historic environment of the proposed windfarm, Bennington Grange, Staunton Hall, St Mary’s Church, Bottesford, Harlaxton Manor, Belvoir Castle, Belton Park have been subject to inadequate assessment. English Heritage considered that these monuments will suffer significant and adverse impacts on their settings if the development is granted consent. Furthermore the cumulative impact on individual assets which constitute the historic environment will be significant, adverse and harmful.</p> <p><b>Bennington Grange</b> –The windfarm will dominate views eastwards across the landscape from Beacon Hill and westwards from the Viking Way. Visual inspection indicates that the turbines will profoundly impact on the setting of the monument.</p> <p><b>Belvoir Castle</b> – historic designated views have been maintained for over 800 years between Staunton Hall and Belvoir Castle.</p> <p><b>Harlaxton Manor</b> is orientated on St Mary’s Bottesford with the most significant designated view of the estate from the Manor looking down the driveway to St Mary’s, Bottesford. It is in this view that viewpoint 13 shows the proposed windfarm.</p> <p><b>Normanton Conservation Area</b> – the proposal will have a significant impact on views into and from the Conservation Area.</p> <p>The ES relies on a limited range of historic data and understates wither the sensitivity of cultural assets to change or the magnitude of that change. Additionally, reliance on foliage, i.e. at Belvoir Castle, Staunton Hall and Bennington Grange, as a mitigating factor in assessing impact is inappropriate. No cumulative assessment of the impact of the</p>	<p>The proposed development is located adjacent to the proposed site of Thacksons Well windfarm which was refused consent at appeal principally because of its adverse and harmful impact on the historic environment. The Inspector described the Vale as <i>‘unusually rich in the number of historic assets of the highest grades within it and especially so in the historic significance of visual relationships between them and their surrounding landscapes.’</i> In the Inspectors report impacts on designed landscapes and historic assets, in particular Harlaxton Manor, Staunton Hall, St Mary’s Church, Bottesford and Belton House Park and Garden as well as the setting of Bennington Grange were identified as being particularly significant. <b>Because of the similarities between the application and location, it is considered that this decision is a material consideration of significant weight and that assessment is necessary to determine whether the differences between the proposals are sufficient to overcome the Inspector’s conclusions. Departure from the findings of an appeal without clear justification is regarded as unreasonable behaviour in Circular 03/09.</b></p> <p><b>It is not considered that the any historic artefacts (Listed Buildings, Registered Parks and Gardens, Ancient Monuments and Conservation Areas) would be physically affected by the proposals,</b> however, there is a concern regarding the effect of the settings of a number of listed Buildings.</p> <p>The English Heritage guidance document entitled Wind Energy and the Historic Environment advocates a sustainable approach to renewable energy generation which requires a balance to be drawn between the benefits it delivers and the environmental costs it incurs. Therefore whilst recognising the need to invest in renewable energy it recognises the potential implications for the historic environment.</p> <p>Specifically, it advances six particular factors to be taken into account when considering the impact of wind turbines on the setting of, or visual amenity of, historic sites.</p> <p><i>1. Turbines might be inappropriate where a historic feature (such as a hilltop monument or fortification or a church spire) is the visually dominant feature in the surrounding landscape.</i> In this instance it is considered that Belvoir</p>

<p>proposed windfarm on the historic environment has been undertaken. No account has been taken of the recent results of the Inquiry into the Thackson's Well Windfarm where the appeal against refusal was dismissed.</p> <p>It is the clear view of English Heritage that the impact of the construction of the proposed windfarm will have a significant and adverse impact on the historic environment. On this basis it is recommended that the application is refused.</p> <p><b>Amended plans</b> – the information in the revisions discounts any significant impact on the historic environment and adds nothing new to change the advice insofar as the 5m increase in blade height will inevitably increase the impact on the historic environment.</p> <p>Increasing the blade size, and therefore the visibility of the turbines, for example at Belton, between Staunton Hall and Belvoir Castle and at Harlaxton through the Denton Gap, for reasons of technical availability, does not constitute special regard for the setting of historic assets within the historic environment.</p> <p>It remains the case that the tests for impact on Listed Buildings, Conservation Areas and Scheduled Ancient Monuments in PPG15 and in English Heritage' guidance have not been carried out. This is particularly apparent in respect to Bennington Grange but evident too at Harlaxton Manor and Staunton Hall.</p>	<p>Castle and the Spire of St Mary's Church are visually dominant. Accordingly it is considered that the turbines would compete with them for prominence in the landscape. <b>This concern contributed to the refusal of the appeal at Thackson's Well and are considered to apply equally.</b></p> <p>2. <i>The second criteria relates to scale, specifically, the extent of a wind farm and the number, density and disposition of the turbines will contribute to its visual impact.</i> The proposed development is for 8 no. turbines spaced at sufficient distances to ensure they do not impede each others operation. It is considered that the proposed turbines would have a significantly detrimental impact on the visual amenity of the area as discussed in more detail below.</p> <p>3. <i>The siting of turbines should respect the intervisibility between certain archaeological or historic landscape features that were intended to be seen from other historic sites.</i> It is considered that the historical relationship between Belvoir Castle and Staunton Hall, and Harlaxton Manor and St Mary's Church, will be adversely affected by the proposed turbines (as discussed below). <b>This concern contributed to the refusal of the appeal at Thackson's Well and are considered to apply equally.</b></p> <p>4. <i>The fourth criteria relates to designed landscapes (such as historic gardens).</i> It is considered that the turbines would have an adverse impact on the historic parks/gardens at Belton House and Harlaxton Manor. <b>This concern contributed to the refusal of the appeal at Thackson's Well and are considered to apply equally.</b></p> <p>5. <i>Noise and overshadowing.</i> The objection from English Heritage makes no reference to this matter.</p> <p>6. <i>Unaltered settings of ancient sites, which, the document suggests may be a particular issue in certain upland areas.</i> The landscape in this instance is predominantly agricultural with a commercial/industrial park adjacent. The application and its surroundings is not an upland setting.</p> <p>In light of the above comments, it is considered that the proposed development would not preserve the historic setting of adjacent monuments and accord with the guidance contained in English Heritage's published advice. A commentary on individual listed buildings and Conservation Areas is made below.</p>
<p><b>MBC Conservation Officer –</b> <u>Archaeology</u> - The foundations and additional infrastructure including various buildings, roadways and boundary treatment have the potential to damage underlying archaeological remains although disturbance may be limited. A programme of archaeological works in consultation with LCC Archaeology should mitigate any impact</p> <p><b>Normanton</b> - closest settlement to the site of the proposed wind farm. The village benefits from a conservation area and its boundary includes all of the built up area of the village but is somewhat widely drawn to include tracts of open countryside to the rear of the buildings on either side of Main Street The open spaces that both separate and enclose the built environment are important elements in the village scene.</p> <p>The wind farm site will clearly be visible from certain viewpoints within and adjacent to CA boundary on the eastern side of the village. The</p>	

wind turbines will also appear in the foreground of views towards Belvoir Castle and Bottesford from viewpoints north of the village on the approach.

The closest wind turbine to the CA boundary is approx 750 m away. In that regard the visual amenity of the wider landscape as viewed from the CA is compromised. There is also potentially an indirect noise impact.

The village has three listed buildings all situated on the west side of Main Street and hence sufficiently distant and screened from the wind farm site to ensure that their settings are not compromised by it.

NB: The Normanton CAA is currently in production

**Bottesford** - lies to the south west of the proposed wind farm site. Bottesford benefits from conservation area status, the boundary being drawn around the historic core of the village. The CAA is prepared in draft form

There are several listed buildings within the village, all but one of which I consider to be sufficiently distant from the wind farm site to ensure that their settings are not compromised by it. The grade I listed Church of St Mary the Virgin is the exception. The church benefits from a fine spire, which at 210 feet is the highest in Leicestershire and as such a significant landmark within the Vale. The Inspectors report relating to the previous application notes that the spire is visible in many views across the Vale and that its setting must be compromised by the presence of the proposed turbines. The environmental statement accompanying the current application also suggests a significant effect on the setting of St Mary's will occur. I share that view.

It is possible that the wind farm site may be visible to the north east of the village from certain viewpoints, the closest wind turbine being approximately 1 kilometre away. However do not consider that the visual impact will be a particular problem. There may however be a potential noise impact.

**Muston** - to the south east of the proposed wind farm site. The village has no conservation area but does have several listed buildings. The closest turbine is just over 1 kilometre away. The settlement is sufficiently distant so as not to be directly affected by the proposal.

**The Vale of Belvoir** - forms part of the counties of Leicestershire, Lincolnshire and Nottinghamshire and as such is a very large area. In that regard views

Potential impacts upon the setting of cultural heritage features and historic landscapes have been considered and assessed in the ES. These include:-

- 6 Scheduled Ancient Monuments
- 11 Conservation Areas
- 129 Listed Buildings
- 2 Parks and Gardens of Special Historic Interest

Unfortunately these perspectives do not represent a full examination of all historic assets and, importantly, several that featured within the Thacksons Well decision have not been addressed.

The Statutory requirements of Sections 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 are also important considerations. **The first requires that special regard shall be paid to the desirability of preserving Listed Buildings or their settings or any features of special architectural or historic interest which they possess. The second requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.** The latter is extended by PPG15 to include, as a material consideration, the handling of development proposals that are outside Conservation Areas but which would affect the setting or views into or out of the Area.

It is not considered that the any historic artefacts (Listed Buildings, Registered Parks and Gardens, Ancient Monuments and Conservation Areas) would be physically affected by the proposals, however, there is a concern regarding the effect of the settings of various listed buildings.

### **Conservation Areas**

#### **Normanton**

The village is located 0.76km north-west of the proposal. The Conservation Area covers the entire settlement as well as several adjoining agricultural fields.

The ES concludes that the proposal would have a considerable and significant indirect visual effect on the character and appearance of the Conservation Area, but not on the setting or important views into or out of Normanton Conservation Area. This conclusion is not shared and as stated by English Heritage **it is considered the proposal will have a significant impact on views into and from the Conservation Area.**

#### **Bottesford**

across the Vale are extensive and that is a critical element in its aesthetic beauty.

It is a continually evolving landscape which has changed extensively through time. As such views will include not only the natural environment as it has evolved but also the built environment which includes not only towns and villages but also the many electricity pylons, industrial buildings and chimneys etc which may be considered to have an adverse effect on certain views throughout the area.

**Belvoir Castle** - one of the major heritage assets in the Vale. Grade I listed with associated grade II listed registered park and garden as well as its own conservation area. There is a current CAA for Belvoir Castle which points out, amongst other things that the literal meaning of Belvoir is 'beautiful view'.

