

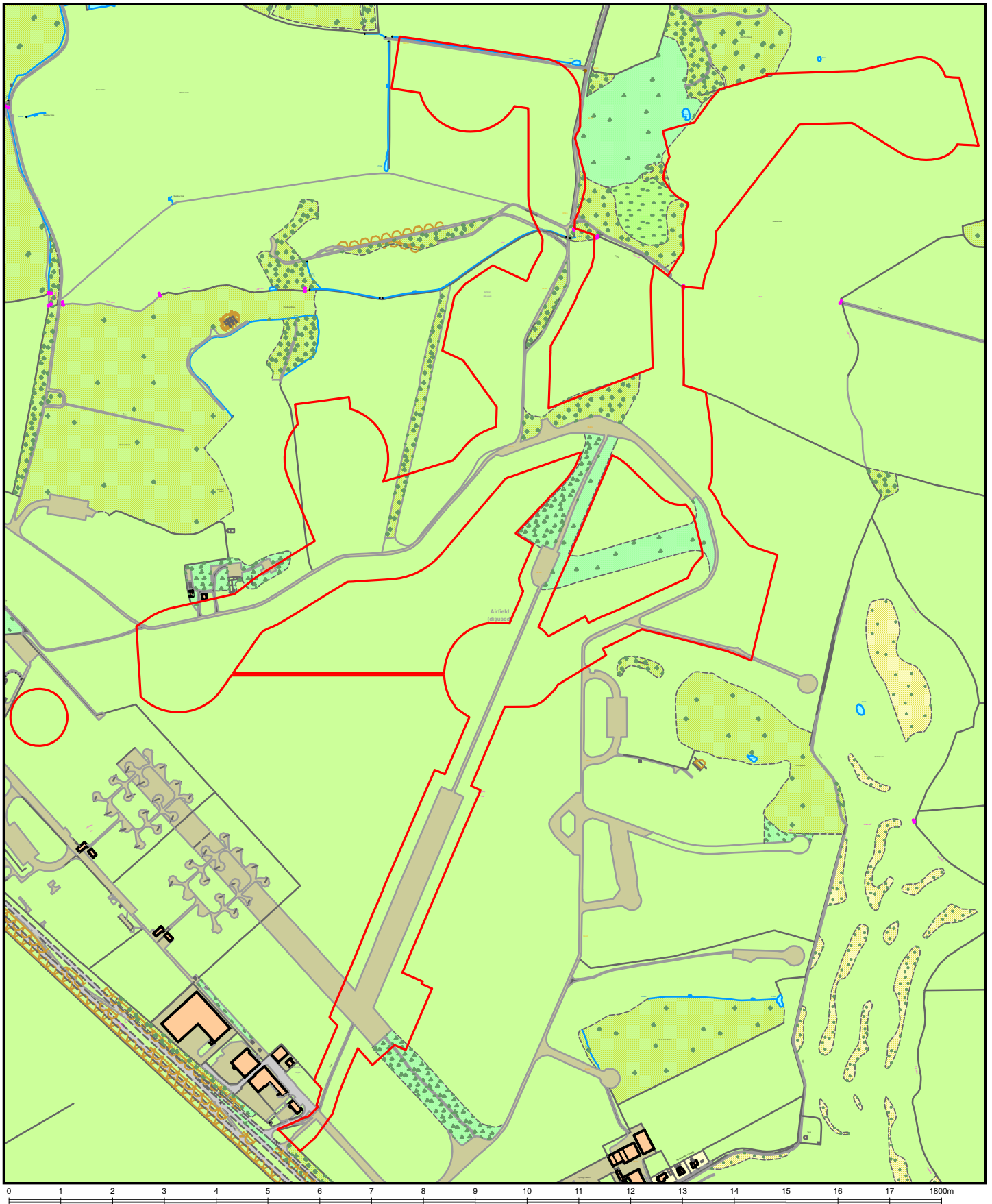
**REPORT NO: 238/2015**

**SPECIAL DEVELOPMENT CONTROL AND LICENSING COMMITTEE**

**10<sup>TH</sup> DECEMBER 2015**

**PLANNING APPLICATIONS TO BE DETERMINED BY THE  
DEVELOPMENT CONTROL AND LICENSING COMMITTEE**

**REPORT OF THE DIRECTOR FOR PLACES  
(ENVIRONMENT, PLANNING AND TRANSPORT)**



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Scale - 1:10000  
Time of plot: 16:14  
Date of plot: 30/11/2015



**Rutland County Council**

Catmose,  
Oakham,  
Rutland  
LE15 6HP

Application:	2014/1003/MAJ		ITEM 1
Proposal:	The proposed development is for a wind farm of nine (9) number, three-bladed, horizontal axis wind turbines, each up to 130m maximum height to tip. The proposed wind farm would have associated electricity transformers, underground cabling, access tracks, road widening works, permanent access track turning heads, rotor assembly pads, crane hardstandings, control building and substation compound, and a communications mast. During construction and commissioning there would be a number of temporary works including a construction compound, security gatehouse, vehicle cleaning facility, welfare facilities, and two (2) number guyed meteorological masts up to 80 metres high (indicative hub height).		
Address:	Land North of Woolfox Depot, Woolfox Lodge Road, Empingham, Rutland,		
Applicant:	RES UK and Ireland	Parishes	Clipsham, Empingham, Greetham, Pickworth
Agent:	Mr C Banks, RES	Wards	Greetham Normanton
Reason for presenting to Committee:		Major development with wider implications	
Date of Committee:		10 December 2015	

## EXECUTIVE SUMMARY

The proposal is for the construction of 9 wind turbines, 2 meteorological masts and ancillary development. The application details estimate that the proposed scheme would be capable of generating electricity equivalent to the requirements for 13,300 residential dwellings.

The application is accompanied by an Environmental Impact Assessment, which is required due to the scale of the proposed development, and identifies likely significant effects of the proposal on the environment. The application is required by planning law to be determined in accordance with the development plan unless material considerations indicate otherwise.

National planning policy is generally in favour of renewable energy development, though it acknowledges that larger schemes will inevitably have adverse impacts, though these are usually temporary for the life of the project in the case of wind farms, and are reversible upon decommissioning.

National planning practice guidance does also acknowledge however that the need for renewable energy does not override environmental protections and planning concerns of local communities.

Local planning policy identifies landscape areas within the county as having high, moderate or low capacity to accommodate wind turbines, with several different categories of height of turbine and number of turbines in the group being assessed. The application site spans two such areas, one of low capacity and one of moderate capacity for the group size and turbine height proposed.

The impact of the turbines on the landscape is assessed as being significant and adverse, and contrary to planning policy.

In heritage terms, the application is assessed as having a detrimental impact upon views out of the Clipsham Conservation Area, grade II registered Exton Park and the grade II\* listed folly at Fort Henry, as well as views from the churchyard of the grade II\* listed St Nicholas Church in Stretton, contrary to planning policy.

The assessment of visual impact accompanying the application classifies the nature of visual effects of turbines as neutral (rather than adverse or beneficial) based on the conclusions of public opinion surveys about turbines. This is not consistent with common practice in respect of categorising such impacts, and results in an underestimation of the landscape and visual assessment of the impact of the proposed turbines. Proper categorisation of the visual effect of the wind turbines results in the conclusion that there are significant adverse effects on nearby villages, public rights of way and roads in the vicinity, contrary to planning policy.

Other impacts associated with the proposal are either considered to be not significantly adverse, or can be controlled by the application of appropriate planning conditions.

The public benefit of the proposal must therefore be weighed against the significant adverse impacts identified. Weight given to the public gain is limited to the predicted generation capacity of the project, which is locally significant but not nationally so. It does not compare favourably with the negative impacts identified to landscape, visual amenity and heritage assets of both local and national significance, and therefore the harm caused by the proposal is not outweighed by its public benefit, and refusal is therefore justified.

## RECOMMENDATION

### **REFUSE PLANNING PERMISSION**, for the following reason:

1. The proposal would result in substantial and demonstrable harm to the landscape character of the Di (South) sub-area of the Cottesmore Plateau Landscape Character Area, visual amenity in the settlements of Clipsham and Pickworth, the eastern part of the Registered Park and Garden of Exton Park including Fort Henry, the Rutland Round long distance walking route, public rights of way within 1.5 kilometres of the site, the western section of the byway open to all traffic to the east of Pickworth and public rights of way within Exton Park to the west, and local roads within 1.2 to 2.5 kilometres of the site, and also to the setting and views from Exton Park including Fort Henry, Stretton churchyard and Clipsham Conservation Area. The harm to the heritage assets is less than substantial but is not outweighed by the public benefit of the proposal. The environmental impact of the proposal is for these reasons unacceptable and cannot be made acceptable by mitigation. The proposal is therefore contrary to policies CS1, 2, 19, 20, 21, and 22 of the Rutland Core Strategy (July 2011), SP7, 15, and 18 of the Site Allocations and Policies Development Plan Document (October 2014), the Wind Turbines Supplementary Planning Document (November 2012), sections 3, 10, 11 and 12 of the National Planning Policy Framework (March 2012) and DCLG – Planning Practice Guidance for Renewable and Low Carbon Energy.

## Site & Surroundings

1. The site is located to the east of the A1, to the north east of the former Woolfox Airfield, which adjoins the A1 between Stretton and Great Casterton. It is most closely related to the villages of Stretton, Clipsham and Pickworth, which lie north-west, north and east of the site respectively. The Woolfox Depot industrial site lies to the south west of the site adjacent to the



A1, whilst the Rutland County Golf Club is located to the south and Clipsham Quarry to the north east.

2. The site lies within the landscape character type identified as the 'Rutland Plateau', and spans two of the sub areas of this, the Cottesmore Plateau and the Clay Woodlands. It is currently in use as arable farmland. The northern part of the site within which turbines 7, 8 and 9 are proposed to be located exhibits typical characteristics of the Cottesmore Plateau, with undulating ground levels and larger geometric agricultural field patterns interspersed with large areas of woodland, whilst the southern part of the site is generally flatter, with woodlands less common.
3. Several public rights of way (bridleways) cross through this area, with E163 running across the site to the south of turbines 7, 8 and 9. E135 and E165 follow the eastern boundary of the site north and south of E163, whilst E334 runs north from E163 between turbines 7 and 9. In addition to this, there are three permissive bridleways to the east, one running along the southern edge of Pickworth Great Wood, one running from the junction of E135 and E163 heading south before turning east to join 'The Plains' to the west of Pickworth, and the third running directly north from 'The Drift' to the east of Pickworth to the southern boundary of Newell Wood.

## Proposal

4. The proposed development is for a wind farm of nine (9) number, three-bladed, horizontal axis wind turbines, each up to 130 metres maximum height to tip. The proposed wind farm would have associated electricity transformers, underground cabling, access tracks, road widening works, permanent access track turning heads, rotor assembly pads, crane hardstandings, control building and substation compound, and a communications mast. During construction and commissioning there would be a number of temporary works including a construction compound, security gatehouse, vehicle cleaning facility, welfare facilities, and two (2) number guyed meteorological masts up to 80 metres high (indicative hub height).
5. The Planning Statement that accompanies the application for the proposed windfarm identifies that consent is sought for construction, 25 year operational life and subsequent decommissioning of the turbines. As is normal for applications of this type, micro siting allowances of up to 50 metres are included within the turbine locations to allow for local suitability of ground conditions to be investigated following a decision. Details of the exact turbine model would be reserved by condition should consent be granted, to allow for the selection of a turbine based on the particular site characteristics, latest available technology etc. Regardless of this, if permission is granted, the final turbine choice could not exceed the parameters detailed (height, noise emissions, etc.) in the current application.
6. The details of the grid connection do not form part of the current application for consent, and are included to give an indication of the routes being considered. Formal consent for the grid connection would be the subject either of a separate planning application or consent regime as appropriate to the final details of the route and method of connection. Section 8.9.10 of this report considers this matter in detail.
7. The two meteorological masts to be erected would be in addition to the existing temporary mast on the site, one erected at the location of proposed turbine 1 for six months, and the second on land to the west of the turbine locations for two years.

## Relevant Planning History

Application	Description	Decision
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177/56	11,000 volt overhead lines	Consent
74/0238	The erection of a high voltage line at Hardwick Farm, Pickworth & Empingham	Deemed consent
90/0713	Change of use of agricultural land to develop golf course. Site of former Woolfox Airfield	Permission
FUL/2009/0534	Erection of 7no. terraced business units (Class B1)	Appeal dismissed
APP/2011/0128	Erection of 80m high meteorological mast	Appeal allowed
APP/2014/0289	Scoping opinion request for a proposed windfarm	Opinion sent
2014/0560/SCR	Screening opinion for proposed solar photovoltaics to be located on land at former RAF Woolfox Lodge, Near Clipsham.	EIA Not required
2014/0782/SCR	Screening opinion for proposed solar photovoltaics to be located on land at former RAF Woolfox Lodge, Near Clipsham.	EIA Not required

## Legislation

### 8. Environmental Impact Assessment (EIA)

9. This application is accompanied by an EIA. This is required to comply with the EU Directive “on the assessment of the effects of certain public and private projects on the environment”. The purpose of the EIA is to enable the decision maker to make decisions in full knowledge of the likely significant effects. The applicant prepares an Environmental Statement (ES) to comply with the EIA requirements.
10. The regulations specify the areas that the ES must cover. The focus is on those environmental factors that are significantly affected. Other issues can be dealt with briefly. One of the requirements is that a non-technical summary must be produced so that the conclusions can be easily understood by decision makers. This is included as an appendix to this report.

## Planning Policy and Guidance

11. Planning Law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Relevant local and national policies (and material considerations) in respect of the proposed development are as follows.

### Development Plan

#### 12. Rutland Core Strategy (July 2011)

- a. Policy CS1 identifies the sustainable development principles that apply to development in the County. Of particular relevance to this scheme are the expectations that new development will minimise the impact on climate change, respect and wherever possible enhance the character

of towns, villages and the landscape, and minimise the use of resources, meeting high environmental standards in terms of design and construction.