The Castle occupies a very prominent ridge top location approximately 6 kilometres to the south of the proposed wind farm site.

As the Inspector points out in his report on the previous application site the designed and formal registered grounds lie predominantly to the south of the Castle and as such their character remains predominantly unaffected by this current proposal.

There has been a castle in this location since Norman times and hence a historic link exists between it and the landscape in which it sits. As such setting of the Castle and its historic relationship to the surrounding landscape is of vital importance.

Views towards Castle – The Castle, due to its elevated position is highly visible throughout the Vale. In that regard the presence of the proposed wind turbines will only disrupt views towards the Castle from points north of the application site and hence would unduly affect its setting from those viewpoints. Views from south of the application site would of course remain unaffected by the turbines. In that regard it is fair to say that uninterrupted views of the Castle will still be available from many vantage points within the Vale

Views from Castle – As the Inspector states in his report the principal views from the Castle are north eastward and as such to the east of the wind farm site which will be screened to a large extent by extensive tree cover and therefore only be partially visible from the elevated terrace. This landscape has clearly been altered through time and has changed considerably since the castle was remodelled (1801 – 30) as such the historical link with the castle has also changed accordingly. Smoking chimneys are

The village is located 1km southwest of the proposal. The Conservation Area does not cover the entire village, but is located within the central and northern parts of the settlement.

The ES concludes that the proposal would have a moderate overall impact and would not be significant, therefore it would not harm the character or appearance of this Conservation Area.

As stated by the Inspector at Thacksons Well, *'the landscape setting of this village and its relationship to the proposed windfarm are effectively defined by the intervening mass of Beacon Hill and the visibility of the spire of St Mary's Church. For these reasons findings on the church may be taken to translate into findings on the settings of the Conservation Area'*

**It is considered that a significant portion of the Conservation Area will be adversely affected by the proposal due to the proximity and visibility of the windfarm.**

#### **Belvoir Castle (Grade I)**

The Castle stands on an escarpment approx 5.7km south of the proposal. The formal gardens are mostly located to the south of the Castle, and therefore it is considered that the proposal would not affect their suitable preservation or enhancement.

The ES states that the proposed turbines would not directly affect the site, setting or features of architectural and historic interest of Belvoir Castle.

Views of the Castle from the Vale – the Inspector considered that there was no significant harm in this respect. *'The preservation of the historic setting of the castle is not reliant on the segment of view in which the site lies, but on the general view from the Vale as a single entity'*.

Views from the Castle over the Vale – there is a special historical relationship between the Castle and St Mary's Church and the westerly view from the Castle provides a vista between a gap in the trees towards St Mary's Church Spire. *'Part of the rotors of the proposed turbines could occupy a significant segment of the above-horizon view between the two, creating a passing but nonetheless disruptive intrusion, and thus cause some harm to the historic quality of the Castles setting.'*

It is acknowledged that in some cases the impact on views of Belvoir Castle will only be marginal and that others will not be affected at all. **However, the Castle is one of the most prominent features in the area and its wider setting, together with the historical links between St Mary's and Staunton Hall, could be compromised by the proposed**

clearly visible on the horizon, electricity pylons are dotted around the landscape and busy roads traverse the Vale.

**Conclusion** - Wind turbines by their nature are tall and slender in appearance. In that regard some may consider them as graceful structures that may add a certain character to a landscape rather than detract from it. The Vale of Belvoir, however, demonstrates a rich, varied and historic landscape that has clearly undergone changes throughout the years. The area as a whole displays subtle variations which include unchanged remote and pastoral landscapes whilst elsewhere the open, undeveloped and rural character is strongly influenced locally by power stations and electricity pylons.

That said the landscape in the immediate vicinity of both Belvoir Castle and the proposed wind farm development remains largely unspoiled and in that regard I have strong concerns that its historic character and appearance, together with the setting of two grade I listed buildings, namely Belvoir Castle and St Mary's Church in Bottesford, will be marred by the introduction of wind turbines within the landscape.

#### **Comments on Amendments**

An increase in the height of the wind turbines by 5 metres will potentially increase their visual dominance in the landscape from noted viewpoints, to a degree. Likewise the inter-visibility between the affected settlements and noted landmarks will potentially be affected in a similar manner.

Normanton – noted previously that certain vistas and sight lines from Normanton Conservation Area towards both Bottesford and Belvoir Castle would be compromised by the wind turbines. In that regard views would be disrupted in any event and the increase in height would marginally make matters worse.

Bottesford - already noted that the turbines will have a significant effect on the setting of St Mary's Church in Bottesford. Likewise the increase in height will make matters marginally worse.

It is possible that the wind farm site may be visible to the north east of the village from certain viewpoints, the closest wind turbine being approximately 1 kilometre away. Any increase in height would add to the visual impact. There may also be a potential increase in noise impact.

Belvoir Castle – reiterate comments that the presence of the proposed wind turbines will only disrupt views towards the Castle from points north

**development.**

#### **Harlaxton Manor (Grade I)**

Situated 10km southeast of the proposal. The ES concludes that the proposal would not have a significant indirect visual impact on the site, setting or features of architectural interest of Harlaxton Manor.

The house has been sited to take advantage of the view through the gap in the Belvoir Scarp. The lengthy entrance drive is deliberately aligned directly on the spire of St Mary's Church, Bottesford. The continuation of the ridge to either side of the view gap creates a near symmetrical framing of the view across the Vale. The Inspector at Thacksons Well considered that *'although only glimpses of the blade tips would be seen, the setting of the house and grounds would neither be preserved nor enhanced. Because of the heightened sensitivity of the eye to moving objects, it is my judgement that the setting and ambience of both house and grounds would be significantly harmed.'*

**It is considered that the same conclusion can also be reached with regard to this proposal.**

#### **Belton House and Gardens (Grade I)**

The ES states that the proposal would not have a significant indirect visual effect on the site, setting or special interest of Belton House and Garden. However, the Inspector at Thacksons Well considered that *'the carefully and historically planned view of the house and gardens (as they were originally intended to be and still remain) would be spoilt, the enjoyment of many people who visit Belton principally to appreciate its historic ambience would be impaired, and the setting of the Listed Buildings and registered grounds would therefore be seriously harmed.'*

**It is considered that the same conclusion can also be reached with regard to this proposal.**

#### **St Mary's Bottesford (Grade II\*)**

Situated 1.4km southwest of the proposal and is therefore the closest listed Building to the appeal site. The spire is 28m high and is a significant landmark in many views across the Vale. The Inspector considered that *'the setting would not be preserved or enhanced by the presence of the proposed turbines and it is my judgement that the setting of the spire, in views from the south west would be harmed.'*

**This proposal is situated closer to St Mary's Church and it is therefore considered that the turbines would adversely affect the setting of the**

<p>of the application site and hence would unduly affect its setting from those viewpoints - the increase in height will make matters marginally worse.</p>	<p><b>spire from a number of viewpoints.</b></p> <p><b>Staunton Hall (Grade I)</b>  Situating 3.3km northwest of the proposal. The ES concludes that the proposal would not have a significant indirect visual impact on the site, setting or features of architectural and historical interest of Staunton Hall.</p> <p>There is historical significance and relationship between the straight line of sight between the Hall, Belvoir Castle and Beacon Hill when a “call to arms” was issued to defend the Castle. Therefore considerable importance is attached to this view and it is regarded as highly sensitive to change. The Inspector considered that <i>‘I have no doubt that those who come here to contemplate the historic landscape would consider that its ambience would be spoilt by the intrusion of tall, rotating blades at relatively close distance.’</i></p> <p><b>It is considered that the same conclusion can also be reached with regard to this proposal.</b></p> <p><b>Bennington Grange</b>  A scheduled ancient monument to the north east of the proposal. It is considered that the windfarm has the potential to obscure the view of <b>Bennington Grange from Beacon Hill and accordingly the proposal will adversely affect the setting of this monument.</b></p>
<p><b>LCC Conservation</b> - The historic environment is not immune from the impact of climate change and a controlled growth in the generation of energy from renewable sources is to be welcomed. Aware that there is considerable pressure to meet challenging targets in respect of renewable energy capacity in the region, including a significant contribution from wind power.</p> <p>It is important to remember, however, that national and regional planning policies, statutory legislation and guidance on the historic environment also have to be taken into account by the local planning authority when considering this application. Of particular relevance in this case is the statutory duty, under the Planning (Listed Buildings and Conservation Areas) Act 1990, to have regard to preserving the setting of listed buildings and conservation areas. PPG15, paragraph 2.17 confirms that a high development might affect the setting of a listed building from some distance away, whilst paragraph 4.14 states that the statutory obligations in respect of preserving or enhancing the character or appearance of a designated conservation extend to development proposals which are outside the boundary ‘but</p>	<p>Re-iterates the comments expressed by the Councils Conservation Officer regarding the material impact on the setting of several historic assets.</p>

would affect its setting, or views into or out of the area’.

I am unaware of any significant direct physical impacts from the proposed wind farm on the built heritage of the area but am confident from visiting the locality and examining the submitted information that the proposed development will have some material impact on the setting of several historic assets. These are both of national and local interest and distributed over a wide area.

The Design and Access Statement which accompanied the current application acknowledges that ‘some significant indirect effects would impact on the character and appearance of the Normanton Conservation Area and setting of St Mary’s Church in Bottesford’. It is claimed, wrongly in my view, that no other conservation areas, scheduled monuments, listed buildings and historic parks and gardens would be affected.

The significance of the listed Bottesford Church and the potential for its setting to be adversely affected by a nearby wind farm was highlighted in the inspectors report following an appeal into a similar proposal in the area.

The proposed development will be visible from within and outside Normanton, the closest village to the site, and it is hard not to conclude that the wind turbines will be an unwelcome, alien intrusion and harm, rather than preserve or enhance its conservation area.

Acknowledge that in some cases the impact on views of Belvoir Castle will only be marginal and that others will not be affected at all. The Castle has for centuries, however, been one of the most prominent features in the area and I am concerned that its pre-eminence, at least from certain locations, and wider setting could be compromised by the proposed development. I note that the inspectors report referred to above mentioned the strong historical link between the Castle and Bottesford Church and the potential for this important visual relationship to be disrupted by a wind farm located to the north.

The proposed turbines whilst relatively thin are obviously very tall structures, reaching 100 metres high. Experience from elsewhere in this country and abroad has shown me that the rotating blades, an unavoidable feature, adds significantly to their prominence. Grouping eight turbines together in a wind farm may make economic sense but is likely to contribute to the cumulative, detrimental impact on the visual amenity of the landscape over a wide area.

<p>Views into and across the Vale of Belvoir from the ridge to the south, near Eastwell and Belvoir for example, are fine and extensive. In my opinion the sequence of historic village church spires and towers located in the Vale adds to the variety and interest and are an integral part of the established rural scene. This relatively unspoilt landscape contributes to the wider setting of these listed buildings and existing modern intrusions, such as those from industrial buildings and pylons, illustrate the damage which can be caused rather than justifying further interference.</p>	
<p><b>Open Spaces Society</b> – object to the turbines on the following grounds:-</p> <ul style="list-style-type: none"> <li>• Severe intrusion into the landscape – the area is surrounded and crossed by a network of well-used public paths and recreation routes. People who use these would experience close views of the turbines and a significant effect on their visual amenity which is unacceptable.</li> <li>• The turbines will be noisy and will interfere with the quiet enjoyment of the area by walkers and riders.</li> <li>• Proposal to convert one of the bridleways into site access, thus users will have to share the route with heavy construction traffic – an unpleasant experience.</li> <li>• This is a beautiful area of quiet, unspoilt countryside. The turbines will be a gross blot on the landscape and will destroy its character.</li> <li>• The local economy needs the boost from visitors who come to enjoy quiet recreation and bring significant income to the area – the turbines will have an adverse effect.</li> </ul>	<p>These points are all considered in more detail below.</p>
<p><b>Civil Aviation Authority</b> – potential issues from the development include:-</p> <ul style="list-style-type: none"> <li>• May be a need to install aviation obstruction lighting to some or all of the turbines if the location and nature of the structures could be considered a significant navigational hazard. In isolation the CAA would not make any case for lighting.</li> <li>• An anticipated amendment to internal aviation regulatory documentation will require rotor blades, nacelle and upper 2/3 of the supporting mast that are deemed to be an aviation obstruction should be painted white, unless otherwise indicated by an aeronautical study. In isolation the CAA would make no special case for marking.</li> </ul>	<p>Noted.</p>
<p><b>NATS</b> – No safeguarding objection to the proposal</p>	<p>Noted.</p>
<p><b>Defence Estates</b> – No objection</p>	<p>Noted.</p>

<p><b>East Midlands Airport</b> – the proposal does not conflict with safeguarding criteria. Accordingly there is no safeguarding objection to the proposal.</p>	<p>Noted.</p>
<p><b>Bottesford Parish Council</b> – objection on the following grounds:-</p> <p><b>Similarities with the dismissal of the appeal at Thackson’s Well Farm</b></p> <ul style="list-style-type: none"> <li>whilst total height of turbines is less than ones proposed by Infinergy, some would be located on higher ground and will be much closer to the villages of Bottesford and Normanton</li> </ul> <p><b>Landscape impact – particularly historic landscape</b></p> <ul style="list-style-type: none"> <li>Statutory duty to preserve the sensitivity of listed buildings. Inspector concluded that this sensitivity would not be preserved in the case of St Mary’s Church and these turbines were sited nearly ½ mile further away from those now proposed.</li> <li>Severe negative impact on the views of St Marys Church (Grade I).</li> <li>The turbines will be overbearing and dominate the landscape – impact on Bottesford and Easthorpe Conservation Areas, Staunton Hall, Belvoir Castle along with many other listed buildings and areas of special natural beauty.</li> </ul> <p><b>Public rights of way</b></p> <ul style="list-style-type: none"> <li>myriad of footpaths/bridleways in area. The turbines would render this area unsafe for riders due to proximity of turbines.</li> <li>Substantial impact on the views from Beacon Hill and Viing Way (internationally important long-distance footpath)</li> <li>The turbines would drastically change the landscape character as they would introduce tall moving elements which would interrupt views across the Vale – result in a significant loss of recreational amenity for local people and tourists</li> </ul> <p><b>Access</b></p> <ul style="list-style-type: none"> <li>route via Normanton is a lane with a tight ‘S’ bend and would cause extreme disruption and danger to local inhabitants. Skerry Lane runs from a dangerous stretch of A52. The track passes under a railway bidge with a height restriction of 11’0”.</li> <li>The access from Normanton Lane will lead to many lorries driving over Beacon Hill during the construction phase. This will be noisy and pose a hazard to walkers and riders. Could also damage the historic ROC Observation Post.</li> </ul>	<p>The objections are all noted and are considered in more detail below.</p>

<p><b>Noise and health fears</b></p> <ul style="list-style-type: none"> <li>No specific details of turbines so no guarantees of impact of noise on local inhabitants</li> <li>Issue of Aerodynamic Modulation (AM) noise – blade swish. The proposed turbines have a wide blade sweep – larger blades cause greater levels of AM.</li> <li>Stress, anxiety and depression can occur and these can have repercussions with people suffering from hearing, balance or heart problems.</li> </ul> <p><b>Proximity and LDF</b></p> <ul style="list-style-type: none"> <li>Hundreds of homes would fall within 1500m of the nearest turbine.</li> <li>Bottesford is identified as suitable for extra housing in emerging LDF</li> <li>Turbines will make Bottesford a less desirable place to live – contrary to aims of LDF</li> </ul> <p><b>Other issues</b></p> <ul style="list-style-type: none"> <li>Application lacks essential details – type of turbines, how turbines will be connected to electricity grid</li> <li>Community benefit fund – this is not a matter which is relevant to the application and should be ignored</li> </ul> <p><b>Amended plans –</b> All previous comments still apply and in many cases the impact is increased</p>	<p>There is no evidence on which to base a rational health fear sufficient to justify the refusal of planning permission, or to seek greater separation between houses and turbines than is required to secure compliance with the ETSU 1997 background + 5dB(A) noise exposure limits. These issues are considered in more detail below.</p>
<p><b>Stathern Parish Council</b> – object to the application (split vote)</p>	<p>Noted – no reasons given for objection.</p>
<p><b>Barkestone, Plungar &amp; Redmile Parish Council</b> – No comment</p>	<p>Noted.</p>
<p><b>Newark &amp; Sherwood District Council</b> – There will be glimpses of the proposal from the South Notts Farmlands Landscape Character Area to the south of Newark, and also from the Vale of Belvoir Landscape Character Area to the south of Staunton. Whilst there will be glimpses of the windfarm from Newark, these would generally not be noticed and would not significantly change the view. There are however, more direct views from Alverton and Kilvington, where the windfarm would be viewed across an undulating landscape. Staunton is set lower in the landscape and is more enclosed, so the visual impact would be minor. Bearing in mind the distances from the windfarm and the limited visual effects, it is not considered that these outweigh the need to provide energy from renewable resources.</p>	<p>Noted.</p>
<p><b>South Kesteven District Council</b> – objects to the proposal for the following reasons:-</p> <ul style="list-style-type: none"> <li>The Thackson’s Well Inspectors decision letter is a material consideration because of the</li> </ul>	<p>Noted – these issues are all considered in more detail elsewhere in the report.</p>

<p>proximity of the two sites.</p> <ul style="list-style-type: none"> <li>• The proposal will have both significant direct and cumulative adverse effects on the designated landscapes, setting and visual amenity of a number of heritage assets including Belton House, Harlaxton Manor, Staunton Hall, Bottesford Church and Bennington Grange.</li> <li>• The inherent uncertainty and inability to control the noise levels of the development by means of condition could create an adverse impact on the amenities of occupiers of adjacent dwellings.</li> </ul>	
<p><b>Foston Parish Council</b> – objects to the proposal for the following reasons:-</p> <ul style="list-style-type: none"> <li>• Cannot understand why the application has been submitted given the Inspector decision at Thackson’s Well.</li> <li>• The scheme, by virtue of the size, scale and extent of the turbines would completely dominate and adversely affect the landscape character of the area. The turbines will define the surrounding area, diminishing its identity and diversity and compromising its sense of place.</li> <li>• The harm of the proposal clearly outweighs the benefits towards the achievement of national targets for renewal energy generation.</li> <li>• The scheme would adversely affect the historic landscape pattern and would fail to comply with PPS1, PPS7 and PPG15.</li> <li>• The proximity of the turbines to the A1 and A52 is likely to cause drivers to temporarily divert their eyes from the road, increasing the risk to highway safety.</li> <li>• The application fails to demonstrate that the operation of the turbines would not be likely to give rise to unacceptable noise levels to residents by reason of insufficient information.</li> <li>• Failure to demonstrate impact, either direct or indirect, upon local biodiversity, contrary to PPS9.</li> <li>• Impact on health and safety, particularly given close proximity to homes and public rights of way.</li> </ul>	<p>Noted – these issues are all considered in more detail elsewhere in the report.</p>
<p><b>Orston Parish Council</b> – limited potential impact as the turbines would be visible from Orston.</p>	<p>Noted.</p>
<p><b>Sedgebrook Parish Council</b> – has the following concerns:-</p> <ul style="list-style-type: none"> <li>• Impact on the environment and landscape. The character of this landscape, at the edge of the Vale of Belvoir, would suffer considerable harm, given the size of the proposed turbines.</li> <li>• The impact on residents will be overwhelming and oppressive.</li> </ul>	<p>Noted – these issues are all considered in more detail elsewhere in the report.</p>

<ul style="list-style-type: none"> <li>• Conflicts with the District Council’s duty under the Countryside Act 1968, to conserve and protect the natural environment and wildlife habitats.</li> <li>• Potential harm to health through exposure to low frequency noise has not been fully researched.</li> <li>• The turbines would cause distraction to drivers on the highly trafficked A52.</li> <li>• Residents living conditions would be adversely affected – overbearing and impact on outlook and well-being.</li> </ul>	
<p><b>Allington Parish Council</b> – objects to the proposal on the following ground:-</p> <ul style="list-style-type: none"> <li>• Similar windfarm application – the findings from the Thackson’s Well decision are relevant to this application, particularly with regard to the harm to historic qualities of the landscape.</li> <li>• Connection to National Grid – limited information submitted and practical difficulties associated</li> <li>• Construction, traffic and access – Skerry Lane has no splay to the A52 as it is a no through road. There is also a low railway bridge which construction traffic may not be able to get under.</li> <li>• Construction of roads will effect established hedgerows and the wildlife that it supports</li> <li>• Impact on users of footpath and bridleways</li> <li>• Landscape and visual character – Impact on Belvoir Castle and other sites of historic interest in the area</li> <li>• Archaeology – the site is located within 1km of a medieval settlement.</li> <li>• Wildlife – impact on great crested newts</li> <li>• Ornithology – the size of the proposed area for development will significantly limit hunting grounds for buzzards, red kites, kestrels and many species of owl that are known to be in the vicinity.</li> <li>• Noise and vibration - concerns regarding the infrasound and low frequency noise caused by wind turbines and resultant health issues</li> <li>• Flicker and strobing – the impact on neighbouring properties needs to be considered</li> <li>• Aircraft routes and airspace – concern regarding proximity to a number of air bases and airports.</li> </ul>	<p>Noted – these issues are all considered in more detail elsewhere in the report.</p>
<p><b>LCC Planning</b> - acknowledges that there is general support for the principle of development for renewable energy projects set out in national and regional policy guidance, particularly PPS1 (Supplement on Climate Change) and PPS22. However, this does not preclude the necessity to assess the various impacts of individual proposals</p>	<p>Concerns noted – the issues of impact on cultural heritage and access and highway safety are considered elsewhere in this report.</p>