- b. Policy CS2 sets out the spatial strategy, providing for sustainable development to help create safe and healthy communities and meet the needs of the local economy. With regard to sustaining the environment, the policy in particular references safeguarding the special historic and landscape character, cultural heritage and environment of towns and villages in rural areas, whilst promoting renewable energy.
- c. Policy CS4 addresses the matter of the location of development, noting that development in the countryside will be strictly limited to that which has an essential need to be located in the countryside and will be strictly limited to particular types of development to support the rural economy.
- d. Policy CS19 sets out the policy with regard to design of development. It notes that new development will be expected to contribute positively to local distinctiveness, being appropriate and sympathetic to its setting in terms of scale, height, density, layout, appearance, materials, and its relationship to adjoining buildings and landscape features.
- e. Policy CS20 is the most relevant within the Core Strategy for the type of development proposed, addressing the matters of energy efficiency and low carbon energy generation. It notes that wind turbines will be supported where environmental, economic and social impacts can be addressed satisfactorily, and address a list of issues including landscape and visual impact, effects on the natural, cultural and built environments, public and residential amenity, number and size of turbines and any cumulative impact, and their contribution to national and international targets on climate change and renewable energy.
- f. Policy CS21 deals with the natural environment, and seeks to ensure that development is appropriate to the landscape character type within which it is situated, along with securing protection to appropriate sites and species, maintaining and enhancing conditions for priority habitats, ecological assets and biodiversity.
- g. Policy CS22 aims to ensure that the quality and character of the built and historic environment is conserved and enhanced. Specifically this means protection of conservation areas, listed buildings and their settings along with respecting the historic landscape character.

### **13. Site Allocations and Policies Development Plan Document (October 2014)**

- a. Policy SP1 establishes the presumption in favour of sustainable development within the development plan, noting that development that accords with its policies will be approved without delay and that the local authority will work proactively to find solutions that allow development to be approved wherever possible.
- b. Policy SP7 addresses the matter of non-residential development in the countryside, and identifies several type of development that will be supported. Essential investment in infrastructure including renewable energy is one of these types. Caveats are then applied to those types of development to ensure they are acceptable, including that the development does not adversely affect nature conservation sites and is not detrimental to the character and appearance of the landscape, or the visual amenity and setting of towns and villages. It also notes that development will not be supported if it adversely affects the character of or reduces the intervening open land between settlements such that their individual identity or distinctiveness is undermined.
- c. Policy SP15 sets out the matters that will be considered in relation to the design and amenity of new development. Such matters as are particularly relevant to the proposal are siting and

layout, relationship to surroundings, amenity, density, scale, form and massing, access and impact on the highway network.

- d. Policy SP18 is the policy of prime importance in relation to the proposal, and notes that wind turbine developments will be supported where environmental, economic and social impacts can be addressed satisfactorily. 14 elements of a wind turbine proposal are listed as being relevant, and the detail of this application with respect to each of these will be assessed specifically in the assessment section of the report.

## **Other Material Considerations**

### **14. Supplementary Planning Document – Wind Turbine Developments**

The supplementary planning document (SPD) expands on the elements identified within policy SP18, giving greater detail on the standards expected of proposed developments. The SPD is directly referenced in policy SP18 with regard to the issues relevant to wind turbine developments and therefore its content is to be regarded as having equal weight to the policies in the Site Allocations and Policies Development Plan Document. As with policy SP18 referenced above, the Planning Assessment section of the report will utilise these headings to structure the assessment of the scheme.

### **15. National Policy Statements for Energy**

#### **EN-1 – Overarching National Policy Statement for Energy**

- a. Paragraph 1.2.1 of this document identifies that in England and Wales, the document is “*likely to be a material consideration in decision making on applications that fall under the Town and Country Planning Act 1990 (as amended). Whether, and to what extent, this NPS is a material consideration will be judged on a case by case basis.*”
- b. The document sets out the government’s overarching planning policy for energy developments, including the role of renewable energy generation within the nation’s energy generation portfolio. It is primarily intended for use with nationally significant infrastructure projects, however the approach set out in the document is in accordance with that identified in section 10 of the NPPF.

#### **EN-3 – National Policy Statement for Renewable Energy Infrastructure**

- c. Paragraph 1.2.3 of this document identifies that in England and Wales, the document is “*likely to be a material consideration in decision making on relevant applications that fall under the Town and Country Planning Act 1990 (as amended). Whether, and to what extent, this NPS is a material consideration will be judged on a case by case basis.*”
- d. The document sets out the government’s policy for renewable energy including wind farms. It is primarily intended for use with nationally significant infrastructure projects, however the approach set out in the document is in accordance with that identified in section 10 of the NPPF. The document acknowledges that larger schemes will inevitably have adverse impacts, but that due to the nature of the technology these are generally temporary for the lifetime of the project, and reversible upon decommissioning.

### **16. National Planning Policy Framework**

- a. The National Planning Policy Framework (NPPF) identifies at paragraph 2 that it is a material consideration in planning decisions. It also identifies at paragraph 3 that National Policy Statements (NPS) are a material consideration with respect to planning applications.

- b. Paragraphs 6-10 of the NPPF are grouped under the title 'Achieving sustainable development'. They identify that sustainable development has three dimensions, economic, social and environmental. Emphasis is placed on these three elements being considered together rather than in isolation, and on adapting to climate change and a low carbon economy whilst protecting and enhancing the natural, built and historic environment.
- c. Paragraphs 11-16 establish a presumption in favour of sustainable development, noting that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is at this point identified as a material consideration in applications for planning permission, and notes that applications that accord with the development plan should be approved without delay.
- d. Paragraph 17 identifies the core planning principles upon which the NPPF is founded, which are intended to underpin plan-making and decision-taking. Of particular relevance in this instance are taking account of the different roles and character of different areas recognising the intrinsic character and beauty of the countryside, supporting the transition to a low carbon future in a changing climate encouraging the use of renewable resources, conserving and enhancing the natural environment, promotion of mixed use developments recognising that land can perform multiple functions, and conservation of heritage assets in a manner appropriate to their significance.
- e. Section 1: Building a strong, competitive economy, covering paragraphs 18-22 emphasises commitment to economic growth in order to create jobs and prosperity, to meet the twin challenges of global competition and a low carbon future. Paragraph 19 in particular attaches significant weight to supporting economic growth through the planning system.
- f. Section 3: Supporting a prosperous rural economy, addressed in paragraph 28 encourages a positive approach to sustainable new development, and supports the development and diversification of agricultural and other land-based rural businesses. It also notes support for sustainable rural tourism and leisure development that benefits business in rural areas, communities and visitors, and which respect the character of the countryside.
- g. Section 4: Promoting sustainable transport, including paragraphs 29-41 advises on the transport impacts of development, and notes that schemes that generate significant amounts of movements should be supported by a transport statement or assessment, and that decisions should take account of such matters, including if a safe and suitable access to the site can be achieved. It also notes that development generating significant movement should be located where the need to travel is minimised, including for deliveries of goods.
- h. Section 7: Requiring good design. This section covers paragraphs 56-68; however of most relevance to the current proposal is paragraph 59, which notes that policies on design should concentrate on guiding development in terms of scale, density, massing, height, layout, materials etc. rather than being unduly prescriptive.
- i. Section 10: Meeting the challenge of climate change, flooding and coastal change. Paragraphs 93-108 emphasise the key role that planning plays in securing "*radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.*" Paragraph 97 further emphasises the matter, noting that "*local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources*". Subsequent parts of the section identify that adverse impacts of such development must still be satisfactorily

addressed, and that the applicant should not be required to demonstrate the overall need for such development.

- j. Section 11: Conserving and enhancing the natural environment. Paragraphs 109-125 cover in detail the matters relating to development affecting the natural environment. These paragraphs seek to ensure that development contributes to and enhances the natural environment, including a diverse range of features such as landscapes, geology, biodiversity, pollution and ecology. The section prioritises the use of poorer quality land for development, and notes that planning decisions should avoid significant adverse effects from noise whilst recognising that development will often create some noise.
- k. Section 12: Conserving and enhancing the historic environment. Paragraphs 126-141 address the impacts of a proposal in respect of the historic environment, with emphasis placed on the fact that heritage assets are irreplaceable. The section outlines the approach of considering the impact on such assets, beginning with an assessment of the significance of the asset itself, the scale and nature of impacts upon it and whether that impact is outweighed by public benefit from the proposal. It notes that the significance of a heritage asset can be harmed not just by alterations to it, but by development within its setting.

## **17. National Planning Practice Guidance**

- a. The Government's planning practice guidance supports and supplements the NPPF. The "Renewable and Low Carbon Energy" section was first introduced in 2013 and announced with a press release entitled "Greater community say on wind turbines and solar farms". This section of the practice guidance was issued before the other sections as the Government considered there was an urgent need for further guidance and clarification. They were concerned that the NPPF was not being correctly interpreted and insufficient weight had been given to heritage, landscape and other environmental impacts in planning decisions.
- b. The guidance was updated in April 2014, reiterating the strong policy support for renewable energy, in appropriate locations, but expressly making it clear that the need for renewable energy did not mean that environmental protections and planning concerns of local communities should be overridden.
- c. The guidance has been further updated in June 2015, and notes now that wind turbines should not be approved unless the proposed site is an area identified as suitable for wind energy development in a Local or Neighbourhood Plan. This approach should be considered in conjunction with the Written Ministerial Statement referenced below. The guidance also advises on particular planning considerations for wind energy, and how to assess them, including noise, ecology, landscape/visual, heritage, air safety, electromagnetic transmissions and cumulative impacts.

## **18. Written Ministerial Statement 18.6.15 (appendix 2)**

- a. This statement of Government policy introduced, in June 2015, the approach identified in the national Planning Practice Guidance above whereby proposals for wind turbines should not be approved unless located in areas identified as suitable for such development in a Local or Neighbourhood Plan and it can be demonstrated that the planning impacts identified by the local community have been fully addressed.
- b. The statement concludes with a paragraph noting transitional arrangements for applications that were already being considered at the time of its issue (which is the case with this application). The transitional provisions provide that where such an application has been received and the development plan does not identify suitable sites, planning authorities can

*“find the proposal acceptable if, following consultation, they are satisfied it has addressed the planning impacts identified by affected local communities and therefore has their backing”.*

#### **19. ETSU-R-97: The assessment and rating of noise from wind farms**

This is a 1997 report prepared for The Department of Trade and Industry, which government guidance says should be used as the basis of determining the acceptability or otherwise of noise from proposed wind turbines. This is supplemented by the recently published (government endorsed) guidance from the Institute of Acoustics – “A Good Practice Guide to the Application of ETSU-R-97 for the Assessment and Rating of Wind Turbine Noise”

#### **20. English Heritage – The Setting of Heritage Assets**

Gives comprehensive advice on the definition, extent and assessment of the impact on the settings of heritage assets of development proposals. Of particular relevance to this case is the following passage “Construction of a distant but high building; development generating noise, odour, vibration or dust over a wide area; or new understanding of the relationship between neighbouring heritage assets may all extend what might previously have been understood to comprise setting. Reference is sometimes made to the ‘immediate’ and ‘extended’ setting of a heritage asset, but the terms should not be regarded as having any particular formal meaning. While many day-to-day cases will be concerned with the immediate setting of an asset, development within the extended setting may also affect significance, particularly where it is large-scale, prominent or intrusive.”

### **Consultations**

**21.** The following responses are summaries of those provided by consultees. Full text is available on the RCC website.

#### **22. South Kesteven District Council**

No objection, condition requested.

#### **23. Stretton Parish Council**

- a. Landscape to the south of Stretton would be dominated and blighted by the proposed wind farm. Amenity afforded by George Henry Wood significantly damaged. Key characteristics of the landscape south of Stretton overwhelmed by the turbines which are disproportionate to other landscape features.
- b. Wind turbines would damage the integrity of the Stretton Conservation Area due to overbearing presence. Setting of the grade II\* Church of St Nicholas would be damaged also.
- c. Turbines dominate views from the Rutland Round, seriously damaging this resource.
- d. Use of bridleways would be impaired by the presence of turbines, which do not meet the separation distances set out in the Wind Turbines SPD and BHS guidance
- e. The turbines represent a danger to Ospreys, which have been seen taking fish from fishing lakes near Stretton.
- f. Stretton Parish is home to a school for autistic children, and planting a few trees will not protect their interests.

- g. Unaware of any noise readings in Stretton to establish a baseline for noise limits on the proposal.
- h. Note MOD objection and request for red lights to be placed on the structures. This would add to the domination of the landscape and the industrialisation of the area at all times.
- i. Opposition to the proposal from the parish has been overwhelming, though the council has not objected to renewable energy measures in the parish.
- j. Visual impact of the structures will increase the risk of road accidents in the area.
- k. No conclusive evidence that the site is suitable for a windfarm in terms of wind speeds. Sufficient schemes approved to meet 2020 requirements.
- l. Property prices in Stretton will be lowered.

#### **24. Clipsham Parish Council**

- a. No national need for more onshore wind farms.
- b. Power generation is inefficient.
- c. Lack of contribution to lowering carbon dioxide emissions.
- d. Unacceptable levels of government subsidy.
- e. Visually dominant, changing the whole nature of the landscape.
- f. Noise generated would affect those who live nearby and use the footpaths and bridleways. Can also cause health problems.
- g. Interference with radar.
- h. Negative impact on wildlife, particularly birds and bats.
- i. Motion of the turbines is harmful to those suffering from autism, particularly relevant to the Shires school at Stretton.
- j. Power transmission not included as part of the scheme.
- k. Distracting for drivers.
- l. Proposal will damage the tourism industry.
- m. Approval of the scheme would go against what Rutland is about – small villages and communities.

#### **25. Pickworth Parish Meeting**

- a. Proposals would not conserve or enhance the local context or qualities of the landscape character area, contrary to development plan policy.
- b. Photomontages generated to outdated industry standards, showing the turbines in a more favourable and less obtrusive light.



- c. Has concerns regarding the robustness and thoroughness of ecological assessment accompanying the application.
- d. Aviation issues not resolved prior to submission of the application. MOD and NATS object to the application and the application must be refused on this basis.
- e. Unacceptable impact on equestrian riders in the area.
- f. Harm to the amenity value of the public rights of way network.
- g. Appeal decision in North Dover notes that residential amenity impact is not a matter of a property becoming unliveable but an unattractive and unsatisfactory place to live. Dispute the conclusions of the application documentation that no properties would be affected to the extent that they become an unattractive place in which to live.
- h. Potential for flicker to cause considerable harm to properties within 1.5km distance.
- i. Turbines will adversely affect the autistic residents of the nearby residential school facility.
- j. ETSU-R-97 has reduced relevance in relation to the size of turbines being proposed.
- k. Noise monitoring has not been undertaken, and there is significant risk to the health of residents living in close proximity.
- l. Adverse impact on highway safety.
- m. Proposal would affect and reduce the appeal of several historic landmarks, including the Losecoat Field battle site, Pickworth Lime Kilns, Mock Beggar and The Drift.
- n. Stated turbine distances to Exton Park are incorrect.
- o. Overwhelming no vote at the villages most affected.
- p. Proposal will only provide a fraction of County energy requirements

## **26. Greetham Parish Council**

Oppose the application

- a. Adverse visual impact leading to adverse effect on employment and tourism.
- b. Stretton, Clipsham and Pickworth will be blighted along with their surroundings.
- c. A majority of Greetham residents would not support a wind farm in their parish.
- d. Concerned regarding inconsistencies in the submissions.
- e. Would restrict the use of the runway at Cottesmore if required.
- f. Grid connection route not finalised
- g. Concerned about impact on birdlife
- h. Impact on bats
- i. Impact of flicker on humans and wildlife

- j. Bridleway passes close to the turbines

## **27. Empingham Parish Council**

No reason to object in principle. Urges RCC to take account of reasoned comments of Empingham residents and mitigate adverse effects on residents in close proximity to development. Confident RCC will take opportunity to improve safety on the A1 and Old Great North Road on a permanent basis.

## **28. Great Casterton Parish Council**

Objection

- a. Cause demonstrable harm to the landscape of a large area of Rutland
- b. Contrary to SPD and landscape capacity study
- c. Highly likely to cause death to migrating birds and local species, along with bats.
- d. Presence and noise will ruin environment surrounding Woolfox and its public rights of way.
- e. Wind farm would only supply a small fraction of Rutland's requirement
- f. Potential impact on setting of Great Casterton if grid connection is provided via over ground poles.

## **29. Exton and Horn Parish Council**

Objection

- a. Two thirds of Exton Parish will be in sight of the turbines, and the Horn part will be completely overshadowed.
- b. Heritage significance overlooked, particularly Fort Henry and its lakes
- c. Fort Henry lakes vital wildlife sites.
- d. Parish public rights of way in sight of the turbines
- e. No benefit to County
- f. Grid connection to Stamford will be obtrusive

## **30. Cottesmore Parish Council**

Objection

- a. Negative aesthetic impact and detracts from its tourist appeal
- b. Would have adverse impact on bird life
- c. Negative impact on listed buildings and conservation villages
- d. Concrete used will produce more CO2 than the turbines save

- e. Noise affects those nearby resulting in a loss of amenity
- f. Impact on bridleways
- g. Damage the local environment and do not live up to promises of preventing climate change
- h. Negative impact of construction traffic

### **31. Conservation Officer**

- a. Several turbines have a harmful impact on designated heritage assets that is not fully assessed. In particular these are views outward from Main Street in Clipsham (turbines 7, 8 and 9) and the churchyard in Stretton (turbine 9).
- b. Exton Park is a grade II designated landscape, with the folly at Fort Henry listed as grade II\*. In particular turbines 1 and 3 adversely affect its setting.

### **32. Public Rights of Way Officer**

Turbines achieve a safe distance from the bridleways crossing the site. Main concern relates to shadows cast by turbine blades, but considers that there is no method for properly quantifying the effect. Aware that the issue has been given little weight in appeals elsewhere.

### **33. Environmental Health**

The Information submitted has been reviewed and is in accordance with the requirements of the relevant assessment methodology and good practice guide. Should the application be approved, the conditions identified in the technical appendix should be applied in their entirety.

### **34. Highways Agency**

No objection but directs that a condition regarding approval of a detailed Traffic Management Plan is attached should consent be granted.

### **35. County Highways**

No objection, condition requested

### **36. Ecology**

- a. Bats – the development should not result in a significant impact on the local bat population. Should consent be granted, habitat connectivity between the disused quarry and Pickworth Great Wood should be increased.
- b. Birds – Impact on birds of prey is likely to only be on a 'local' basis rather than of regional or national significance. Should consent be granted, monitoring of bird populations should be increased to allow 5 years survey and expanded to include collision monitoring.
- c. Habitats – an Ecological Mitigation and Enhancement Plan should be required by condition if consent is to be granted.
- d. Updated surveys for badgers will be required prior to commencement of development.

**37. OFCOM**

No response received

**38. Natural England**

No objection.

**39. National Grid**

No response received

**40. Ministry of Defence**

Prepared to remove objection to the proposal subject to imposition of conditions.

**41. Joint Radio Company**

No links affected

**42. Forestry Commission**

No response

**43. English Heritage (now Historic England)**

- a. Should consent be granted, it is recommended that the future preservation, conservation and preservation of the Second World War and cold war heritage assets on the site is secured by planning obligation.
- b. The application should be determined in accordance with national and local policy guidance, and on the basis of the local planning authority's specialist conservation advice

**44. DEFRA**

No response received

**45. CPRE**

- a. Approval could set a precedent, and the site could be expanded subsequently.
- b. The proposal remains a large project despite reduction from 14 turbines prior to submission to 9.
- c. The site was previously designated as 'particularly attractive countryside' in the old development plan.
- d. The turbines are not the only structures proposed on the site, which include construction and operational hardstandings and buildings.
- e. The proposal will cast a sinister shadow over Stretton and many other treasured places in Rutland.
- f. The grid connection route and method are not guaranteed within the application, and could therefore ruin the landscape around Pickworth, the A1 and Great Casterton.

- g. Government has confirmed the legally binding renewables targets for 2020 will be met through existing permissions; therefore no more turbines are needed.
- h. The energy generation figures quoted refer only to capacity of generation and do not account for efficiency
- i. Use of wind power results in conventional power stations running less efficiently, generating greater carbon emissions.
- j. Wind turbines are only viable due to the high subsidies paid to operators.
- k. The wind farm may be in the path of birds migrating to and from Rutland Water
- l. Wind farms can produce unpleasant noise to those nearby, particularly those on the autistic spectrum.
- m. The proposal will impact upon MOD radar.

**46. Arquiva**

No response received

**47. Archaeology**

Recommend that archaeological implications of the proposal can be addressed by appropriate planning conditions.

**48. National Air Traffic Services**

No safeguarding objection (original objection withdrawn)

**49. Woodland Trust**

No response received

**50. The Ramblers Association**

No response received

**51. Environment Agency**

No objection subject to conditions

**52. British Horse Society**

Objection to the siting of turbines T4 to T9 inclusive, due to impacts of those turbines on bridleways – particularly the casting of shadows on the bridleways and the ‘sudden’ appearance of turbines when exiting wooded routes.

**Neighbour Representations**

- 53. 30 letters were issued to the nearest properties in relation to the proposal, and the application was advertised by site notice.

**54.** Over 1,100 responses have been received in relation to the scheme. 557 letters of support were received, alongside 558 letters of objection and 1 online petition with 95 signatories currently registered.

**55.** The following list details all the reasons given for supporting the proposal

**56. Climate change issues**

- a. Support renewable energy.
- b. Wind is a free resource and decreases the UK's reliance on other countries for energy supply.
- c. Renewable energy schemes are needed to tackle climate change.
- d. The proposed scheme would supply sufficient power for the county.
- e. Wind turbines reduce the need for additional nuclear power stations
- f. Wind power helps improve energy security.
- g. Wind power does not produce acid rain gases, CO<sub>2</sub> or particulate matter like fossil fuel power stations.
- h. Good for green jobs.
- i. Turbines will prevent building of more conventional power stations.
- j. The proposed wind turbines will supply around 13,000 homes with electricity, which increases to 20,000 when incorporating the solar development also proposed.
- k. UK energy portfolio must be sustainable in the future.
- l. Opposition to fracking.

**57. Community benefit issues**

- a. Over 200 properties could claim a £200 per year discount from their electricity bill.
- b. The scheme will create employment opportunities during the construction phase.
- c. An index linked benefits package of at least £81,000 per year will be provided as part of the scheme.

**58. Other issues**

- a. This generation needs to show those following they were a force for good.
- b. More wind power means cheaper electricity in the long run.
- c. Happy to see turbines when visiting the county.
- d. Wind turbines would not discourage visitors to the county.
- e. Rutland should be responsible for generating the electricity it needs.
- f. People admire turbines and find them attractive/aesthetically pleasing.
- g. The site is appropriate for 9 wind turbines.
- h. Could be decorated to look more interesting

**59.** The following list details all the reasons given for objecting to the proposal. Issues are grouped into related subject areas.

**60. Landscape issues**

- a. Wind turbines will blight the landscape
- b. Grid connection will blight the landscape
- c. The turbines will have a negative effect on tourism and the local economy
- d. Negative impact on the nearby villages, 2 of which are classified as restraint villages
- e. Negative impact on heritage sites
- f. Negative impact on the use of bridleways by horses and riders, and on footpaths by others
- g. Visualisations are misleading
- h. Turbines are distracting to drivers and cause a highway safety risk

- i. The developer will walk away when the site is no longer viable, and the turbines/concrete will be left on site.
- j. Offshore locations are preferable
- k. Additional ancillary works exacerbate the impacts
- l. Cumulative impact

#### **61. Ecological issues**

Negative impact on wildlife

#### **62. Health issues**

- a. Negative impact on the autistic children resident at 'The Shires'
- b. Negative impact on radar and resultant aviation crash hazards
- c. Shadow flicker
- d. The grid connection will adversely affect the health of those nearby
- e. The rotation of the blades create artificial air currents that may be detrimental to grazing animals
- f. Health impacts from electromagnetic radiation, both ultrasound and infrasound
- g. There are a number of sink/swallow holes across the site, making the land inappropriate for the development
- h. Noise will impact negatively on residential occupation in the vicinity

#### **63. Technical issues**

- a. The company are considered unreliable in technical matters, and their information is inaccurate
- b. There are better, and more efficient means of energy generation
- c. The commitment to renewable energy targets has already been met and they are therefore not necessary
- d. No evidence of actual carbon emission reduction
- e. No evidence is provided as to the energy generation or efficiency figures quoted
- f. The wind resource is inadequate to justify the proposal

#### **64. Other issues**

- a. Negative effect on property values
- b. Disagree with the subsidies paid to the applicant/operator/landowner
- c. No jobs created as a result, either locally or nationally
- d. Longevity of the turbines presence on the site.
- e. Inadequate consultation has taken place
- f. No guarantees of removal from the site after decommissioning
- g. Would not visit Rutland if turbines are located here
- h. Detrimental to local businesses
- i. Will set a precedent for further turbines
- j. Proposal does not form part of the development plan
- k. Impact of construction traffic on nearby villages
- l. A bond of at least £20 million would be required to secure the removal of site infrastructure
- m. Non-compliance with the Aarhus declaration
- n. Rutland is already a supplier of food and water to surrounding areas
- o. The proposal breaches the Holford Rules regarding power line routing
- p. The power generated will supply areas outside of Rutland.
- q. The local initiatives supported by the community benefits package will be unlikely to be approved by the local planning authority.
- r. Force majeure
- s. Negative political impact on democratic process

- t. Infringes on private family life and therefore violates article 8 human rights
- u. It will encourage further urbanisation of the area.
- v. The community benefits are insignificant
- w. There will be a loss of agricultural land.

**65. Woolfox Windfarm Action Group**

- a. A local action group was formed when the application was submitted, and they have engaged independent consultants to advise on certain matters pertaining to the application. The action group has provided a response to the application raising the following objections.
- b. The need for the proposal is not supported in terms of meeting the national 2020 renewable energy targets
- c. The stated capacity factor for the site is higher than would be realistic, overestimating the contribution made by the site. The site overall would contribute 0.05% of the national requirements for electricity generation by renewable sources per year.
- d. The supporting documentation in respect of landscape impact underestimates the effects of the wind turbines on their surroundings, resulting in an underestimation of harm to the landscape from the proposal.
- e. Photomontages have been created using outdated standards and underestimate the impact of the proposal as a result, and no consideration is given to seasonal changes, resulting in an underestimation of visual impact.
- f. Many residential properties will experience adverse impacts to their residential amenity, which needs to be weighed in the planning balance.
- g. There would be significant harm caused to the recreational amenity value of the area.
- h. The assessment of impact on heritage assets is deficient and the proposal would result in harm to such assets.
- i. Harm has been identified at existing wind turbine sites through noise generation despite compliance with the ETSU-R-97 guidance, and a condition should be imposed to control noise effects from amplitude modulation.
- j. The proposal will have an adverse effect on the health of the residents at The Shires school.
- k. The application should be refused on the grounds that no mitigation solution has been agreed with the MoD.
- l. The turbines will present significant risk to bird and bat life in the area
- m. The weight of public opinion is opposed to the development.
- n. The applicant has not shown that there will not be significant harm caused by the grid connection.
- o. Insufficient information and confirmation of the provision of a decommissioning bond are provided.
- p. Local opinion should be given maximum weight following the latest planning guidance.
- q. No onshore wind farm appeals have been approved since revised guidance issued in June.
- r. The Written Ministerial Statement must be accorded substantial weight.

**66. The Shires School**

No objection

## **Planning Assessment**

- 67.** This section of the report assesses the impacts of the proposed scheme with respect to the development plan and other material considerations. It is laid out by assessing each of the areas identified within the wind turbines and low carbon energy development policy of the Site Allocations and Policies Development Plan Document (October 2014) (SP18) and



examining those areas with regard to the detail contained in the Wind Turbines Supplementary Planning Document, which expands on the issues identified in policy SP18. Other issues raised in the environmental impact assessment and by consultees and neighbours are then addressed at the end of the section.

68. Whilst not part of the Development Plan, the Written Ministerial Statement is addressed at this time as it is a material consideration and is to be taken into account when determining planning applications of this nature.
69. The statement sets out that for new application, local planning authorities should only grant planning permission if the site on which they are proposed has been clearly allocated as suitable for wind turbines development in a Local or Neighbourhood Plan. Maps setting out favourable wind resources or similar are not sufficient to meet this requirement.

It goes on to state that local planning authorities should only grant planning permission if *“following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully assessed and therefore the proposal has their backing”*.

It also states that *“whether a proposal has the backing of the affected local community is a planning judgement for the local planning authority.”*

70. This application however is subject to the transitional arrangements of the statement as the application was received prior to the statement being issued.

The transitional arrangements for application already received states that *“local planning authorities can find such development acceptable if, following consultation, they are satisfied that it has addressed the planning impacts identified by affected local communities and therefore has their backing.”*

The transitional provision therefore requires the local authority to assess the planning impacts raised by affected local communities and judge whether or not those impacts have been addressed by the application. If those planning impacts have been addressed it follows that the proposal can be judged to have their backing.