<p>against the specific policies and criteria in national guidance and the development plan.</p> <p>It is considered that the determination of the current application cannot be divorced from the recent appeal decision on the nearby Thackson's Well scheme, given the very close proximity and similar nature of the two proposals. This decision represents a significant material consideration in the decision process.</p> <p>In this context, the submitted proposals for a windfarm at Palmers Hollow conflict with the objectives in PPG15; PPG16; Policies 26 and 31 of the Draft RSS; and Policies of BE9 and BE11. The scale and nature of the proposed development would result in significant harm to the historic qualities of the surrounding landscape to an unacceptable degree, having an adverse impact on the setting of a number of nationally important listed buildings and historic parks and gardens (both inside Leicestershire and in the wider landscape beyond). Such harm is not outweighed by the electricity generation benefits of this particular scheme.</p> <p>The County Planning Authority objected previously to the adverse impact of the Thackson's Well proposals on the wider landscape of this part of the Vale of Belvoir, although it is acknowledged that the planning inspector (Thackson's Well) considered that a windfarm might be accommodated somewhere in broad landscape area.</p> <p>Unless certain details are agreed with the Highways Authority and Highways Agency on the precise access arrangements and/or improvements to facilitate the development, there appears to be some doubt about the suitability of the local road network to accommodate the additional trip generations to/from the site, including significant numbers of HGVs in the construction period.</p> <p><u>Amendments</u> - Given the increased length of the blades now under consideration, the applicants will need (inter alia) to confirm the size of vehicles that will be used to transport the blades and also demonstrate that the road network can cater for the vehicles (swept paths). In the absence of proof that the said blades can be delivered to the site without compromising highway safety or configuration, then the development would be unacceptable from this aspect.</p>	
<p><b>Environment Agency</b> – No objection subject to conditions regarding provision of a surface water drainage scheme and scheme for the storage of fuels</p>	<p>Noted – can be conditioned.</p>

and oils during construction.	
<p><b>LCC Archaeology</b> – The site has the potential to contain buried archaeological remains and therefore a programme of predetermination work will be required, commencing with geophysical survey and field evaluation (trial trenching). An archaeological evaluation has been submitted and further comments are awaited.</p>	Further comments on the archaeological evaluation are awaited and will be reported verbally to Committee.
<p><b>LCC Footpaths</b> – the proposals affects several public footpaths and bridleways. No objection in principle to the proposed windfarm but there are details associated with the managements of the rights of way which need to be addressed. Endorse the suggestion of an access strategy and expect it to cover the following aspects:- - Details of precautions to ensure public safety both during construction and in the longer term. - Design of crossing points - Temporary diversions of rights of way during the construction of the access roads Separate application to divert public bridleway F96 is necessary once planning permission granted. Ensure appropriate ‘fall-over’ distances between the turbines and public footpaths</p>	<p>There is no statutory separation distance between a wind turbine and a public right of way. Often, fall over distance is considered acceptable separation, and a minimum distance is often taken to be that turbine blades should not be permitted to oversail a public right of way.</p> <p>None of the proposed turbines would oversail any of the public rights of way. Whilst users may experience inconvenience during the construction phase, it is not considered that refusal of planning permission could be justified.</p> <p>Issues raised can be covered by conditions.</p>
<p><b>National Trust</b> – strongly supports an increase in renewal energy generation nationally in appropriate locations. Within the zone of theoretical influence a number of properties are owned by the National Trust. The only properties with the potential for direct views of the turbines would be Belton House and Estate and The Workhouse, Southwell. The Workhouse – satisfied that the development would not have a material impact upon the significance of the Workhouse. Belton Estate – the turbines would be visible from Bellmount Tower, however, there would not be a significant adverse impact upon the heritage features at Belton that in isolation would warrant refusal of the application.</p>	Comments noted. The impact on Belton House is considered in detail above.
<p><b>Lincolnshire County Council Highway Authority</b> – concerned at the proposed routing of the turbine units, particularly with regard to traffic measures when the widened areas are not in use. There are large areas of ‘tarmac’ where pedestrians and drivers could be disorientated or take risks.</p>	Noted.
<p><b>Network Rail</b> – no objection in principal to the development. Only concern is one of the routes specified for construction traffic to and from the site - the use of Skerry Lane takes construction traffic under the railway bridge with a risk of reduced headroom. Request they are informed of abnormal loads with a minimum of 6 weeks notice. There may also be a requirement for bridge protection measures to be put in place at the applicant’s</p>	Noted – can be covered by a note to applicant.

expense.	
<p><b>LCC Highways Authority</b> – originally recommended conditions, however, on the basis of the amended plans, request that the applicants demonstrate (by swept path analysis) that the vehicles used to transport the blades can be accommodated on the highway network.</p>	<p>Further information regarding the Highway Authority comments on the lack of swept path analysis is awaited and will be reported verbally to committee.</p>
<p><b>Highways Agency</b> – the principle of development is acceptable, however, the routing of construction traffic is the main concern. Specifically, the swept path of articulated vehicles uses most of the mouth of Skerry Lane. This blockage of the junctions may result in vehicles being stopped on the A52 – safety concerns. This risk may be satisfactorily managed by an HGV routing agreement, to include the control of the A52/Skerry Lane junction and an appropriate signing strategy. Recommend conditions be imposed.</p>	<p>It is considered necessary to limit vehicle movements to and from the site in a specified period and, route such movements, particularly of heavy vehicles, by the imposition of conditions.</p> <p>Once the turbines are constructed it is anticipated that traffic movements would be minimal.</p>
<p><b>MBC Principal Policy Officer</b> –</p> <p>The planning system is charged with a duty to promote the development of renewable energy. PPS1 sets out the Government’s commitment to delivering renewable energy development as part of the measures to address the causes and potential impacts of climate change.</p> <p>PPS22: Renewable Energy sets out the key principles that local planning authorities should adhere to in planning for renewable energy. Essentially the policy direction is positive towards renewable energy; seeking to maximise the amount of renewable energy development that may be delivered. The principles set out in PPS1 are useful for framing the debate on applications for renewable energy.</p> <p>The East Midlands Regional Plan was published in March 2009. Regional Policy reflects that at the national level in its positivity towards renewable energy development. However, the criteria set out at Policy 40 point to the clear local debate to be had which is essentially; is there a negative impact on the landscape or natural, built or cultural environment in terms of visual or noise impact.</p> <p>The Melton Local Plan generally directs new development to within the town and village envelopes (Policy OS1). Policy OS2 provides for those exceptions that will be allowed in the countryside. It does not refer to this type of development, although the principle for renewable energy developments to be located in the countryside is well made at the national level.</p> <p>The Melton Core Strategy (Preferred Options) DPD is supportive of renewable energy development, accepting that it has to take place in locations which</p>	<p>Noted.</p>

<p>support the resource.</p> <p>In summary policy at all levels is generally positive towards renewable energy generation and the development required to achieve a reduction in CO2. However, specific local circumstances need to be considered carefully. On this basis there is no policy objection to the proposal, subject to landscape or natural, built or cultural environment in terms of visual or noise impact</p>	
<p><b>Natural England</b> – No objection to the proposal subject to conditions.</p>	<p>Noted – conditions can be imposed on any grant of planning permission.</p>
<p><b>LCC Ecology</b> – pleased to see a protected species survey has been completed as part of the application. No objection subject to conditions.</p>	<p>Noted – conditions can be imposed on any grant of planning permission.</p>
<p><b>County Council Landscape Officer - LCC</b> and others expressed concern at the scoping stage about the 15Km radius for the L&amp;VIA study area, bearing in mind that the SNH Good Practice Guide on the Visual Representation of Windfarms (2006) recommends a 30Km radius for turbines of 86-100m height. Having said this, the photomontages show that the visual effects are limited beyond about 12Km.</p> <p>The control building is acceptable and the construction access tracks will be reduced from 5.00m to 2.50m wide once construction is complete. The impacts of the turbines themselves are the main issue.</p> <p>The L&amp;VIA conclusion (8.6.5 Acceptability of Significant Effects) discusses the difficulty of determining a threshold above which significant changes in the view would have an unacceptable effect. The Thackson’s Well Inspector’s Report concluded that the landscape character of that site area was capable of accommodating wind turbines - can see no reason why a different view would be taken in this case. It would be difficult to make a case for unacceptable adverse landscape and visual impacts.</p> <p>The Design and Access Statement acknowledges that there can be no meaningful mitigation of the visual impacts of the turbines. However, a 25 year Hedgerow Management Plan for the entire site and its boundaries could contribute to localised mitigation and have biodiversity benefits. The photomontages show that many of the existing hedges are low and gappy. A Hedgerow Management Plan could include gapping up, planting hedgerow trees, hedge laying, and managing hedges to a height of around 2.00m. There may also be scope for additional mitigation and landscape enhancement through the planting of</p>	<p>The guidance contained in PPS22 states that of all the possible renewal technologies, wind turbines are likely to have the greatest visual effect.</p> <p>The assessment in the ES has been based on current published ‘Guidelines for Landscape and Visual Impact Assessment (Landscape Institute with IEMA, 2002). It has concentrated on a 15km radius study area centred on the application site.</p> <p>The comments from the landscape officer indicate that the impact of the proposed turbines on the landscape would be acceptable. The Inspector for the Thacksons Well appeal considered that <i>‘the landscape immediately around the site cannot be held to be a setting of pristine arcadian perfection.’</i> Many of the large hangers from the airfield remain and have been adopted for commercial use, sizeable areas of the former runways are now in use for the open storage of cars and much of the open land within the airfield perimeter is being used for business purposes. The presence of Roseland Business Park together with the major trunk road network in the vicinity of the site mean that the Inspector came to the conclusion that <i>‘the local landscape, in topographical terms, would be capable of absorbing wind turbine development satisfactorily.’</i></p> <p>In light of these comments it is considered that whilst there may be an impact on the landscape, the existing features and landscape character would be able to absorb the number and height of turbines without significant harm.</p> <p>Mitigation measures can be covered by conditions if necessary.</p>