71. It is of note that the process which would have been undertaken when considering a planning application for wind turbine development prior to the issuing of the Written Ministerial Statement is the same as required by the Statement.
72. The weight given to the Statement (along with the associated updates to the PPG (see section 5.7 above)) is a matter for the decision maker; the Local Planning Authority. This position has been reinforced by the recent decision in R (on the application of West Berkshire District Council and Reading Borough Council) v Department of Communities and Local Government which, whilst concerned with a Ministerial Statement centred around planning obligations, reiterated the approach to be taken to ministerial statements in this respect.
73. In determining the weight to be given to the Statement it is important to note that the Statement was not subject to public consultation prior to its issue and further, no amendments have been made to the National Planning Policy Framework as a result of its issue. However the Secretary of State has, in a number of recent decisions attached substantial weight to the Statement where the transitional arrangements apply and when the planning impacts identified by the Local Communities have not been satisfactorily addressed.
74. In conclusion, where planning impacts are identified, they must be satisfactorily addressed by the applicant if the application is to be granted consent. If those impacts are satisfactorily

addressed then the local planning authority is entitled to conclude that the proposal has the backing of the local communities.

75. There are 14 issues identified in policy SP18 of the Site Allocations and Policies Development Plan Document (October 2014). In light of this, assessment is made of the scheme under each of these headings before other material considerations relevant to the scheme are assessed.

**76. Impact on the landscape**

- a. WT1 of the wind turbines Supplementary Planning Document (November 2012) sets out the policy approach to landscape impacts of wind turbine developments, and begins by stating that wind turbine development should have regard to the key characteristics of the landscape character area within which it is situated, along with the capacity of that area to accommodate the scale of the proposed development.
- b. It notes that wind turbine development will generally be favoured in high capacity or moderate capacity areas, but that outside these areas such development is unlikely to be favoured unless it can be demonstrated that there is no harm to the key characteristics of the landscape.
- c. The application site lies with the Rutland Plateau, across two sub-areas of landscape character, as noted in section 1.
- d. The first of these areas, identified in the SPD as having low capacity for wind turbine development of the type proposed, is the Cottesmore Plateau. This area lies to the north of Rutland Water and extends from the eastern fringes of Oakham to the A1, crossing the A1 and running through the application site, extending out to the county boundary to the north and east of the site. This area is further split into north and south sections, with the north section focusing around Cottesmore and Greetham.
- e. The area, within which turbines 7, 8 and 9 are proposed to be located is characterised as having the most plateau-like characteristics of the four areas that make up the Rutland Plateau, and whilst it is predominantly of level relief, it is rarely flat with the exception of land around the former Cottesmore airfield. In particular, the land within which turbines 7, 8 and 9 are proposed is typical of the long, gradual undulations of this area.
- f. The area is also characterised by being given over largely to arable farming, with large geometric field patterns interspersed with areas of larger woodland.
- g. Isolated farmsteads are also typical of the area, generally consisting of an historic core of buildings accompanied by larger more modern agricultural structures.
- h. The second landscape character sub area is the Clay Woodlands. This area is described as being an extensive area of gently undulating, predominantly arable countryside, and notes that there are medium to large scale woodlands located within large farming estates, with the woodland being conspicuous features in most views within or into the area.
- i. The picture of this area therefore is one of the classic 'rolling' countryside typical of the UK, with long views possible over the land and its patchwork of fields. Key in protecting this character is the protection of such views from conspicuous development.
- j. As the Local Planning Authority has no in-house landscape expertise, 'The Landscape Partnership' were engaged to advise on the assessment undertaken by the applicant in respect of the impact on landscape character, with one major advantage of this being that The Landscape Partnership were the consultants that prepared the Council's Landscape

Sensitivity and Capacity Study in September 2012. The Landscape Partnership were also requested to advise on the suitability of the methodology that had been used in the preparation of the photomontages produced by the applicant for consideration with the application.

- k. Dealing with that second matter first, The Landscape Partnership advise that the photomontages produced to accompany the application do accord with the advice of the Landscape Institute at the time they were produced, and although this advice is under review and is no longer considered to represent best practice, it is still current. It is not therefore justified to require the photomontages to be reproduced to a standard that is not required by the Landscape Institute at this time.
- l. The Landscape Partnership identify concerns regarding the way the extent of any effects have been considered and assessed, that has led to an underestimated magnitude and significance of effect in some cases. It is noted that this could be attributed to a variation in judgement between the practitioners.
- m. The submitted assessment uses national public opinion studies to assess the nature of the visual effects of wind turbines as neutral. It is noted that this does not follow the Landscape Institute's 'Guidelines for Landscape and Visual Impact Assessment' guidance, and is inconsistent with other practitioners approach to assessing wind farms. The Landscape Partnership advises that in the Cottesmore Plateau area they would assess the impact as adverse, whilst in the Clay Woodlands area the effects would be neutral.
- n. The landscape character to the north of the site has particularly strong characteristic elements of the landscape character area that remain in good condition. The proposed turbines would result in a significant skyline change in this area, creating landmark features at odds with the pattern of landform and vegetation.
- o. In particular, the landscape character in the vicinity of Clipsham and Exton Park are highlighted as being well defined, intact, and significantly harmed by the proposal.
- p. In the more southerly area of the site, whilst The Landscape Partnership considers that the extent of effect of the proposed turbines has been underestimated, the turbines are considered to be more appropriate to the characteristics of the landscape character area and therefore conclude that the effect on this character area has been correctly categorised.
- q. Within the adjacent landscape character areas of the Rutland Water Basin and Kesteven Uplands, the landscape impact is proportionately lower, and although the impact on the Rutland Water Basin is underestimated, the overall effect is considered to be slight, and adverse.
- r. The Landscape Partnership advises that the likely significant effects on landscape character are generally more wide ranging than assessed in the applicant's LVIA, and in all cases the applicant has assessed the scale of effect as being confined to a smaller radius round the application site than The Landscape Partnership. This results in three cases where The Landscape Partnership advises that the overall effect as being greater than indicated in the applicant's report.

## **77. Landscape Impact Conclusions**

- a. The proposal would be likely to have a Major-Moderate adverse effect on the landscape character area described as Di (South): Cottesmore Plateau, which is assessed as being a significant adverse effect.

- b. Further afield, the proposal would have an effect of slight adverse significance on Di (North) Cottesmore Plateau, moderate adverse effect on the Clay Woodlands, slight adverse effect on the Rutland Water Basin and minimal effect on the Kesteven Uplands.
- c. On the basis of these effects, refusal of the scheme would be justified, with turbines 7, 8 and 9 in particular needing to be removed from the scheme in order to be in accordance with the relevant policies of the development plan.

## **78. Visual impact**

- a. The wind turbines SPD sets out two buffer distances from properties, classifying them as dominant and prominent. It states that turbines within the dominant zone of a property are unlikely to be visually acceptable unless it can be proven that the turbines would be fully screened.
- b. For the turbines proposed in the application, the dominant zone is defined as up to 800 metres.
- c. Turbines within the prominent zone of a settlement are noted as being highly likely to be prominent features, commanding/controlling views for sensitive viewers such as residential properties in this range. Again, existing features may reduce the impact by screening the turbine structure.
- d. The prominent zone for the turbines proposed is between 800 metres and 2 kilometres.
- e. The nearest residential properties to the proposed scheme all lie in excess of the 800 metres identified as being the dominant zone for residential receptors.
- f. The villages of Holywell, Clipsham, Stretton and Pickworth are all located at least partially within 2 kilometres of the wind farm, and thus within their prominent zones.
- g. The orientation of the villages results in residential views being more common in certain directions, and this is particularly evident in the case of Clipsham, whose southern edge contains several properties with a primary aspect looking directly out over the application site.
- h. Holywell is largely screened from the site in this respect by Pickworth Great Wood, which lies on higher ground, whilst properties in Pickworth are generally oriented to the north/south, though clearly this is not the case for all properties in that settlement, and even when it is the case there are still windows that will look over the application site within the prominent zone.
- i. Pickworth itself however is accessed via its main street, which runs east-west and looks directly into the centre of the proposed group of turbines.
- j. Stretton, similar to Clipsham, also looks south towards the site though in this case the topography of the land is such that views over the site are less common, and screened at least partially by intervening woodland.
- k. The Landscape Partnership also assessed the visual impact of the proposal. Their response was that the proposed wind farm would have a significant adverse effect on the villages of Clipsham and Pickworth.
- l. Turning to non-residential matters, as noted earlier, the site is crossed and surrounded by a significant network of public rights of way, several of which run adjacent to or between proposed turbines. Some of these rights of way make up part of the Rutland Round Long

Distance Walking Route, and the proximity of the proposed turbines when combined with the distance for which they appear as a significant element of the surroundings result in them having a substantial visual impact on those rights of way.

- m. The Environmental Statement submitted along with the application uses the results of public opinion surveys in relation to attitudes towards wind farms and their appearance as justification for classifying the visual effect of wind turbines as neutral.
- n. This does not accord with the Landscape Institute's document, 'Guidance for Landscape and Visual Impact Assessment, 3rd edition (April 2013)' and is inconsistent with other practitioners approaches to assessing wind farms. The Landscape Partnership advises that the proposed development in this situation would create an adverse effect on views.
- o. The Landscape Partnership assessed these visual impacts, and conclude that there would be significant, adverse effects on the settlements of both Clipsham and Pickworth, the Rutland Round Long Distance Walking Route, other Public Rights of Way within 1.5 kilometres of the site, the western section of the Byway Open to All Traffic to the east of Pickworth and Public Rights of Way within Exton Park to the west.
- p. It can therefore also be concluded, although it is not explicitly addressed in the environmental statement, that there is an equivalent impact to the permissive path network to the west of Pickworth, located to the east of E165 and south of E163, and running along the southern edge of Pickworth Great Wood.
- q. Finally in terms of visual impact, assessment was made in respect of the local roads within approximately 2.5 kilometres of the site.
- r. In particular in this respect, the most affected roads in the vicinity of the proposed site are the group to the north of the site, leading from Stretton through Clipsham to Holywell, and the Exton Road between Exton and Tickencote to the south west of the site (which is also designated as National Cycle Route 63). These roads are scenic road/cycle routes and therefore have increased sensitivity to visual impacts. The Stretton-Clipsham section of road in particular has several locations with high quality views across the land to the south where the turbines are proposed to be located.
- s. The roads to the south of the site in and around Pickworth are set within the naturally flatter topography of this section of the county, and as such longer distance views will be obtainable, particularly from The Drift, which connects Pickworth to the A1 and Empingham.
- t. The Landscape Partnership have also assessed the visual impacts on these roads, concluding that the local roads within 1.2-2.5 kilometres would suffer significant adverse effects.

## **79. Visual Impact Conclusions**

The landscape and visual impact assessment submitted with the application, through categorisation of the nature of visual effects of the wind turbines as neutral, has consistently underestimated the significance of visual impacts on the surroundings of the development, and there are significant adverse effects on nearby villages, public rights of way and roads that would result in conflict between the scheme and policy SP18 of the Site Allocations and Policies Development Plan Document (October 2014), and the accompanying statement WT2 of the Wind Turbines SPD (November 2012) that justify refusal of the scheme.

## **80. Cumulative impact**

- a. The Wind Turbines SPD (November 2012) states that the cumulative impact of wind turbine development will be assessed on a case by case basis.
- b. It notes that planning applications will be expected to include an assessment of cumulative impact in respect of other existing, approved, proposed and operational wind turbines, demonstrating the impact through use of wire frames and photomontages.
- c. It also notes that proposals within set distances of existing schemes are unlikely to be acceptable unless they are designed to appear as a coherent extension of that group and do not themselves result in unacceptable visual harm.
- d. At the time of submission, three such developments were identified within the documentation – a site south of Melton Mowbray for four turbines and a single turbine to the north of Stretton that have both since been withdrawn, and an operational site at Deeping St Nicholas of eight turbines.

## **81. Cumulative Impact Conclusion**

At the distance in question, the issue of cumulative impact from the proposal with the operational scheme at Deeping St Nicholas is not sufficient to justify refusal of the scheme.

## **82. Shadow flicker**

- a. Shadow flicker is a phenomenon caused by the sun passing behind the blades of a moving turbine and casting a moving shadow. The flicker effect is created when this shadow passes over a visual receptor such as the human eye, and is particularly prominent when the shadow passes over a feature such as a window in a dwelling, causing the light levels in the room to dip regularly as the shadow of each blade passes over the window.
- b. The effect is limited to properties within 130 degrees either side of north relative to the turbine and is dependent on a range of factors including weather conditions, distance from the turbine, time of year and prevailing wind direction.
- c. National Policy Statement EN-3 advises that research and computer modelling demonstrates that there is unlikely to be a significant impact at distances greater than 10 rotor diameters.
- d. The Wind Turbines SPD states that a distance of 10 rotor diameters is recommended from wind turbines to the nearest residential dwelling in order to minimise shadow flicker effects.
- e. The documentation submitted with the application indicates that there are two properties within this distance from the turbines, with all others exceeding the 10 rotor diameters separation required.
- f. The assessment undertaken in relation to shadow flicker takes into account movement of the sun, surrounding houses (but not other buildings, local topography and the turbine layout). The statement identifies that none of the occupied houses could be subject to shadow flicker on this basis, before taking into account screening, other buildings and orientation of windows.
- g. Nonetheless, each turbine has a micro siting allowance and it would be feasible to use this allowance to ensure that the turbines do not encroach within the 10 rotor diameters of the turbines.

**83. Shadow Flicker Conclusion**

There is no evidence to suggest that shadow flicker is an issue that cannot be controlled by micro siting of the turbines

**84. Noise**

- a. The Wind Turbines SPD states that the local planning authority will assess the noise levels from wind turbines in accordance with the recommendations of the report ETSU-R-97 or any recognised successor to that document. Should this assessment require noise limits to be imposed they will be imposed in such a way as to ensure compliance with that document.
- b. This approach is supported by National Policy Statement EN-3, which confirms that noise from wind energy developments should be assessed using the ETSU-R-97 document, taking account of best practice guidance
- c. The above report does not allow for correction due to amplitude modulation, described in the Wind Turbines SPD as the 'thump' or 'swish' noise made by the blades of the wind turbine as they pass the tower.
- d. Conditions have been imposed in other wind turbine cases to allow for amplitude modulation, and could be replicated in this case if deemed necessary as part of the decision.
- e. Baseline noise monitoring was carried out at 4 properties around the application site to inform the assessment of the noise impact.
- f. The noise assessment has been undertaken using the characteristics of a candidate turbine. This turbine will not necessarily be the model used in construction should consent be granted, however it is chosen on the basis that it has the highest noise emission profile of the turbines shortlisted for use on the site. This will ensure that should consent be granted, the noise emissions from operational turbines will be within the performance assessed as part of the Environmental Statement. Details of the precise turbine model and specification would be reserved by condition and therefore it would be demonstrated at that time that the actual turbine selection would be capable of operating within the parameters of the candidate turbine.
- g. The local authority's Environmental Health team have reviewed the Environmental Statement in detail, and have confirmed that it complies with the requirements of both the ETSU-R-97 report and the Institute of Acoustics good practice guidance. On that basis, Environmental Health recommend that if consent is granted, the conditions suggested in Technical Appendix 5.4 of the Environmental Statement are attached in their entirety to any permission.

**85. Noise Impact Conclusion**

The noise impact from construction, operation and decommissioning of the proposed windfarm have been assessed, and are found to be in accordance with the relevant local and national policy with regard to such assessments. Should consent be granted, conditions should be imposed to ensure noise from the site is controlled in accordance with policy.

**86. Separation distances**

- a. The Wind Turbine SPD establishes a sliding scale of separation distances from wind turbines to residential dwellings in order to preserve residential amenity. In the case of the turbines

proposed as part of the current scheme this would indicate a recommended separation distance of 800 metres or more.

- b. All the residential properties in the vicinity of the application site are in excess of this separation distance.
- c. A standard separation distance of the 'fall over' distance of the turbine is also recommended by the SPD between turbines and public footpaths, with the blades not allowed to oversail a public right of way.
- d. All the turbines in the scheme achieve this separation.
- e. The Wind Turbines SPD states that a minimum separation distance of three times the overall height of the turbine from public bridleways is recommended as a starting point and at least 200m separation where this would be difficult to achieve.
- f. Of the turbines proposed in relation to the scheme, all would achieve the minimum 200m separation indicated in the Wind Turbines SPD, although only three would achieve greater than three times tip height as recommended in that document.
- g. The conflict between horses and wind turbines arises from the shadows cast on the ground by the turbine blades – which is exacerbated when the turbines are in motion. It is understood that the horses interpret the shadows as unusually large snakes moving particularly fast across the ground, and this can cause horses to baulk, presenting a danger to their riders.
- h. Discussions over the issues raised (in relation to turbines 4-9) with the applicant have indicated that they would be willing to investigate technical mitigation solutions (such as filling in gappy hedges and constructions of bunds supplemented by planting) should members be minded to approve the application, and to that end have supplied details of a bunded solution undertaken at one of their other turbine sites in the UK.
- i. Finally in terms of separation distances, the Wind Turbines SPD sets a minimum separation distance of their height plus 50 metres from any trunk road, and their height from other roads and railways.
- j. All of the turbines in the scheme achieve these separation distances.

#### **87. Separation Distance Conclusions**

There are four strands to the requirements of separation distances between turbines and various features. The proposed turbines achieve the minimum required separation to all of these elements. There is conflict between six of the turbines and the recommended separation distance to bridleways, however the applicant has offered to investigate a technical solution to mitigating this impact, details of which would be need to be agreed prior to issuing consent, should members be minded to approve the application.

#### **88. The natural environment**

- a. The Wind Turbines SPD states at WT10, that a minimum setback of 50 metres is required between wind turbines and the nearest trees/hedgerows to minimise the risk to bat populations. It also states that proposals will be expected to protect, maintain and enhance the natural environment, providing appropriate protection to legally protected sites and species. Proposals will be expected to respect and not adversely affect the conservation objectives of Rutland Water.



- b. The environmental statement identifies the following potential adverse impacts of the proposed development.
  - i. Habitat loss due to land take by the turbines and ancillary development.
  - ii. Habitat fragmentation, where areas of habitat are left isolated from each other, and are too small to support viable populations individually.
  - iii. Direct effects such as collision risk, disturbance, dust deposition etc.
  - iv. Indirect effects on habitats and species beyond the site boundary.
  - v. Cumulative impacts, both from the proposed wind farm on the collective habitat or species resource, and secondly from multiple wind farm developments.
- c. Effects in this respect may be temporary or permanent; equally they may be adverse or beneficial.
- d. Ecological survey work has been undertaken on the site over a period of several years, as far back as 2010, and has been influenced by consultation with local and national consultees such as Natural England, the RSPB, Rutland County Council's ecological advisors and the Leicestershire and Rutland Wildlife Trust.
- e. The Environmental Statement is required to predict likely significant environmental effects, with the significance of an effect being a product of the magnitude of impact and the value of the ecological feature being impacted on. An effect is deemed significant if the ecological integrity of the feature is influenced in some way, be that large in scale or amount, an irreversible or long term effect, or an effect on critical life stages.
- f. It is important to note that an effect that is considered not significant does not mean that there is no effect at all.
- g. The Environmental Statement identifies likely effects for several categories of ecological feature – designated sites (such as SSSI's), habitats, and protected and notable species, assessing the impact on each at construction and operational stages, before identifying mitigation to be undertaken and then assessing the residual effects.
- h. The local planning authority's ecological advisors have assessed the documentation submitted with the application, along with a response provided to their initial query, and have responded raising no objection to the proposal, subject to conditions being imposed to address buffer zones and mitigation.
- i. The agricultural nature of the site naturally limits the habitats of interest to field margins and boundaries, with bat activity also largely restricted to hedgerows and areas of woodland.
- j. The Environmental Statement assesses the impacts as follows:
  - i. For designated sites, the construction and operational impacts were assessed as not significant – the reason for designation of these sites means that the direct and indirect impacts of the wind farm would have a negligible impact. Impact on birds and bats originating from the designate sites is addressed specifically under those headings.
  - ii. Habitat impacts are limited to those of construction, as no additional impact on habitat will occur from operation of the turbines. The habitat land take is limited largely to existing agricultural land, and some mown semi-improved grassland. The amount of land take is more limited in this case than most wind farms due to the existing presence on site of several tracks that can be

re-purposed to provide access around the site. As with designated sites, the impact on habitat is not significant.

- iii. When addressing species specific impacts, again the limiting of land take to those agricultural areas (plus an extremely limited loss of hedgerow – 10 metres on a permanent basis) results in the statement concluding there would not be a significant impact on habitat loss for protected species. Some temporary disturbance may occur due to construction activities; however this is unlikely to impact on the conservation status of relevant species. It is noted that legal protection for species (such as active nests) is not overridden should planning permission be granted.
- iv. The only species-specific impacts from operation of the site are those relating to bats and birds due to the nature of wind turbines.
- v. In relation to bats, the turbines are proposed to be located on land that is relatively sterile for such species (agricultural land) and with a buffer to areas of habitat in line with guidance from Natural England. The majority of bat species are also known to fly at heights that would prevent interaction with the wind turbine blades, with the nearest roosts of the two species identified in the surveys undertaken being further from the site than is typical for their foraging range. The potential for impact on bats is therefore considered to be not significant.
- vi. In relation to birds, assessments have been undertaken in relation to the risk of those birds colliding with a turbine blade. The predicted collision risk in every case is below that which would result in a nationally significant impact.
- vii. The impact on bird species in all instances bar that pertaining to red kites is assessed as negligible to low. Red kites are assessed as having a medium magnitude of impact, although given the expanding population of this species in the County and surrounding areas the collision rate identified is not reasonably expected to impede colonisation (an average worst-case collision risk of 1.19 birds per annum is predicted, compared with a Rutland breeding population of 22 breeding pairs plus non-breeding birds, and 103 breeding pairs in Northamptonshire).

## **89. Natural Environment Conclusions**

- a. The assessments undertaken in respect of ecological species and habitat have not resulted in objection from the local planning authority's ecological advisors.
- b. In all instances, the conclusions of the Environmental Statement are that the likely effects of the proposal are not significant.
- c. The site has been designed to minimise its impact on ecological features, siting the turbines themselves in existing arable farmland and maintaining the recommended buffer from habitat.
- d. Whilst it is accepted that the turbines will have an impact on bird populations, the predicted worst-case effects do not have a significant impact on the presence or growth of those species.

## **90. The local economy and tourism**

- a. The wind turbines SPD does not make a specific statement with respect to economy and tourism, though it notes that tourism is an important element of the Rutland economy and it will be important to ensure that wind farm proposals do not detract from this, both in wider landscape terms (addressed elsewhere) or in specific impact on local tourist facilities.
- b. National Policy Statement EN-1 addresses the socio-economic impacts of energy development, though the more specific NPS EN-3 regarding renewable energy is silent in respect of tourism and economic impacts of such development.
- c. EN-1 notes that an application should include with it an assessment of the socio-economic impacts of the proposal, which is to include job creation and impact on tourism, amongst other topics.
- d. The application details include such an assessment, which contains summaries of relevant studies undertaken in relation to the impact of wind farms on tourism.
- e. The conclusion of these studies varies in terms of the strength of their conclusions, but in all instances a high percentage of respondents indicated that the presence of wind turbines would not affect their decision to visit an area.
- f. Such a conclusion is borne out by the specific responses received in relation to this application from members of the public – where responses have been received stating that the presence of turbines would discourage visitors, and others noting that the presence of turbines would not discourage their visit.
- g. It is notable however that the presence of turbines is not cited as a reason that would result in someone visiting the County.
- h. In terms of the economy, the main benefit of the proposal is found during the construction phase, both in terms of direct employment on site, and indirect support of firms who supply those contractors operating on the site.
- i. Once operational, the employment aspect of the development is minimal as personnel requirements are limited to maintenance, expected to be 1-2 part time staff.

## **91. Local Economy and Tourism Impact Conclusion**

- a. The tourist trade is an important part of the makeup of the economy in Rutland, and a negative impact on the tourism trade would have a knock on effect to the local economy. There is no evidence to suggest however that the presence of wind turbines would have a significant detrimental effect on the numbers of visitors to the area, sufficient to result in the impact being significantly adverse.
- b. The construction phase of the project would be highly likely to bring beneficial economic impacts to the local construction and supply trade, although the long term operational employment impacts would be negligible.

## **92. The historic and cultural environment**

- a. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require decision makers to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest that they possess, as well as the desirability of preserving or enhancing the appearance of conservation areas. Any adverse effect on a heritage asset, even if slight or minor, would not preserve the asset or its setting.

- b. The above legislation requires that considerable importance and weight must be given by the decision maker to the desirability of preserving the setting of heritage assets when balancing harm against public benefits.
- c. The Wind Turbines SPD states that wind turbine proposals will be expected to protect and where possible enhance historic assets and their settings, maintain local distinctiveness and the character of identified features.
- d. NPS EN-3 notes that when consent is granted for an onshore wind farm, it is generally given on the basis that its operation will be time-limited, and this should be taken into consideration in relation to indirect effects on the historic environment.
- e. The NPPF is equally clear that great weight should be given to the conservation of heritage assets and the more important the assets, the greater the weight attributed. Proposals that result in substantial harm should be refused unless it can be demonstrated that the development is necessary to achieve substantial public benefit outweighing that harm. A proposal that results in less than substantial harm should be weighed against the public benefits of the proposal.
- f. Substantial and less than substantial harm are a matter of judgement, however substantial harm is a high test and is most likely to be applicable where a fundamental element of the heritage asset's special interest is seriously compromised.
- g. The impact of the proposal on the historic and cultural environment comes in two parts – the first being the physical impact of the works on historic sites and archaeology, and the second being the impact of the presence and operation of the turbines on the setting of historic assets.
- h. The Environmental Statement considers historic assets in two areas, the first being the inner study area, up to 1 kilometre from the site, and the second being the outer study area, up to 5 kilometres distant. The significance of effects on the historic assets is obtained by comparing the magnitude of each change against the importance of the historic asset.
- i. The assessment of the effects on setting has been undertaken using the English Heritage guidance 'The Setting of Heritage Assets', and results in assessment being a three-stage process. First is the identification of the assets likely to be affected, followed by analysis of the contribution of setting to their significance, and finally assessment of the effect on significance from the proposal.
- j. The Environmental Statement identifies nine parish churches, two castles, four country houses and their parks, and seven conservation areas for study, of which six churches were considered to warrant more detailed study, along with one castle, three of the country houses and three of the conservation areas.
- k. The Conservation Officer identifies three areas where the assessment of harm to designated heritage assets is deficient. These are the view from the churchyard of St Nicholas Church in Stretton, views out from the Clipsham Conservation Area, and the impact on the setting and view from Exton Park, in particular the grade II\* listed folly at Fort Henry.
- l. The assessment submitted with the application when considering the impact on Exton Park fails to reference the potential for impact on the setting of Fort Henry. Fort Henry, being grade II\* listed, is an asset of higher importance in terms of assessment than the grade II registered park and garden, and therefore classification of the impact as being of substantial significance is justified.

- m. In terms of the views from Clipsham Conservation Area, the assessment notes that views out of the asset to the wider surroundings are confined to the edges of the settlement, but that the rural nature of its surroundings contributes to its character and appearance. The conclusion of the assessment however appears to give no weight to the consideration of the impact of the turbines on these views, resulting in an assessment of an effect of only slight significance. Given the contribution of the surroundings to the character of the conservation area, the impact of the proposal would lead to a considerable reduction in the significance of the asset, particularly its southern portion, leading to assessment of the impact as being of moderate significance.
- n. With regard to the views from the churchyard of St Nicholas Church in Stretton, the assessment notes that the turbines will have no effect on the appreciation of the relationship between the church and the village, however no assessment is made on the impact of the turbines on the view from the churchyard, save a reference to the photomontage presented from the footpath to the south of this. The assessment concludes an impact on the church of negligible significance. The view from the churchyard is currently uninterrupted in the direction of the proposal, with the land used for grazing of animals, and the grade II listed Shires school at the edge of the view. This view would, should consent be granted, be interrupted by views of the turbine blades, and in some cases, the towers and hubs, particularly at a time of year when the intervening trees and hedges are not in leaf. The church and its churchyard are an asset of high importance given their grade II\* listing, and as such, an assessment of the impact as being of slight significance is justified.
- o. In all three cases, the omission of the identified elements for consideration has resulted in an underestimation of the impact of the proposal on the significance of the asset.

### **93. Historic and Cultural Environment Conclusions**

- a. The assessment submitted with the application underestimates the effects of the proposal on historic assets and their settings in three particular areas, these being the impact on the views from Stretton Churchyard, and Clipsham Conservation area, and the setting of Exton Park and Fort Henry.
- b. Whilst the impact on each of these assets would be less than substantial as per the definition earlier in this section, they must be weighed against the public benefit of the proposed wind turbines.
- c. The proposal fails to accord with the requirements of the development plan (Policies CS22 and SP20) to conserve and enhance the quality and character of the historic environment, giving particular protection to the character and special features or conservation areas and historic parks and gardens, respecting historic landscape character and views out of conservation areas.
- d. The impact of the proposal is therefore harmful to the settings of Exton Park and Fort Henry, and to views from Stretton churchyard and Clipsham Conservation Area, and contrary to planning policy.