<p>small field corner copses. All of these actions would be in keeping with the landscape management guidelines for the LCC Vale of Belvoir landscape character area as set out in the LL&amp;R Landscape and Woodland Strategy.</p>	
<p><b>British Horse Society - Renewable energy</b> - The Society supports the Government's targets for renewable energy but has to ensure that the necessary structures do not disadvantage or, worse, endanger the horse-keeping or horse-riding community. It therefore does not wish to object to the development as a whole but to the siting of individual turbines.</p> <p>The site is crossed E-W by two bridleways - F96 from Normanton and F98 from Bottesford. Turbines 1-6 are sited between these bridleways; turbines 7 and 8 to the S of F98.</p> <p>The Society has a policy of:</p> <ul style="list-style-type: none"> <li>• 3 times overall height separation between any bridleway, byway or road</li> <li>• 4 times overall height separation where any of the above are on a <i>Ride UK</i> i.e promoted, route as these are likely to attract riders and horses who do not have experience of turbines.</li> </ul> <p>The two most likely causes of spooking in ridden horses are:</p> <ol style="list-style-type: none"> <li>1. Being asked to cross shadows of moving blades on the ground ahead. These can appear to the horse as wriggling snakes, of which it has an innate fear. The horse's reaction to these 'snakes' could endanger the rider, the horse, and any third parties confronted by a panicking equine.</li> <li>2. Start up of turbines whilst in horse's eyesight (horses have near 360deg vision). It is often the case that individual turbines are at rest and will therefore re-start at some point.</li> </ol> <p>F98 and F96 were options for the <i>Round the Boundaries of Leicestershire</i> route which is in the final stages of development and which BHS/LRBA hope to publish in 2009/10, having "test ridden" the route over three years 2007-09. Therefore consider that 4 times overall height separation is the appropriate criterion for assessing the siting of these turbines.</p> <p>In the Society's view, a minimum separation distance of 380m is required between each turbine and any section of BW F96 or F98. Should the actual turbine height alter, required separation distance would also change.</p>	<p>The BHS policy has not been adopted by PPS22. The PPS22 Companion Guide advises that there is no statutory separation distance between turbines and public rights of way, the minimum distance is often taken to be that the turbine blades should not be permitted to oversail a public right of way.</p> <p>The British Horse Society has suggested a 200 metre exclusion zone around bridle paths to avoid wind turbines frightening horses. The PPS22 Companion Guide advises that whilst this could be deemed desirable, it is not a statutory requirement, and some negotiation should be undertaken if it is difficult to achieve this.</p> <p>Similarly, there is no statutory separation between a wind turbine and a public right of way. Often, fall over distance is considered an acceptable separation, and the minimum distance is often taken to be that the turbine blades should not be permitted to oversail a public right of way.</p> <p>All eight of the proposed turbines are positioned at least far enough from public footpaths that they do not oversail the rights of way and five of the turbines are located greater than fall-over distance. It is therefore considered that these distances comply with the guidance given in PPS22 companion guide.</p>

<p>The Society OBJECTS to the siting of Turbines 1, 2, 3, 6 and 7 as being too close to bridleways F96 and F98 to allow safe passage for ridden horses. The alternative bridleway proposed to mitigate Turbine 3 would not come within the Society's criteria for safe passage.</p> <p><u>Construction and maintenance issues -</u></p> <ul style="list-style-type: none"> <li>• Supports any improvements to the surface of Skerry Lane and Normanton Lane short of sealing/tarmac any sections not currently sealed.</li> <li>• Deplores any widening of these routes as this could lead to increased speeds and/or rat running to the detriment of residents and recreational users alike.</li> <li>• It is important that users of the access routes and of the RoW across the site are given adequate warning of the start of any work that will share, cross, or otherwise affect the RoW.</li> <li>• Any necessary short-term diversions or closures should be agreed with LCC RoW team and actioned according to their advice and the necessary consultations carried out with relevant user groups.</li> </ul> <p>The Society asks that the above points be attached as conditions to any permission given.</p> <p><b>Amended plans</b> – objections stand, but are strengthened by 5 metres.</p>	<p>A separate application to divert public bridleway F96 is required from LCC once planning permission is granted.</p>
<p><b>CPRE</b> – object on the following grounds:-</p> <ul style="list-style-type: none"> <li>• Environmental cost will be very high in return for small and unreliable production of electricity.</li> <li>• Inspectors finding at Thackson's well are relevant – whilst the turbines are not as high, some of them would be located on higher ground and would be much closer to the villages of Bottesford and Normanton</li> <li>• Contrary to aims of emerging LDF</li> <li>• Landscape impact – significant and adverse impact on historical landscape of Bottesford and the Vale of Belvoir.</li> <li>• Upper 2/3 of turbines will overtop Beacon Hill so they will be clearly visible across a wide area.</li> <li>• Intervisibility of Staunton Hall, Harlaxton Manor and Belton House is a key part of the historical landscape of the Vale and this would be severely interrupted.</li> <li>• Significant direct and cumulative adverse effect on setting of heritage assets.</li> <li>• The photomontages do not follow best practice</li> </ul>	<p>Noted. All of these comments are considered in detail elsewhere in this report.</p>

<p>and are deceptive in their presentation of the visual impact.</p> <ul style="list-style-type: none"> <li>• Loss of amenity – impact on adjacent footpaths and bridleways – loss of enjoyment of countryside</li> <li>• Proximity to homes and businesses – impact on noise and health</li> <li>• Access to site – major hazard and nuisance to people using the footpaths and bridleways along with neighbouring villages</li> <li>• Risk of damage to low railway bridge which crosses Skerry Lane</li> <li>• Disturbance to wildlife – loss of habitat for resident and visiting birds – particularly concerned about the risk to Lapwing</li> <li>• Collision risk to mitigating birds</li> <li>• Planning application is lacking essential details – type of turbines, method of connection to electricity grid etc</li> </ul> <p><i>Amended plans-</i> Increase in height will increase visual impact, noise and shadow flicker, impact on residents, footpaths and bridleways and historic environment</p>	
<p><b>MBC Environmental Health</b> – PPS22 states that the 1997 report by ETSU should be used to assess and rate noise from wind energy developments.</p> <p>The ES contains details of an assessment which has been undertaken in line with the established ETSU methodology.</p> <p>The ES main text gives an account of the assessments carried out at a number of properties nearest the site and the results of the readings predictions and acceptable noise levels indicated as a result of the use of the ETSU criteria are depicted graphically in the ES. When a noise is 10dB below the background noise it is inaudible. This being the case, the noise from the turbines will be audible at each of the locations.</p> <p>The noise output from the turbines will be the same whether it is during the day or night. The variable factor being the wind speed and this affects the permitted noise during day time periods. The Environmental Statement explains that when wind speeds are high any noise is masked by wind induced noise.</p> <p>The permitted night time noise level at all locations at which measurements have been made is 43 dBA. Night time being 23:00hrs to 07:00hrs. The existing background noise levels during the day time get close to 43dBA at 32 Main Street Muston and 95, Grantham Road, Bottesford I would accept however the predicted pattern of noise level variation from</p>	<p>Noise predictions have been undertaken in the ES, taking account of a wide range of factors. Baseline noise measurements have been carried out at 5 locations representative of the nearest residential properties to the site, based on worst case turbine noise levels. The assessment has been carried out by comparing the predicted noise levels with noise limits in ETSU-R-97 as referred to in PPS22. The assessment shows that the predicted wind turbine noise levels meet both daytime and nighttime noise limits at all residential properties, under all wind conditions.</p> <p>The Environmental Health team have reviewed the methodology employed by the applicant and have concluded that it is both sound and robust, and accords with the guidance of PPS22. Accordingly it is not considered that noise issues (in terms of volume) are grounds on which the development could be refused and should not feature as an objection form this Council.</p> <p>The question of ‘Low frequency noise’ and infrasound are emerging issues. There are no guarantees that this development would be free from such effects, that if present it could not be eliminated nor is there evidence such effects will be inevitable and will give rise to adverse effects, including on health. As such, this issue does not represent reliable grounds for refusal.</p>

<p>the turbines as outlined in the Environmental Statement.</p> <p>The ETSU report outlines three methods as the basis of the formulation of planning conditions. The setting of a limit based on measurements of the background noise before the construction of the wind farm forms the basis for the simplest and most easily verifiable method for this authority.</p> <p>If it appeared the permitted the night time noise level might be exceeded, readings could be taken during the day and this would give a guide as to whether or not night time noise readings are necessary. Should enforcement action be necessary it would be necessary to show that the prime component of the measured background noise was from the turbines, as opposed to wind induced noise and for the purpose of providing a complete evidential picture the measurement of wind speed may still be required. This would be in order to provide objective evidence and refute any suggestion of subjective assessment.</p> <p>Having regard primarily to the distance from residential property from development, not concerned about noise from construction and decommissioning.</p> <p>Accordingly no objection, subject to conditions.</p>	
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**Representations:**

The consultation was publicised by a press notice in both the Melton Times and Grantham Journal and a series of site notices in the surrounding villages. In addition, a public meeting was held in Bottesford (on 10<sup>th</sup> February) which was well attended.

**Objections**

As a result of the consultation exercise 535 letters of objection have been received from 290 different households. The issues raised through representation are addressed below:

Representation	Assessment of Head of Regulatory Services
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<p><b>Planning Policy Considerations:</b></p> <ul style="list-style-type: none"> <li>• Contravenes the development plan</li> <li>• Conflicts with principal aims and objectives of the Local Plan in terms of the countryside</li> <li>• PPS22 states ‘renewable energy and developments should only be approved where environment, economic and social impact can be addressed satisfactorily’ – this has not been complied with..</li> <li>• The proposal is contrary to national, regional and local planning policy because of visual impact, impact on the setting of historic assets, and there is no overriding need for development</li> <li>• The application fails to explain how impacts have been mitigated nor why the site has been selected above others. It is therefore contrary to PPS22.</li> </ul>	<p>In common with all planning applications, the Authority are bound in law to determine the application under s38(6) of the Act, i.e. in accordance with the development plan unless material considerations indicate otherwise. The Development Plan comprises the Melton Local plan and the East Midlands Regional Plan.</p> <p><b>National and Regional policy is considered to be supportive in principle to developments of this type, (see ‘Planning Policies’ above) whilst requiring assessment against a range of criteria (landscape impact, residential amenity, ecological concerns etc.).</b> These issues are addressed below and will determine whether the development is in compliance with these layers of policy.</p>
<p><b>Impact on character and appearance of the area, views and landscape.</b></p> <ul style="list-style-type: none"> <li>• The structures will be out of keeping with their surroundings and will dominate the local environment.</li> <li>• The structures will intrude into the whole of the Vale of Belvoir, and due to the topography would be visible for 20+ miles</li> <li>• The height of the turbines will be far higher than electricity pylons and Bottesford Church spire. They will destroy views across the Vale – out of scale and proportion.</li> <li>• Visual impacts would be “oppressive”</li> <li>• The ES does not adequately represent the scale nor the visual impact of the turbines.</li> <li>• Views from Belvoir Castle to Lincoln Castle will be permanently impaired</li> <li>• The site is an open Greenfield adjacent to footpaths and bridleways and the development will be a significant, unacceptable and unjustifiable intrusion into the landscape</li> <li>• Impact on views and blot on the landscape</li> <li>• The development is in conflict with the Council’s statutory duty (Countryside Act 1968) to preserve and enhance the countryside.</li> <li>• Welcome diversification but not at the expense of destroying the rural environment and historic heritage of the area.</li> <li>• The turbines will lead to the industrialisation of the area</li> </ul>	<p>The ES investigated visual impact and identified a ‘zone of theoretical visibility’. It also undertook a viewpoint analysis of locations of local and/or national value landscape. The ES concludes that the turbines will result in a significant change to the character of the site landscape which would become a windfarm landscape.</p> <p>Due to the height and location of the turbines on the valley floor they will inevitably be visible from numerous locations, including both from within nearby settlements and from the surrounding countryside and the landscape will offer little mitigation in terms of ‘assimilating’ the turbines, except for occasional obstructions from specific locations. There will therefore be significant changes to views from a number of residential properties, minor roads, local footpaths and bridleways in the locality. The acceptability or otherwise of such impacts is a criteria of planning policy and is inevitably a matter of judgement.</p> <p>The Inspector for Thackson’s Well concluded that <i>‘there is an absence of any national or local protective landscape designation at least for some significant distance around the application site’... ‘the landscape immediately around the site cannot be held to be a setting of pristine arcadian perfection’</i> and that <i>‘the local landscape, in topographical terms, would be capable of absorbing wind turbine development satisfactorily.’</i></p> <p>The land around the turbines, whilst within the application site, would remain in agricultural use. On decommissioning the project the land would be reverted back to its original use. The development is therefore reversible.</p>

	<p><b>Accordingly it is not considered that a reason for refusal can be substantiated on these grounds.</b> However, the impact on cultural heritage is considered separately.</p>
<p><b>Noise:</b></p> <ul style="list-style-type: none"> <li>• Noise will adversely affect residents in nearby villages</li> <li>• Noise will be intrusive in this rural area.</li> <li>• The right to peaceful enjoyment of one’s home is protected by the Human Rights Act.</li> <li>• Noise will disrupt sleep patterns and ability to rest</li> <li>• Query noise assessment data in the EIA - only baseline noise levels undertaken at 5 locations. There is evidence of concern in the research industry of the adequacy of following PPS22 guidance (i.e to use ETSU-R-97) as experience since 1997 has exposed concerns over variations in noise and ‘infrasound’.</li> <li>• There is no redress for people affected by noise.</li> <li>• Many factors known to cause significant noise issues exist at Palmers Hollow – high wind shear, low ambient background levels, stable air conditions etc</li> <li>• Impact of noise levels both during and after construction</li> <li>• Currently noise from turbines is completely misunderstood</li> </ul>	<p>The principle sources of noise are from the blades rotating in the air (aerodynamic noise) and from internal machinery (mechanical noise).</p> <p>PPG24 – planning and noise – advises that local planning authorities should ensure that development does not cause an unacceptable degree of disturbance. When considering wind turbine proposals the companion guide to PPS22 governs the methodology to be used for planning purposes - ETSU-R-97. The recommendations of this report establish accepted background noise levels and the extent to which they may reasonably be exceeded. It is designed to ensure that satisfactory living conditions for those exposed to noise are maintained. This is achieved by setting a 5 dB (A) level above background levels (at both day and night) at the nearest noise sensitive properties. This methodology has formed the basis of the submitted noise assessment in the Environmental Statement.</p> <p>It is not considered that reservations that this is the appropriate method to follow are therefore sustainable grounds of objection. The methodology has been closely inspected and as such verified as valid. Whilst reservations have been lodged regarding the use of this methodology it remains appropriate and the results demonstrate that no unacceptable impact will occur.</p> <p>It is considered that a planning condition requiring specified noise limits not to be exceeded is appropriate for this development. Noise from development is subject to Environmental Pollution legislation like other sources, and redress is available in this form should nuisances arise.</p> <p><b>Whilst the concerns of the objectors are noted, in light of the above and the comments from the Council’s Environmental Health Officer, it is considered that an objection on noise grounds could not be substantiated.</b></p>
<p><b>Traffic &amp; road safety:</b></p> <ul style="list-style-type: none"> <li>• Congestion in country lanes during the construction phase</li> <li>• Volume of traffic on A52/A1 – accident blackspots likely to be created</li> <li>• Comparison with pylons is unrealistic as these</li> </ul>	<p>The ES identifies the access routes to the windfarm during the construction/decommissioning and operational phases.</p> <p>Construction traffic will come from either:</p>

<p>are motionless and familiar to drivers.</p> <ul style="list-style-type: none"> <li>• The local access roads are not sufficient to support building and subsequent maintenance of the windfarm</li> <li>• Bridge clearance needed if accessing the site from Skerry Lane – major expenditure involved</li> <li>• Due to poor lane condition constant HGV traffic could cause damage to vehicles</li> <li>• Safety of pedestrians – lack of existing footpaths &amp; large areas of existing pavement will have to be removed to provide access</li> <li>• Widening junction will encourage faster traffic speeds</li> <li>• Corner of Cost Row at Long Bennington is far too tight for the size of vehicles involved</li> </ul> <ul style="list-style-type: none"> <li>• The likelihood of the turbines to distract drivers is exacerbated by the production of flicker and strobing at certain times.</li> <li>• Appeal decisions have demonstrated the need to consider turbines as a distraction, particularly where they are close to demanding driving conditions. The A52 and A1 are both extremely busy, carry high volumes of HGV traffic, suffer from a poor accident record and have demanding driving conditions. Such distraction will be adverse to road safety.</li> </ul> <ul style="list-style-type: none"> <li>• Roads are unsuitable – weight restrictions</li> </ul>	<ul style="list-style-type: none"> <li>• A1 onto Main Road and into Long Bennington, continuing onto Normanton Lane through Normanton Village. The route will access the site via an existing agricultural/bridleway access from Normanton Lane (for vehicles unable to navigate the Skerry Lane bridge)</li> <li>• A1 onto A52 via link road. Passes by Sedgebrook before turning onto Skerry Lane and into the site (preferred route for most regular site deliveries).</li> </ul> <p>The ES states that temporary highway improvements will be carried out to facilitate the manoeuvres of abnormal load vehicles and any Highway repairs identified by LCC. Servicing traffic after construction will be light and low in quantity. It is therefore considered that the volume of traffic is likely to be insignificant and the impact on highway safety moderate.</p> <p>PPS 22 companion guide advises on the issue of distraction to drivers and states:  <i>“Drivers are faced with a number of varied and competing distractions during any normal journey, including advertising hoardings, which are deliberately designed to attract attention. At all times drivers are required to take reasonable care to ensure their own and others’ safety. Wind turbines should therefore not be treated any differently from other distractions a driver must face and should not be considered particularly hazardous. There are now a large number of wind farms adjoining or close to road networks and there has been no history of accidents at any of them”.</i></p> <p>Notwithstanding the proximity of the proposed development to the A1 and A52, in light of the above matters it is not considered that the proposal would cause any significant distraction to drivers that could justify refusal on these grounds.</p> <p>Both the Highway Authority and Highways Agency have expressed concern about the suitability of the road network and have requested that the applicants demonstrate (by swept path analysis) that the vehicles used to transport the blades can be accommodated on the highway network. <b>This information has not been updated following the submission of amended plans and accordingly further comments are awaited from the Highway Authority on whether this constitutes an objection to the proposal.</b></p>
<p><b>Archaeology and Heritage Assets</b></p> <ul style="list-style-type: none"> <li>• Effect on setting of Belvoir Castle, Bottesford Church and Vale of Belvoir in general</li> <li>• View between Staunton Hall and Belvoir Castle is of historic significance – line of sight in</li> </ul>	<p><b>Archaeology</b></p> <p>The ES included an archaeological investigation. The site has the potential to contain buried archaeological remains and therefore a programme</p>

<p>connection with a feudal duty of Castle guard</p> <ul style="list-style-type: none"> <li>• Too close to Bottesford Church</li> <li>• Demonstrable harm to numerous Conservation Areas</li> <li>• The chain of beacons will be broken</li> <li>• The wartime observer Corps post is an important wartime archaeological site</li> <li>• There are protected archaeological remains at Bennington Grange - impossible to protect them from ground vibration caused by turbines</li> <li>• Conclusions from Inspector at Thacksons Well are still relevant in this case</li> </ul>	<p>of predetermination work will be required, commencing with geophysical survey and field evaluation (trial trenching). This concluded that there is minimal interest in the areas to be excavated and the impact would therefore be minimal. Confirmation of this is still awaited from LCC Archaeology.</p> <p><b>On the basis of the information available there is no evidence that harm will be caused to archaeological interests and this would not be a sound basis for objection.</b></p> <p><b>Heritage Assets</b></p> <p>The impact on individual listed buildings and Conservation Areas is considered above.</p> <p><b>It is concluded that the turbines are of such a scale that they would impact with various degrees of harm on the settings of a number of listed buildings, Historic Parks and Gardens and Conservation Areas.</b></p>
<p><b>Wildlife</b></p> <ul style="list-style-type: none"> <li>• Instant death to bats caused by pressure drop on rear side of turbine blades – results in body organs exploding</li> <li>• Impact on habitats</li> <li>• Significant number of buzzards, red kites and owls regularly observed in the local area</li> <li>• Proximity to Debdale Meadow – site of SSSI</li> <li>• Windfarms can destroy bugs/worms that are the basis of the foodchain</li> <li>• Ecology surveys have been carried out erratically – consequently a true picture of the abundant wildlife may be much higher than recorded</li> <li>• Disturbance to bats and birds caused by collision – bird strike</li> </ul>	<p>The ES has considered the impacts on ecological habitats, flora and fauna. A number of ecological surveys have been carried out on the site. A number of non-avian species protected by legislation were found to be present on the site namely badger and common pipistrelle bat. All of the avian species observed benefit from some level of statutory protection.</p> <p>Mitigation measures have been identified and are proposed to include:-</p> <ul style="list-style-type: none"> <li>• Avoid nesting farmland birds during construction</li> <li>• Inherent site design of important site features</li> <li>• Construction works timed to avoid disturbance to important receptor species</li> <li>• Creation of herb-rich neutral grassland</li> <li>• Insertion of 3-4 barn owl nesting boxes</li> </ul> <p>The companion to PPS22 states that the impact on local ecology of a wind farm will usually be minimal. Other potential impacts to birds is the loss of habitats. Hedgerow removal would be an example. Whilst the proposed development would require the removal of sections of hedgerow along the access road these are not identified as significant habitats.</p> <p>The PPS22 companion guide advises that bird strike is most likely to occur if turbines are erected directly in a migration path or where there are high</p>