### **94. Grid connection**

- a. The route and method of grid connection are not included within the proposal for approval, and would be the subject either of a separate planning application or consent regime as appropriate to the final details of the route and method of connection. When a grid connection is provided by way of an overhead line, the Electricity Act 1989 provides the means for gaining consent for the works, and the decision maker in that instance is the Secretary of State for Energy and Climate Change, and the local planning authority would only have the option of objecting or not objecting to the proposal. If the connection is located

underground then the developer benefits from permitted development rights, provided the grid connection itself is not deemed to require an environmental impact assessment. Should the connection be a combination of underground and over ground sections, then the compounds at the point of transition may require planning permission from the local planning authority.

- b. The Wind Turbines SPD states at WT12 that the grid connection is an intrinsic part of the project and should be considered together with the application for wind turbines. It does not state however that the information that is provided must be the final route and method of connection to the national grid. Policy SP
- c. National Policy Statement EN-1 notes at paragraphs 4.9.2 and 4.9.3 that it is not always possible, nor always the best course in terms of project delivery to apply for consent for both the generating station and the grid connection at the same time. It notes that if the two elements are pursued separately, the applicant accepts the implicit risk involved in doing so. It also notes that the decision to consent one project will not fetter subsequent decisions on related projects.
- d. The Wind Turbines SPD makes it clear that the grid connection is an intrinsic part of the proposal. However, there is no such statement clarifying that the grid connection is an intrinsic part of the proposed solar farm.
- e. The local planning authority has sought Counsel's advice on this matter, which concluded that whilst the lack of information in respect of the wind farm could constitute a ground for refusal, such a ground is likely to result in a legal challenge as the same connection is not identified as being an intrinsic part of the solar farm application.
- f. Whilst the information supplied in relation to the grid connection is not final, it does provide details of the options being considered and their potential environmental impacts.
- g. A separate application will have to be made to the appropriate consenting authority for the grid connection, and assessment of the route and method of the connection will be undertaken at that time and the decision taken will not be fettered by the decision on the current application.

#### **95. Grid Connection Conclusion**

The lack of a finalised proposal for the grid connection is not justification for the refusal of the current application.

#### **96. Air traffic and radar**

- a. WT13 of the Wind Turbines SPD advises that developers should "address any potential impacts on air traffic and radar wherever possible before planning applications are submitted."
- b. In this instance both NATS and the MOD were contacted prior to the submission of the application, with their responses detailed in section 11 of the Environmental Statement.
- c. During the consultation undertaken as part of the application, both NATS and the MOD initially objected to the scheme. Both organisations have subsequently withdrawn those objections, in the case of the MOD, subject to any consent being granted including conditions to allow for mitigation of impact.

**97. Air Traffic and Radar Conclusions**

The proposal is likely to affect military radar covering the site, however the Ministry of Defence is satisfied that this impact can be addressed through the imposition of conditions requiring mitigation to be agreed and implemented.

**98. Form and siting**

- a. The Wind Turbines SPD states that in terms of wind turbine layouts, these should relate to the landform and field pattern of the specific landscape character area within which they are located. In respect of the application proposal, this would mean the turbines being laid out as a cluster rather than a more linear arrangement.
- b. It notes that the layout should be designed so as to minimise the 'stacking' of blades from sensitive locations and receptors (stacking is where the blades of two or more turbines overlap as they are rotating) and goes on to state that the impact on skylines should be minimised with turbines set back from plateau edges.
- c. Finally, the SPD notes that the siting of turbines should avoid clutter with other vertical elements in the landscape such as pylons or other turbines, and that careful consideration is required for views to or from existing landmark or historic features such as church spires, vistas or panoramas associated with parks and gardens etc.

**99. Form and siting conclusions**

The proposal accords with the general principles for form and siting, but as noted in the earlier section on historic environment, gives insufficient consideration to the impact on views from historic assets.

**100. Mitigation**

- a. The Wind Turbines SPD identifies several areas of mitigation that can be undertaken in relation to minimising the impact of wind turbines.
- b. The majority of these measures relate to the siting, design and appearance of the turbines, such as all turbines in a group being of the same size and appearance, no advertising or logos on the structures, which should be white or light grey, and that the turbines should be a three bladed model, with as much of the ancillary elements as possible located within the tower.
- c. The final point in relation to the turbines relates to landscaping and management proposals to mitigate landscape and visual impacts.
- d. The nature of the turbines and their proposed height means that mitigation of the turbines themselves via planting and landscaping is impractical except in very specific circumstances and with the agreement of landowners in the wider area. In this respect, the more limited landscaping and planting proposed by the bunding to mitigate the specific impacts of the moving blade shadows on horses and riders in the vicinity is a more practical method of mitigation of a specific impact.
- e. The Environmental Statement submitted with the application deals with a wider range of mitigation than is covered by the SPD, covering topics such as noise, ecology, cultural heritage, geology, hydrology and hydrogeology, access, transport and traffic, public access and radar.

- f. In all instances these impacts are identified as being controlled through the application of appropriate conditions or management plans, details of which would be agreed with the applicant prior to issuing consent should members be minded to approve the application.

#### **101. Mitigation Conclusions**

The mitigation measures identified within the application are appropriate for the issues to which they relate, and could be secured by the application of appropriate planning conditions.

#### **102. Decommissioning and reinstatement**

- a. The decommissioning of a wind turbine site is more straightforward than for most forms of electricity generation, requiring the dismantling of the turbines themselves and removal of the exposed areas of concrete foundation (proposed in this instance to be to a depth of 1m).
- b. The applicant has indicated that the decommissioning process would be secured by the setting aside of a legally binding bond to pay for the decommissioning process.
- c. The Wind Turbines SPD does not contain a formal statement on decommissioning, but notes that conditions may be applied to require restoration of the land to its former condition and that operators will be required to ensure sufficient finance is set aside to secure this.

#### **103. Decommissioning and reinstatement conclusions**

The detail of the application is in accordance with the guidance contained within the Wind Turbines SPD in that a bond is to be provided to secure the decommissioning and reinstatement of the land to its former condition. Should consent be granted, the details could be adequately secured by condition and a legally binding bond.

- 104. The following assessment is made with respect to the other issues that have been identified as part of the consultation undertaken on the application

#### **105. Positive Climate Change Issues**

- a. It is accepted, both in national and local planning policy, that there is a need to reduce the use of fossil fuel energy generating stations, and that wind power will form part of the generating capacity moving forward. Development plan policies CS20 and SP18 both state that renewable and low carbon energy development will be supported subject to the issues they identify being satisfactorily addressed. The National Planning Policy Framework states that local planning authorities should design their policies to maximise renewable and low carbon energy development whilst ensuring that adverse impacts can be satisfactorily addressed. These policies must be given weight in determining the application, in favour of the proposal.
- b. The key consideration in terms of renewable energy generation however is not that the technology is required to be part of the nation's energy generation mix in the future, but whether or not the contribution of individual schemes to that supply is significant enough to outweigh the harm to the local environment in other respects. There is evidence that in recovered appeals by the Secretary of State the contribution of schemes in this respect are not sufficient to outweigh harm identified.
- c. Contribution of the site to the generating capacity of the country is a positive benefit of the proposal and should therefore be taken into consideration and weighed in the planning balance. In assessing the contribution of the scheme it is important to note that the figures quoted in the application use the smallest level of generating equipment that is likely to be



used on the site, in conjunction with a 'capacity factor' which is a figure that indicates what proportion of the theoretical maximum can be expected to be achieved on the site. The capacity factor quoted is 39.7%. This is compared with the national average for onshore wind schemes of 25.74%. It should be noted however that the capacity factor of the proposed turbines would be expected to be higher than the average, as capacity factor is a function of the height of the turbine – the taller the turbine the more efficient it becomes and therefore the average figure includes a proportion of much smaller, and therefore less efficient, turbines. The figures quoted are indicative only however, as selection of turbines will influence this, as will the actual capacity factor once installed. The figures quoted indicate generation sufficient to power in excess of 13,000 'average' homes.

- d. National energy policy is committed to reducing reliance on 'dirty' fuels such as coal, however there has been a notable policy shift away from provision of wind turbine developments at this level following this year's general election and the Written Ministerial Statement of June 2015. Members must accept that it is not the role of the Council to challenge national energy policy or to pursue some of the comments made in relation to this.

#### **106. Positive Community Benefit Issues**

- a. There would be a community benefits package associated with the proposal, including the option for reduction of energy bills to properties within a certain distance from the site, and this package when taking into account that discount is stated as being at least £81,000 per annum, index linked.
- b. Whilst it is possible to take into consideration that such a package would be able to deliver improvements to the environment, there is no planning basis for limiting its use by condition on the application and therefore there is no guarantee that the benefits package will result in environmental benefits to offset the harm identified.
- c. The benefits package is however a beneficial element of the proposal that can be accorded some weight.

#### **107. Other positive issues raised**

- a. The generic list of benefits to wind turbines notes several more esoteric benefits such as being a force for good and the county generating electricity sufficient to power itself.
- b. This list of benefits however does little to provide any evidential basis for offsetting the environmental impacts identified elsewhere in the report.

#### **108. Negative landscape and visual impact issues (not already covered)**

- a. Concern has been raised that turbines are distracting to drivers. Wind turbines themselves are becoming a much more common sight within the landscape and are no longer the rarity they once were. As a result, they are less likely to be a distraction within the landscape, and their scale is such that they are rarely a sudden appearance within a driver's view. Consultation with both the highways agency in respect of the A1 and the Highways Authority at RCC has raised no objections to the proposal in respect of highway safety.
- b. Preference is expressed for offshore wind sites in landscape terms. Whilst this is also true of national policy, the application being considered is for an onshore wind farm and it must be considered on its merits in light of the relevant policies for onshore wind development.

#### **109. Health Issues**

- a. The majority of these issues relate to matters addressed previously, however the impact of the proposal on the autistic residents of 'The Shires' school just outside Stretton is raised. Consultation has been undertaken directly with the Shires school, who have advised that they have no objections to the proposal in respect of the health impacts on their students.
- b. Rotation of the blades causing air currents adverse to grazing animals is noted. The land on which the turbines are proposed to be located is, as noted earlier, arable farmland rather than grazing land, and therefore any adverse effects that may occur to grazing animals (for which no evidence is presented) will be limited due to the proximity of animals to the turbines.
- c. The soundness of the land across the site is noted as being home to several shake holes and swallow holes. It is proposed that the presence of such features would result in the land being inappropriate for development. The ground conditions in the locations of the individual turbines are investigated prior to construction and different types of foundation are available depending on the ground conditions present. The turbine locations also allow for a 50 metre micro siting of the turbines, which would be adequate to allow for appropriate ground conditions to be used.

#### **110. Technical issues**

- a. Several matters are raised in this respect, including that the applicant is technically unreliable, the nation's renewable commitment is already met, and that there is a lack of evidence to support carbon reduction, and wind resource.
- b. There is no evidence provided to suggest the applicant is technically unreliable. It is accepted that the government has advised it is on track to meet the reduction in carbon emissions required by 2020, despite recent information leaked to suggest that there are insufficient schemes in place to meet this target. Irrespective of this however, the 2020 target does not represent the end to carbon reduction, with aims to reduce carbon emissions beyond these levels in the future and therefore the reaching of a target is not justification for refusing attempts to reduce emission beyond this level.
- c. The NPPF states at paragraph 98 that local planning authorities should not require the applicant to demonstrate the overall need for renewable or low-carbon energy and recognise that even small-scale projects provide a valuable contribution.

#### **111. Other issues**

- a. The issues raised here that have not already been addressed are largely not material to the decision. These include the negative effect on property values, level of subsidy paid to the applicant/operator/landowner, precedent for further turbines, that Rutland is a supplier of food to surrounding areas, that the power generated will supply the national grid and not Rutland itself, that local initiatives will not be supported by the local planning authority, that further urbanisation of the area will ensure, the scale of community benefits.
- b. Consultation on the application has been undertaken in line with statutory requirements, and although the formal consultation period was limited to 21 days, all responses received up until the time a decision is issued will be taken into consideration.
- c. The reference made to infringement of Article 8 human rights is noted. Article 8 states that everyone has the right to respect for their private and family life, their home and correspondence. The issue raised relates to the wind turbines intruding on their home in both views and from noise. Whilst it is accepted that the wind turbines will be visible from some properties, it is not considered that article 8 of the human rights act would be breached by such an impact. With respect to the noise implications, the proposal has been shown to

comply with the relevant assessment documents and therefore there would be no breach of article 8 in this respect.

- d. The loss of agricultural land is noted, however it is clear from the application details that the land take required by the proposal is small in the context of the site, and that such a loss would not represent a reason for refusal.

### **Planning Balance**

- 105. As noted earlier, planning law requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. It is recognised in national policy that large scale renewable energy schemes will inevitably have some adverse landscape/visual and heritage impacts that in many cases are considered to conflict with development plan policies, or parts of the NPPF. It is therefore necessary to carry out a balancing exercise to determine whether there are material considerations that outweigh any identified conflicts with policy.
- 106. Many of the environmental effects identified are within acceptable limits, including noise, shadow flicker, separation from residential property, the natural environment, telecommunications. Other issues are able to be brought within acceptable tolerances by the application of planning conditions, such as impact on radar, separation from public rights of way, and hydrology.
- 107. Some effects however are concluded to represent significant harmful impact, namely the impact on landscape character, and the historic and cultural environment.
- 108. Material weight must be given to the support for renewable energy in national and local policy, tempered by the acknowledgement that the need for renewable energy does not override environmental protections and planning concerns of local communities and the change in national policy approach brought about by the Written Ministerial Statement of 18th June 2015 and the simultaneous changes to national Planning Policy Guidance. Planning Policy Guidance notes that landscape character assessment can form the basis for which technology may be appropriate at which scale in different locations, but these assessments will not be the only consideration on which decisions will be made, other matters include noise impacts, safety, interference with electromagnetic transmissions, ecological impacts, heritage impacts, shadow flicker and reflected light, likely energy output, cumulative landscape and visual impacts, and decommissioning.
- 109. The public benefit of the proposal is demonstrated through the contribution made by the proposal to the generation of electricity. Based on a conservative estimate of the generation capacity of the turbines to be installed, in the case of the current application this is to be in the region of 50GW per year. Actual figures may be lower than this if the turbines prove less efficient than the 39.7% capacity factor applied in the calculation, or greater if a higher capacity turbine is installed or the capacity factor proves to be higher than predicted. The calculation given indicates a generation capacity equivalent to 13,300 homes, which for comparison purposes is approximately 89% of the number of homes in Rutland (as per the 2011 census). There is also to be taken into consideration the additional electrical requirement from the non-residential uses within the county. At a national level however, the requirement by 2020 for energy generation from renewable sources is such that the proposal only contributes 0.05% of the national requirement. Whilst at a local level therefore the energy generation figures appear substantial, at the national level they are, understandably, far less significant.
- 110. The landscape within which the turbines are proposed to be located is in part particularly sensitive to turbine development, having the lowest capacity in the county for a group of turbines of this scale. The remainder of the site has moderate capacity for development at

the proposed scale. The landscape impact therefore must be given substantial weight as a significantly adverse county level impact.

- 111.** In terms of the historic and cultural impacts of the proposal, the site is in a part of the county where it is flanked to the north by two villages (Stretton and Clipsham) with designated conservation areas, and to the west by a grade II registered Historic Park and Garden, and the grade II\* listed folly at Fort Henry. The impact on these historic assets and their settings in particular, along with the impact on views from the churchyard of the grade II\* listed St Nicholas church in Stretton causes harm, and is therefore contrary to the requirements of sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Such an impact would be temporary, if long term in nature and would therefore represent less than substantial harm with regard to paragraph 134 of the National Planning Policy Framework. This harm therefore needs to be weighed against the public benefit of the proposal. St Nicholas Church and Fort Henry are in the top 8% of buildings designated as listed at a national level, and Exton Park is also listed at a national level, and therefore the harm to their settings must be of material weight. Conservation areas are designated at the local level and therefore the specific impacts are more local in their extent, however the impact upon them must still be accorded material weight due to the impact on an important part of their appeal.

# WOOLFOX WIND FARM

## Environmental Statement 2014

### Volume I - Non Technical Summary





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## 1. Introduction

- 1.1 This document comprises the Non-Technical Summary (NTS) of the Environmental Statement (ES) which has been prepared by RES UK & Ireland Limited (RES) in accordance with the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2011 (hereafter the EIA Regulations), in support of an application to Rutland County Council (hereafter the Council) for planning permission to construct a wind farm comprising nine wind turbines on the former RAF Woolfox Lodge airfield in Rutland, north west of Stamford; see **Figure 1.1** - Site Location Plan.
- 1.2 The ES comprises four volumes:
- Volume I: Non-Technical Summary (NTS);
  - Volume II: Main Report;
  - Volume III: Technical Appendices; and
  - Volume IV: Figures (including visualisations)
- 1.3 This ES reports on the Environmental Impact Assessment (EIA) process undertaken for the proposed Woolfox Wind Farm (hereafter the proposed wind farm). The EIA Regulations state that an EIA is required where a development is *‘likely to have significant effects on the environment by virtue of factors such as its nature, size or location’*. The ES provides a clear and concise summary of the proposed wind farm and its likely significant environmental effects on the natural, built and human environments.
- 1.4 Schedule 2 (i) of the EIA Regulations lists developments for which an EIA must be undertaken for certain types of development, where there are likely to be significant effects on the environment by virtue of factors such as the nature, size or location of a development proposal. Schedule 2 includes *“installations for the harnessing of wind power for energy production (wind farms)”*.
- 1.5 This NTS presents a summary of the principal findings of the ES. Where it helps explain the text, figures from Volume IV have been included at the end of this document and these are referred to throughout the text.

### Commenting on the ES

- 1.6 An electronic version of the NTS, Statement for Community Engagement and Planning Statement supporting the application will be available to download from [www.woolfox-windfarm.co.uk](http://www.woolfox-windfarm.co.uk).
- 1.7 This document will be on public display at the Council’s offices at:
- Catmose  
Park Road  
Oakham  
Rutland  
LE15 6HP
- 1.8 Volumes I, II and IV, as a set, are also available in hard copy format at a cost of £400 (including postage and packaging) or on DVD-ROM (price £15). A Non-Technical Summary of the Environmental Statement is available for £5 from the address below on request.
- 1.9 Copies of the Environmental Statement can be obtained from:
- Woolfox Wind Farm  
RES UK & Ireland Limited  
Beaufort Court  
Egg Farm Lane  
Kings Langley  
Hertfordshire  
WD4 8LR

## 2. Proposed Development

- 2.1 The proposed wind farm comprises of nine wind turbines and ancillary infrastructure centred at grid reference E496290 N313572. The site lies approximately 9km north west of Stamford, south of the villages of Stretton and Clipsham. The site primarily comprises intensively managed arable farmland, with some sheep grazing to the south of the site, near the A1. The majority of the site occupies the former airfield of RAF Woolfox lodge, with remnants of some of the runways and taxiways still observable.
- 2.2 The turbines of the proposed wind farm would be three-bladed, horizontal-axis wind turbines of up to 130m tip height. There will also be ancillary infrastructure, which in summary, will comprise of:
- Electricity transformers;
  - Underground cabling;
  - Access tracks with turning heads;
  - Crane hardstandings;
  - Rotor assembly pads;
  - Control building;
  - Substation compound;
  - Two temporary meteorological masts; and
  - Communications mast.
- 2.3 The total land take for the proposed wind farm would be 3.57 hectares (ha) with an additional 1.94ha required on a temporary basis during the construction phase. All permanent features of the wind farm will be located within the red line boundary (the Application Site) illustrated in **Figure 2.1**.
- 2.4 Planning permission is sought for an operational period of 25 years (the operational life of the proposed wind farm). It is anticipated that the construction period would be approximately 10 months and the decommissioning period would be a similar length of time.
- 2.5 At the end of the operational period, the proposed wind farm would either be removed, or a new planning application made to extend its operational life. If removed, all above ground structures would be dismantled, but only the top layer of below ground structures removed. This approach is considered to result in fewer environmental effects than seeking to remove all infrastructure completely. All disturbed areas would be reinstated back to their original land use. The on-site access track would either be left for use by the landowner or be removed.
- 2.6 Mitigation measures have been embedded into the design of the proposed wind farm to minimise environmental effects and where appropriate, further mitigation (by additional ancillary works or by following particular procedures) has been proposed to address any residual environmental effects.

### *Grid Connection*

- 2.7 The distribution network operator (DNO - in this case Western Power Distribution (WPD)) has indicated to the Applicant that there will be capacity for the wind farm to connect at the existing electrical grid at the Stamford 33/132kV substation. Until an offer for connection is accepted the route and point of connection cannot be identified. **Figure 12.3** shows potential routes that could be utilised by either an underground cable or overhead line (or a combination of both) to connect the proposed wind farm to the existing network at Stamford. The precise route would be subject to a separate planning process managed by the DNO, after further detailed surveys and assessments have been carried out.

### Site Entrance

- 2.8 The site entrance for the proposed wind farm will be alongside that of the existing Woolfox Depot, just off the A1. Abnormal loads (delivery of turbine components etc.) will approach the site using the major road network and approach the site from the north, on the A1. The A1 will also be the principal route of approach for all construction traffic but using the A1 both north and south bound.
- 2.9 Some minor modifications to the site entrance would be required to provide for construction traffic and the turbine deliveries. Any works to the highway would be subject to a separate agreement with the Council under Section 278 of the Highways Act 1980.

## 3. Design Evolution & Alternatives

- 3.1 The rights to the proposed wind farm were acquired by the Applicant from Scottish and Southern Renewable Developments (SSE) in August 2013, who had been working on the project since 2010. In order to ensure that the proposed wind farm was suitable for development the location was subject to the same constraint mapping review and management system procedures that would be carried out to any new site that had been acquired internally to ensure that it was suitable for development
- 3.2 Initial desk studies were undertaken to determine whether the proposed wind farm met the following criteria and to identify designated sites:
- Relevant national/local planning policy and renewable energy suitability studies;
  - Wind speed;
  - Outside Areas of Outstanding Natural Beauty (AONB), National Parks, European and internationally designated sites such as RAMSAR, Special Areas of Conservation (SAC) and Special Protection Areas (SPA);
  - Discretionary consideration of Site of Special Scientific Interest (SSSI), National Nature Reserve (NNR) and Environmentally Sensitive Area (ESA) designated sites;
  - The location of residential dwelling and local settlements;
  - Good site access;
  - Reasonable distance to grid connection;
  - Radar and aerodrome operations;
  - Flood risk zones;
  - Gas pipelines and overhead lines; and
  - EMI and microwave links.
- 3.3 The layout of the proposed wind farm has evolved in response to the environmental constraints of the site, including ecology, landscape and visual, cultural heritage and onsite infrastructure. Consideration of the constraints has led to the proposed wind farm being designed in a particular way. In the final layout, the proposed wind farm has been arranged so as to maximise wind power capture whilst minimising environmental effects. The layout represents a balance between renewable energy generation and the technical and environmental parameters of the site.
- 3.4 The surveys undertaken on the site were influential in finalising the turbine layout. There are a number of drains and sink holes within the site boundary and the layout incorporates a 50m buffer around the sensitive surface water features to the turbines. Ecological and ornithological surveys carried out on the site identified ecology specific constraints such as the location of bats around wooded areas. Other infrastructure such as a fuel pipeline and microwave communication links have been avoided using buffers stipulated by the infrastructure operators.
- 3.5 A layout of 14 turbines was proposed at the Scoping stage in March 2014 and comments were sought from the Council, as well as other public and technical stakeholders. The layout of nine

turbines was finalised based on these consultations as well as the completion of baseline line field surveys.

- 3.6 The on-site track has been designed to, as far as possible, utilise the existing on-site track layout and minimise the amount of agricultural land taken by the development. Where new track has been required this is located as close to field boundaries as possible or spaced to enable agricultural practices to continue during the construction and operational phases of the proposed wind farm.

## 4. Landscape & Visual

- 4.1 The Landscape and Visual Impact Assessment (LVIA) defines the existing landscape and visual baseline environments; assesses their sensitivity to change; describes the key landscape and visual related aspects of the proposed wind farm; describes the nature of the anticipated change upon both the landscape and visual environments; and assesses the magnitude and significance of the changes for the construction, operation and decommissioning stages; focussing primarily on the operational stage. The Council has been consulted in order to agree viewpoints, study area and schemes to include within the cumulative assessment.
- 4.2 The assessment method draws upon the established Guidelines for Landscape and Visual Impact Assessment, 3rd edition (Landscape Institute and Institute of Environmental Management and Assessment, 2013); Landscape Character Assessment Guidance (Scottish Natural Heritage and The Countryside Agency, 2002) and other recognised guidelines, including Visual representation of Wind Farms Best Practice Guidance (Scottish Natural Heritage, March 2007).
- 4.3 17 landscape character areas are located within 10km of the proposed wind farm. Of these character areas seven have been identified that require detailed assessment, with the remainder excluded because the Zone of Theoretical Visibility (ZTV) study and site work indicates limited or no visibility.
- 4.4 The different types of visual receptors assessed encompass residents within settlements; people using key routes such as roads; cycle ways or long distance paths; people within accessible or recreational landscapes; and people using public rights of way. In dealing with public rights of way and local roads, receptors are grouped into areas where effects might be expected to be broadly similar, or areas which share particular factors in common.
- 4.5 23 representative viewpoints have been selected to inform the assessment of effects on visual receptors.

### *Effects on Landscape Character*

- 4.6 There is some variety in landscape sensitivity within the study area as defined by the Rutland Landscape Sensitivity and Capacity Study - Wind Turbines (Rutland County Council, 2012). All landscape effects are assessed as Adverse.
- 4.7 The proposed wind turbines are likely to become the dominant characteristic of the landscape within approximately 0.5-1.5km, giving rise to the sense of being next to or at a wind farm. Between that area and up to approximately 3km from the proposed wind farm they would become one of the key characteristics, giving the sense of being near a wind farm. As a result there are localised significant effects on landscape character area Di (south) Cottesmore Plateau - Exton and Burley (Major significance) and Dii Clay Woodlands (Major-Moderate significance). Overall effects on both character areas would be of Moderate significance. Some other character areas would also be affected but to a lesser degree.

### *Effects of Views*

- 4.8 Effects on views would be generally of Large scale within up to approximately 2km and Medium scale up to around 3-4km from the proposed wind farm, and would decrease to Small and Negligible scale beyond 3-4km. All visual effects are assessed as Neutral.

### *Effects on Settlements*

There would be localised significant visual effects from Clipsham and Pickworth (Major-Moderate significance), however, the turbines would not be visible from most of Clipsham and, overall, visual effects on the village would be of Slight significance. Overall effects on Pickworth would be of Moderate significance. Other settlements would have limited or no visibility of the wind farm. Overall effects on Stretton and Exton would be of Minimal significance, with effects of Slight to Minimal significance on small parts of the villages from where there would be views of the proposed wind farm. Effects on all other settlements would be of Minimal significance.

### *Effects on Roads*

- 4.9 There would be localised visual effects from part of the minor road between Stretton and Clipsham (Major-moderate significance). Turbines would be visible from other roads within the study area but effects would not be significant.

### *Effects on Recreational Routes*

- 4.10 There would be significant effects from parts of the Rutland Round where it passes close to the east and north of the proposed wind turbine locations. Overall effects on the Rutland Round within the study area would be of Moderate significance.
- 4.11 The wind turbines would also be visible from parts of the Viking Way where it runs west of the A1, leading to localised effects of Medium significance and overall effects of Minimal significance.
- 4.12 There would be limited visual effects on users of National Cycle Network Route 63.
- 4.13 Users of a group of PROWs lying south of Clipsham, east of the A1, north of the minor road running south west of Pickworth towards the A1, and west of Pickworth would experience significant visual effects locally and overall. Significant effects would not be experienced from other PROW.

### *Effects on Accessible and Recreational Landscapes*

- 4.14 There would be no significant visual effects on users of Open Access Land covering a number of woodlands to the west, north and east of the proposed wind farm.

### *Effects on Designated Landscapes*

- 4.15 There are no designated landscapes in the study area.

### *Effects on Residential Properties*

- 4.16 Eight residential properties would be closer than 1.5km to the proposed turbines. These properties were all assessed as well as some properties just beyond 1.5km.
- 4.17 No properties would be affected to the extent that the turbines would be sufficiently "oppressive" or "overbearing" that the property would be rendered an unattractive place in which to live.

### *Cumulative Effects*

- 4.18 The cumulative effects were assessed in detail for two schemes: Stretton wind turbine (a single turbine 51.2m high to hub and 65.7m high to blade tip) and the proposed Woolfox solar farm. The proposed location of the Stretton wind turbine is 3.9km north west of the proposed wind farm. Woolfox solar farm would be located immediately south of the proposed wind farm within the same former airfield.