	<p>concentrations of particular birds. This site would appear to be peripheral to main migration routes and is some distance away from water bodies.</p> <p>Both Natural England and LCC Ecology have been consulted on the proposals and neither have objected subject to appropriate conditions.  <b>There is no evidence that harm will be caused to wildlife interests and this would not be a sound basis for objection.</b></p>
<p><b>Footpaths</b></p> <ul style="list-style-type: none"> <li>• Pleasant rural routes will be reduced with consequential impacts for the attractiveness of the area and the tourist industry.</li> <li>• Diminution of ‘peace and tranquility’ that the footpaths currently offer</li> <li>• There are a number of bridleways and footpaths which are well used by horse riders, cyclists, walkers etc their use will be prevented or undesirable.</li> <li>• Proximity to Beacon Hill and Viking Way</li> </ul> <ul style="list-style-type: none"> <li>• Horses will be frightened by the noise/movement of the turbines</li> <li>• A number of the turbines (3, 5 &amp; 8) do not appear to be sited at toppling distance from footpaths</li> <li>• Safety implications for footpath users</li> <li>• Ice on the turbines could potentially injure anyone walking/riding nearby</li> </ul>	<p>The turbines would be extremely close to the network of public footpaths and bridleways that cross the site and are well used by local people. People using these rights of way will be in extremely close proximity to the turbines and the visual effects described above (under ‘Impact on character and appearance of the area, views and landscape’) would be most immediately felt.</p> <p>The Inspector at Thacksons Well considered that any judgement about the extent to which the presence of the turbines might have on the enjoyment of the paths will inevitably be influenced by “<i>a large measure of subjectivity</i>”.</p> <p>The British Horse Society has suggested a 200m exclusion zone around bridle paths to avoid wind turbines frightening horses. Whilst this is considered to be desirable, it is not a statutory requirement.</p> <p>Safety issues are addressed below.</p> <p><b>It is not considered that the turbines will adversely affect the amenity or safety of any public rights of way to warrant a grounds for objection.</b></p>
<p><b>Suitability of the site for a wind farm/ Need for development</b></p> <ul style="list-style-type: none"> <li>• Better locations (e.g off-shore) are available</li> <li>• Wind farms are inefficient and unreliable, losing capacity when the wind speed is too low or too high</li> <li>• Investigations on the site have been inadequate and results have not been published</li> <li>• Precedent for further approvals will be set</li> <li>• Too close to Bottesford Village – should be in excess of 2km. There are far more suitable locations away from residential areas</li> <li>• Poor use of resources given unproven case for generating cost efficient power by turbines</li> <li>• No proven need for windfarms</li> <li>• The environmental ‘footprint’ to build and commission the development in the first place is</li> </ul>	<p>From a technical perspective (i.e. the wind source), the site was selected based on a national register of data that showed it to be in excess of 6m/sec at 45m. To further confirm the on-site wind speed a temporary on-site wind monitoring mast has been installed. The results of the anemometer have not yet been produced, however, the applicant states that the data obtained to date confirms that the site is economically viable.</p> <p>It is of concern that without the results it is difficult to identify whether the site is suitable, and therefore whether preferable sites exist. For example, the average figures may conceal extreme wind conditions that effect operational times and efficiency rates. Whilst the absence of detail means</p>



<ul style="list-style-type: none"> <li>• Sleep deprivation can lead to depression, tiredness, lost working days</li> <li>• Inadequate research to confirm safety of wind farms - residents will be treated as an experiment. Decision makers will be exposed to legal action as a result.</li> <li>• A school and nursery are close to the site</li> <li>• Health of employees at Roseland Business Park which is within 700m and is occupied by 600-700 people daily</li> <li>• Shadow flicker cannot be adequately assessed without exact model of turbines</li> </ul>	<p>frequency noise generated from turbines.</p> <p>Whilst many representations have raised the question of health impacts, the evidence provided is general in nature and none has shown that this configuration (i.e. the number and type of turbines and their proximity to residents) would have such impacts. Indeed, the most common form of representation is concerned with the absence of certainty that there will be no effects, rather than assertions that there will.</p> <p>Shadow flicker as a term is explained in PPS22. Under certain combinations of geographical position and time of day, the sun may pass behind the rotors of a turbine and cast a shadow on and off. It only occurs inside buildings where the flicker appears through a narrow window opening.</p> <p>The zone of potential shadow flicker impact covers a distance of 10 rotor diameters from each turbine (in this case 820m) and 130 degrees either side of north (relative to each turbine). This zone includes 2 residential properties – Downfields (792m from nearest turbine) and Elm Farm (765m from nearest turbine). The ES states that using worst case scenarios, the maximum minutes in one day of potential shadow flicker (any window) is 27 minutes. In the absence of UK guidelines for shadow flicker, this is deemed to be acceptable and no significant impact is therefore anticipated.</p> <p>Turbines can also cause flashes of reflected light which can be visible from some distance. It is possible to ameliorate the flashing by careful choice of colour and surface finish, however, it cannot be completely eliminated.</p> <p>In light of the advice contained in PPS22 it is considered that whilst some shadow flicker/flashes may occur, mitigation measures are available to ensure that there would be no significant loss of residential amenity and a condition can be imposed requiring a detailed specification of the turbines to be installed.</p> <p><b>Planning decisions are required to demonstrate and support with evidence that adverse affects will arise and it is not considered that evidence exists in this case to enable this. As such, it is not considered that it forms a ground to formally object.</b></p>
<p><b>Safety</b></p>	

<ul style="list-style-type: none"> <li>• Turbines have been known to burst into flames – burning debris thrown great distances</li> <li>• Blades can become detached and are propelled long distances</li> <li>• Fall-over distance, ice throw, shadow flicker and strobe effect</li> <li>• Recent history of catastrophic failure and collapse of wind turbines raises questions of safety</li> </ul>	<p>The operation of the turbines will be governed by Health and Safety legislation and manufactured in accordance with safety requirements.</p> <p>No evidence has been submitted to suggest the concerns registered are likely occurrences.</p>
<p><b>Aviation</b></p> <ul style="list-style-type: none"> <li>• Danger will be posed to low flying aircraft and flight paths</li> <li>• There is lots of RAF low level aerial activity – impact on radar systems</li> <li>• Multitude of small scale aviation interests that will have to cope with added risk of over-flight and turbulence caused by turbines – planes, gliders, microlites, helicopters, balloons etc</li> </ul>	<p>Consultation has been carried out with the MoD, CAA and NaTS who have confirmed that it will not impact on aviation activity (see responses above)</p>
<p><b>Impact on residential Amenities –</b></p> <ul style="list-style-type: none"> <li>• Proximity to dwellings and businesses</li> <li>• Adversely affect residential outlook – overbearing impact of turbines</li> <li>• Potential for Shadow flicker</li> <li>• It is not recommended to building turbines within 2km of domestic housing – this proposal is far closer and a number of homes lie within 800m from the nearest turbine</li> </ul>	<p>Residential amenity can be affected by both visual and non-visual (i.e.noise) impacts. The ability to see a turbine is not in itself sufficient to demonstrate unacceptable harm in a development control context.</p> <p>The Companion Guide to PPS22 states that the minimum desirable distance between wind turbines and occupied buildings calculated on the basis of expected noise levels and visual impact will often be greater than that necessary to meet safety requirements. Fall over distance (i.e. the height of the turbine to the tip of the blade) plus 10% is often used as a safe separation distance and this can be met in the case of all the turbines proposed.</p> <p>The closest development to the site is Elm Farm at Normanton. The view from the rear main living rooms of this property and its rear garden extends from the airfield perimeter in to north to Belvoir Castle in the south. The Inspector considered that at Thacksons Well , with careful landscaping, it should be possible to define a field of view towards Belvoir Castle in which the proposed turbines would not appear. However, he stated that he might well come to a different judgement if turbines extended further southwards across the view. This proposal is located to the south of the site and therefore the impact on the residents of Elm Farm is considered to be worsened.</p> <p>However, the Inspector concluded that on the balance of private interests (in maintaining existing views) and public interest (in generating energy from renewable resources) he regarded the latter as the more compelling.</p> <p><b>It is not considered that the impact on residential</b></p>

	<p><b>amenity is so detrimental to warrant grounds on which to oppose the development.</b></p>
<p><b>Other issues</b></p> <ul style="list-style-type: none"> <li>• Negative effect on house values in the vicinity</li> <li>• A scheme for the decommissioning of the site should be put in place</li> <li>• Foundations may affect flooding situation</li> <li>• TV reception may be affected – electric magnetic interference</li> <li>• Once the landscape has been blighted more windfarms will follow – precedent set</li> <li>• No details of connection to the National Grid</li> <li>• Employment in project construction would not utilise local contractors</li> <li>• No sustained job opportunities beyond the construction phase of the development</li> <li>• Adverse impact on efforts to encourage tourism and future investment</li> <li>• The ES does not refer to the Inspectors decision at Thacksons Well – despite it being released before the application was submitted</li> <li>• The same reasons for rejecting the Thacksons Well appeal apply – this site is even closer to buildings and the reasons are therefore even more pertinent – they should therefore be a material consideration.</li> <li>• Number of issues left unresolved/errors in document:- <ul style="list-style-type: none"> <li>- Candidate turbines</li> <li>- Highway/access issues</li> <li>- Archaeological report</li> <li>- Proximity to PROW</li> </ul> </li> </ul>	<p>Impacts on house values is not a material planning consideration for planning applications.</p> <p>The proposal is for a 25 year life span, after which it will be decommissioned.</p> <p>Flooding is addressed in the EIA. the proposal would not directly affect any watercourse and the effect on run off rates would be minimal. The proposal has been the subject of consultation with the Environment Agency who have not objected.</p> <p>Consultation has indicated that the development may interfere with TV signals in some cases. It is therefore recommended that a condition is applied to require resolution of this concern before development proceeds.</p> <p>Each application must be determined on its individual merits.</p> <p>The ES states that preliminary discussions indicate that connection to the local grid would be available at a number of locations.</p> <p>Although there may be some local employment generated during the construction phase it is considered that the impact would be minimal.</p> <p>There is a lack of evidence as to whether wind farms attract or reduce the number of visitors to an area and therefore it is considered unreasonable to refuse planning permission on these grounds.</p> <p>It is considered that the Inspectors decision at Thacksons Well is a material consideration in the determination of this application.</p> <p>Although the application is for full planning permission, the exact make and model of turbines has not been specified. However, it is considered that adequate control can be secured by planning conditions that specify particular limitations such as</p>

<ul style="list-style-type: none"> <li>- Re-routing of bridleways</li> <li>- Unsatisfactory background noise measurements</li> <li>-</li> <li>• Damage to water pipes and BT cables</li> <li>• Animals graze within a few hundred metres of planned construction – impacts on fertility, premature calving and abnormalities</li> <li>• The community benefit fund is unacceptable, potentially unlawful and an attempt to ‘buy’ agreement to the application</li> <li>• There should be a resultant decrease in council tax</li> <li>• Turbines are a financial drain on European funds – create fuel poverty</li> </ul>	<p>turbine height, type and colour, along with addressing any other issues raised.</p> <p>No evidence to substantiate this concern.</p> <p>No evidence to substantiate this concern.</p> <p>Any offer of community benefits by a developer – should not be seen as ‘bribes’ or attempts to ‘buy planning permission’. They are a fully justifiable component of a wind energy development and its relationship with its host community. However, Community benefits are not considered legitimate material considerations within the planning decision making process as they do not relate to planning issues nor directly to the proposed wind farm.</p>
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**Campaign Group - BLOT**

A very substantial and comprehensive critique of the application has also been submitted by the campaign group Belvoir Locals Oppose Turbines in which it is stated to represent ‘thousands of local residents’. The main points of this document are summarised below but it is recommended Members view this document directly.

<b>Representation</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Summary of concerns:-</b>  <b>Planning Policy/Site selection –</b></p> <ul style="list-style-type: none"> <li>• The wind farm proposal contravenes a wide range of national, regional and local planning policies.</li> <li>• The Government, although encouraging wind farm developments, is very clear in PPS22, Key Principle (i), that; “renewable energy developments should only be approved where the environmental, economic and social impacts can be addressed satisfactorily.”  Strong contention, in this specific case, the adverse impacts have not been addressed satisfactorily and this is a scheme in a totally inappropriate location.</li> <li>• The proposed site boundary is only 250m from the Infinergy site which has already been refused by council and dismissed at planning appeal.</li> </ul> <p><b>Landscape and visual impact –</b></p> <ul style="list-style-type: none"> <li>• The proposed development is totally out of</li> </ul>	<p>These issues re-iterate those raised in the objections above. Unless a specific comment is made, all the points have been fully addressed above.</p>

scale with the surrounding villages and rural landscape. It will intrude unacceptably on the landscape, on a large number of properties, and will alter the existing landscape character adversely.

**Cultural Heritage –**

- The scheme will have a significant visual impact up to 10km. It will therefore have an adverse impact on the setting of a number of listed buildings, conservation areas, registered parks and Scheduled Ancient Monuments, notably Belvoir Castle, St Mary's Church, Staunton Hall, Belton House, Harlaxton Manor, Bennington Grange. Its size means that its visual impact will compromise the objectives of these designations and, hence, will be in conflict with national and regional planning policies.

**Noise -**

- There is strong evidence that local residents would be adversely affected by various types and levels of noise.
- The background noise measurements are flawed and incomplete and do not conform to the ETSU-R-97 guidelines.

**Health and safety –**

- Research suggests wind turbines have the potential to cause significant health problems.
- There are hundreds of residents in Bottesford, Normanton and Muston who are within the 2km setback recommended by medical personnel to protect them from harm.
- The health and safety risks are underplayed in the ES. Potential for fire, blade failure/component shedding, structural failure and collapse, ice throw, oil spills and general operational safety concerns.

**Residential amenity –**

- The villages of Bottesford, Easthorpe and Normanton plus scattered dwellings are situated less than 1km from the nearest turbine. The impact on these villages has been vastly underplayed and a number of properties would experience
- The Es has insufficiently addressed the adverse amenity aspects caused by construction.
- Shadow flicker and shadow flickering influence would have an adverse impact on many neighbours of this site.

**Access and highway safety –**

- Access to the site is inhibited by a low bridge,

Where predicted wind turbine noise levels are found to meet the noise limits prescribed in ETSU-R-97, as referred to in PPS22, then such noise is not considered to be significant. This can be controlled through suitable conditions.

<p>resulting in the need for two routes and extra roads and tracks. The increase in blades from 35m to 40m has rendered it impossible to negotiate the tight corners in Long Bennington (applicant's main option).</p> <ul style="list-style-type: none"> <li>• The A52 is a very busy road carrying a large volume of traffic. It already experiences an excessive number of accidents. Turbines would increase driver distraction.</li> <li>• Impact on highway network during construction</li> </ul> <p><b>Rights of Way –</b></p> <ul style="list-style-type: none"> <li>• The site is proposed to be constructed directly over an area with a dense and well used network of public rights of way. These routes are valued by locals and visitors alike. The enjoyment of the countryside will be compromised by the presence of massive wind turbines in such close proximity to many of these PROWs.</li> </ul> <p><b>Ecology –</b></p> <ul style="list-style-type: none"> <li>• The ecology of the local area will be adversely affected.</li> </ul> <p><b>Need –</b></p> <ul style="list-style-type: none"> <li>• The East Midlands Region, in terms of operational and already consented schemes, is forecast to achieve its 2010 targets. There is no pressing need for this scheme.</li> </ul> <p><b>Aviation –</b></p> <ul style="list-style-type: none"> <li>• The site is in an area where there are low flying civilian and military aircraft. These proposals will increase air safety concerns.</li> </ul> <p><b>Other -</b></p> <ul style="list-style-type: none"> <li>• The ES is inadequate, prone to exaggerating benefits and minimising negatives. It lacks objectivity and is deficient in depth and rigour. It either dismisses valid problems as non-existent or does not provide any mitigating proposals.</li> <li>• Failure to identify alternative sites</li> <li>• Insufficient wind speed</li> <li>• The application lacks detail in respect of TV interference.</li> <li>• Potential for further development.</li> <li>• No evidence that an efficient connection can be made to the Grid.</li> <li>• Electricity production is unreliable because the wind is variable and cannot be predicted.</li> </ul>	<p>Whether or not targets can be met via existing extant projects is not considered to be a determining factor. PPS22 advises that targets should be reviewed on a regular basis and revised upwards if they are met subject to the region's renewable energy resource potential and the capacity of the environment in the region for further renewable energy developments.</p>
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## Supportors

31 letters of support have been received from 26 different addresses raising the following comments:-

<b>Representation</b>	<b>Assessment of Head of Regulatory Services</b>
<ul style="list-style-type: none"><li>• Projects like this are important to the UK – the country cannot continue to function unless we start to use our own domestic renewable resources.</li><li>• Sustainable energy is something we need to develop as a matter of urgency to help fight climate change – important for future generations.</li><li>• Saving money and our planet is better than a view from our bedroom window.</li><li>• They should be approved, however, suggest they are coloured to blend in to reduce the starkness of the towers.</li><li>• Limited visual impact and beneficial to area.</li><li>• Limited noise and disturbance</li><li>• It is well placed for what it is designed to do and environmental issues have been well thought through.</li><li>• The site is adjacent to the old airfield and therefore the area cannot be considered to be green open countryside.</li><li>• Any change can be unsettling but this kind of change is essential</li><li>• The effects won't be as bad as envisaged – it has been shown that once they are established in the landscape, neighbours to these farms become their most ardent supporters.</li><li>• When the blades are revolving they become invisible from most viewing distances, just as aircraft propellers do.</li><li>• They are neither so ugly nor so conspicuous as electricity pylons of which there are a large number in the Vale of Belvoir and to which we have become so accustomed that we rarely notice them.</li><li>• The height of the turbines are smaller than the Thacksons Well proposal and therefore cannot be compared as like for like. The photomontages and wire frame demonstrate that only a few blade tips will be visible from Belmont House/Belmont Tower (seemingly the most contentious view in the Inspectors report) compared to virtually the entire Thacksons Well site.</li><li>• Wind turbines are elegant, beautiful structures and will add interest to the area around Bottesford.</li></ul>	<p>Comments noted.</p> <p>Policy at all levels is generally positive towards renewable energy generation and the development required to achieve a reduction in CO2. However, specific local circumstances need to be considered carefully.</p> <p>The comments made in support have been assessed above.</p>

## Conclusion

The proposal is considered to be supported in terms of very broad principles by national policy as contributing to the wider aims of encouraging renewable energy. However, the Vale is unusually rich in a number of historic assets and especially so in the historic significance of visual relationships between them and their surrounding landscapes. It is therefore considered that given the height and siting of the turbines, harm to the historic qualities of the landscape would result of such significant and unacceptable impact as to outweigh the electricity generation benefits of this scheme.

The recent appeal decision at Thacksons Well is considered to be a significant material consideration and its finding should not be departed from unless there are substantial changes in circumstances that justify doing so (e.g. the physical differences between the schemes and/or changes to policy). Much of the above assessment is focussed on these differences and it will be noted that the schemes are so similar that the appeal findings remain relevant in many aspects (concluding both that some aspects are acceptable and others unacceptable). Amongst these, the principal reasons for refusing the appeal are considered to apply equally to this application and as such it is considered they are necessarily adjudged reasons for refusal.

Although an appeal against non-determination has been received and therefore the Council cannot formally determine the application, the Committee is invited to establish the position the Council will adopt at the appeal and indicate whether any areas of concern are considered to be held with such conviction as they are considered to be grounds to refuse the application and therefore defend the Inquiry (as opposed to issues that whilst remaining of concern can be either 'outweighed' by the positive aspects of the proposal, and/or set aside once satisfactorily resolved).

**RECOMMENDATION: -**

**That the Council submits to the Appeal Inquiry the following position:**

**1 Planning Permission should be REFUSED for the following reason::**

**1. It is considered that the application will have both significant direct and cumulative adverse effects on the setting and visual amenity of a number of heritage assets including Belvoir Castle, St Mary's Church Bottesford and Bennington Grange, and on the whole historic landscape of the Vale of Belvoir which contains these historic buildings and monuments of outstanding and international significance. The application is thus contrary to PPG15, and PPG16.**

**2. that the information submitted with the application is insufficient to fully assess:**

**a) the suitability of the road network and the routing of construction traffic, specifically, the swept path of articulated vehicles. This blockage of the junctions may result in vehicles being stopped on the A52.**

**b) the visual assessment of impacts on the setting of various historic assets.**

Officer to contact: **Mrs Kirsty McMahon**

**19<sup>th</sup> August 2009**