- 4.19 Cumulative effects with Stretton wind turbine would be limited due to the distance between the proposed wind turbines and the visual separation and ‘buffering’ created by the A1 and substantial areas of woodland and other vegetation between the two schemes. If the proposed Woolfox wind farm was already built Stretton wind turbine would cause some slight increases to overall effects on character area Di (north), motorists on the A1, local roads between 2.5 and 5km north west of Woolfox wind farm, the Rutland Round long distanced walking route and users of PROW between 2.8-5km north and east of the proposed wind farm.
- 4.20 If Stretton wind turbine was already built the overall effects of adding the proposed wind farm would be the same as assessed for the proposed wind farm alone.
- 4.21 Cumulative effects with Woolfox solar farm would be limited by the small area which would be affected by Woolfox solar farm, east of the A1. Cumulative effects on all receptors would, overall, be no different to those of the proposed wind farm alone.

## 5. Noise

- 5.1 An assessment of the acoustic impact from both the construction and operation of the proposed wind farm was undertaken taking into account the identified nearest residential properties.
- 5.2 The operational noise impact was assessed according to the guidance described in the ‘The Assessment and Rating of Noise from Wind Farms, referred to as ‘ETSU-R-97’, as recommended for use in relevant planning policy.
- 5.3 The methodology described in this document was developed by a working group comprised of a cross section of interested persons including, amongst others, environmental health officers, wind farm operators and independent acoustic experts. It provides a robust basis for assessing the noise impact of a wind farm and has been applied at the vast majority of wind farms currently operating in the UK. ETSU-R-97 makes clear that any noise restrictions placed on a wind farm must balance the environmental impact of the wind farm against the national and global benefits that would arise through the development of renewable energy sources. The assessment also adopts the latest recommendations of the Institute of Acoustics ‘Good Practice Guide to the Application Site of ETSU-R-97 for the Assessment and Rating of Wind Turbine Noise’.
- 5.4 Representative baseline conditions (the “background noise level”) at nearby residential properties were established by undertaking noise surveys. These measured levels were then used to infer the background noise levels at other nearby residential properties as the ETSU-R-97 document recommends. As background noise levels depend upon wind speed, as indeed do wind turbine noise emissions, the measurement of background noise levels at the survey locations were made concurrent with measurements of the wind speed and wind direction. These wind measurements are made at the wind turbine site rather than at the survey locations, since it is this wind speed that will subsequently govern the wind farm’s noise generation.
- 5.5 A sound propagation model was used to predict the noise levels due to the proposed wind farm at nearby residential properties over a range of wind speeds, taking into account the position of the proposed wind turbines, the nearest residential properties, and the candidate wind turbine type. The model employed (which considered downwind conditions at all times) took account of attenuation due to geometric spreading, atmospheric absorption, ground effects and barriers. It has been shown by measurement based verification studies that this model tends to slightly overestimate noise levels at nearby residential properties.
- 5.6 The relevant noise limits were then determined through analysis of baseline conditions and the criteria specified by the ETSU-R-97 guidelines. The general principle regarding the setting of noise criteria is that limits should be based relative to existing background noise levels, except for very low background noise levels, in which case a fixed limit may be applied. This approach has the

advantage that the limits can directly reflect the existing noise environment at the nearest residential properties and the impact that the wind farm may have on this environment. Different limits have been applied during day and night-time hours. The daytime limits are intended to preserve amenity (outdoor), while the night-time limits are intended to prevent sleep disturbance (indoor).

- 5.7 For those properties considered, the predicted noise levels are within noise limits at all considered wind speeds. The proposed wind farm therefore complies with the relevant guidance on wind farm noise and the impact on the amenity of all nearby properties would be regarded as acceptable.
- 5.8 A construction noise assessment, which has incorporated the impact from increased traffic noise, indicates that predicted noise levels likely to be experienced at the nearest residential properties are below relevant construction noise criteria at all residential properties.

## 6. Ecology & Ornithology

- 6.1 The potential for the site of the proposed wind farm to support protected and notable habitats and species has been investigated through a programme of desk studies and field surveys.
- 6.2 Most of the land associated with the Application Site comprises intensively managed arable farmland and improved grassland ley, with semi-natural habitats being largely restricted to field boundaries and other marginal areas. The design process has sought to protect existing features of relatively higher ecology and nature conservation value. Indeed, the proposal requires only limited land-take of non-arable habitats. The need for new tracks to service the proposed wind farm has been reduced through the incorporation of existing farm tracks, substantially reducing land take requirements.
- 6.3 The proposed wind farm would not impact, directly or indirectly, any designated nature conservation sites.
- 6.4 The proposed wind farm is considered unlikely to pose a threat to the local bat population as it has been designed with specific consideration to the mitigation of potential effects on bats. Bat activity in the vicinity of the Application Site is closely correlated with the locations of mature woodland and hedgerows. Natural England best practice guidance on the placement of wind turbines has been implemented and the wind turbines have been offset from habitats of importance to bats by at least 50m.
- 6.5 The Application Site supports populations of reptiles and great crested newts but the proposed wind farm has been designed to avoid land take from habitats of value to these species.
- 6.6 Potential impacts on birds have been fully assessed, using data collected over several years. The site supports only a limited range of bird species due to the dominance of open farmland habitats. Most of the bird species present are small passerine species that are not generally considered at risk from wind farm developments. A range of bird of prey species occur in the wider landscape and potential impacts on these species has been assessed. The site does not support any wetland bird species relevant in the context of the internationally designated Rutland Water Special Protection Area.
- 6.7 No evidence of any other relevant protected species was found within or in close proximity to the site. The site would be subject to ongoing monitoring so that any future colonisation by protected species could be identified.
- 6.8 Mitigation would be applied to ensure that the limited requirements for land take do not pose a threat to wildlife. In addition, ecological enhancement is proposed to provide new habitats of benefit to wildlife, including benefits for species that are local and national priorities for conservation action.



## 7. Archaeology & Cultural Heritage

- 7.1 Given the previous use of the site as a WWII airfield, and the known archaeological sites in the wider area, there is a possibility of encountering hitherto unknown remains, which may survive as subsurface features, during ground-breaking works in construction of the proposed wind farm. The proposed wind farm would result in localised effects to the runways and tracks of the former WWII airfield at Woolfox Lodge where the cables cross these surviving parts of the airfield and may result in damage to currently unknown heritage assets through excavation of the turbine bases and construction of new sections of track way. This potential will be investigated further through a programme of detailed magnetic survey followed by field walking. The scope of this work has been agreed with the Historic Environment Team (HET) at Leicestershire County Council and a Written Scheme of Investigation (WSI) for these non-intrusive archaeological evaluations of the Application Site will be submitted to HET for approval.
- 7.2 Potential visual impacts on designated and selected non-designated heritage assets within 5km of the proposed wind farm boundary have been assessed as part of the ES. A total of nine Scheduled Monuments, one Registered Park and Garden and 213 Listed Buildings were located within the 5km search area, the non-designated Woolfox Lodge airfield and Cold War missile base were also assessed, as were selected designated assets beyond 5km (including Grimsthorpe Castle and the church of St Medard). The majority of these assets are predicted to experience no harm to their significance as a result of the proposed turbines; however the proposed wind farm will result in effects to ten heritage assets through visual change in their setting (1 moderate, 5 slight and 4 negligible). These effects are considered to equate to less than substantial harm to the significance of these assets, which range from high to low sensitivity.
- 7.3 The cumulative effect of the proposed turbines operating at the same time as the proposed turbine at Stretton and the proposed solar farm at Woolfox have also been considered in this assessment. The cumulative effect of the proposed turbines operating at the same time as the Stretton turbine is considered to result in a slight increase in the effect to five assets (Church of St Mary, Greetham, Exton Park, Greetham Conservation Area, WWII airfield Woolfox Lodge and Cold War missile base Woolfox Lodge), this is however not considered to raise the level of effect to a higher category, largely because the smaller turbine at Stretton contributes a smaller degree of harm to these assets than the proposed turbines.
- 7.4 The cumulative effect of the proposed turbines operating at the same time as the proposed solar farm at Woolfox Lodge is considered to result in an increase in the effect on the Woolfox Lodge WWII airfield but not to any other assets. The effect on Woolfox Lodge airfield would increase but the significance of the effect to moderate, due to the greater degree of effect from the solar panels.
- 7.5 A number of measures will be taken to ensure the protection of cultural heritage interests as far as possible. They include:
- 7.6 Protection of the WWII runways and perimeter track where necessary to avoid accidental damage during plant movement include:
- Siting of cable crossings through the WWII runways and perimeter tracks in areas already disturbed/damaged to minimize physical impacts to this asset, or reinstatement of the concrete where this is not possible; and
  - Where sites identified during the archaeological evaluations cannot be avoided they will be subject to archaeological excavation before construction starts.



## 8. Geology, Hydrology & Hydrogeology

- 8.1 The potential effects to geological, hydrological, and hydrogeological receptors during the construction, operation and decommissioning of the proposed wind farm have been assessed and outline mitigation measures required to reduce any identified potential effects of the proposed wind farm have been identified.
- 8.2 Overall the residual effects of the proposed wind farm on the geological, hydrological and hydrogeological environments following the implementation of avoidance and mitigation measures are considered to be minor or less than minor. Residual impacts are limited to:
- A temporary decrease in surface water quality during construction and to a lesser extent, decommissioning from the generation of turbid runoff migrating to down gradient surface watercourses;
  - Potential for a temporary decrease in ground and surface water quality during construction in the event of a spillage of some form of pollutant to the water environment; and
  - Potential for disturbance of existing land contamination associated with the former airfield resulting in a temporary decrease in groundwater quality.
- 8.3 A drainage plan will be drawn up following the completion of the final infrastructure design, which will incorporate the principles of Sustainable Drainage Systems (SuDS), to manage the drainage around the turbines and tracks and capture sediment mobilised in surface water flows.
- 8.4 A comprehensive Construction & Decommissioning Method Statement (which will include environmental management), will be agreed with the Council in advance of construction. The adoption of this document along with the incorporation of standard good practice techniques and the avoidance measures already taken into account in the design of the proposed wind farm, the potential changes to surface water, groundwater and geological environments are not predicted to be significant.
- 8.5 There is potential for cumulative effects resulting from increased surface water flood risk due to the proposals for a solar farm adjacent to the proposed wind farm, however these effects are not expected to be significant

## 9. Access, Transport & Traffic

- 9.1 The traffic and transport implications during the construction, operation and decommissioning of the site have been considered. The assessment covers the access route for large components from one of the Humberside Ports (Immingham, Goole or Hull) utilising routes to the trunk road network which are well established for the delivery of wind turbine components, then via the A1 to the site entrance near to the Woolfox Depot. This entrance will also be used by heavy goods vehicles for the delivery of smaller components, concrete and other construction materials as well as other service vehicles.
- 9.2 Due to the nature of the development, the highest traffic impacts would occur during the construction phase, whereas traffic generated once the wind farm is operating would be minimal. The increase in traffic flows on the A1 was deemed to be not significant.
- 9.3 A number of constituent assessments have been carried out and summarised in this ES, concluding that the environmental impact would only be negligible to minor and confined to an approximately 10-month window. Mitigation measures would be implemented where deemed appropriate in order to further reduce any negative effects the development traffic might have, including traffic management, road improvement works, as well as careful design and construction processes minimising the need for material transport.

- 9.4 A Traffic Management Plan would be prepared and submitted to the Council and other suitable authorities in advance of construction. This plan will set out in detail, among other things, the access route, precautions taken with abnormal load deliveries, pre and post construction road surveys, temporary signage etc.

## 10. Socioeconomics & Public Access

- 10.1 The assessment of the likely significant effects on the human environment consisted of a desk-based review of key data sources and publications. The focus of this assessment has been on land use, tourism and recreation, local economy, and the accessibility of the Rights of Way which cross the site.

### Land Use

- 10.2 Because of the working of site to create the airfield and the subsequent breakup of the site's hardstanding the agricultural grade of the airfield varies between 3a and 5 over relatively short distances.
- 10.3 The construction process would require a certain amount of land in order to store materials, house worker facilities and construction equipment. Due to the relatively short term nature of the construction period this is classed as temporary land take and would amount to a total of 1.57ha. The proposed wind farm would require 3.6ha of land for the turbine foundations, hard standings and other permanent infrastructure. This land would be required for the duration of the proposed wind farm and therefore would not be available for its current use.
- 10.4 Due to the fact that the current land use can continue around the proposed wind farm, the poor grade of the land and the amount of land taken by the proposed wind farm the assessed effect on land use is not considered to be significant.

### Tourism and Recreation

- 10.5 Whist tourism in Rutland is a strong component of the local economy numerous studies in Cornwall, Scotland and Wales looking at the wind farms and tourism, have found that the presence of wind farms does not have an effect on the decision of an visitor to visit a region.
- 10.6 Speaking in 2013, following the publication of the results of the study carried out by South West Research Company Ltd, commissioned by Good Energy, the MP for St Austell and Newquay, Stephen Gilbert said:

*"This interesting piece of research dispels one myth, it's clear that far from being put off from visiting areas with wind farms most people either don't care or, in fact, think it enhances the area. Of course that doesn't mean we should cover Cornwall with wind farms or that they are always put in the right place at the moment, but it's clear that they don't damage our tourist economy and that should be factored into the debate." (Stephen Gilbert, 2013)*

- 10.7 Given this context and findings of relevant studies impacts to the wider tourism assets are considered to be not significant during operation.
- 10.8 To ensure good relations are maintained, neighbouring businesses will be contacted during the construction phase to keep them abreast of activities.

### Local Economy

- 10.9 The Applicant tries to, wherever reasonably practicable, use local contractors and employees in all aspects of wind farm development. The major opportunity lies during the construction phase when suitably qualified local firms are identified and invited to bid for different aspects of construction, such as foundation laying and electrical works. Based on analysis of the Applicants' wind farm developments between 2010 and 2013, it is estimated that a temporary workforce of up to 27 would be created during the 10 month construction stage of the proposed wind farm, with a proportion of those construction jobs being sourced locally.

- 10.10 Expenditure in the local economy during the development, construction and operation of wind farm projects in the UK varies from project to project as a function of various factors, including project size, duration and availability of local suppliers. The Applicant estimates a local spend of approximately £2,511,000 in the local area during development, construction and first year of operation of the proposed wind farm.

#### *Access to Public Rights of Way*

- 10.11 Three bridleways cross the site and a fourth follows a site boundary. There will be no extinguishment or diversion of existing Public Rights of Ways (including bridleways). Therefore the operation of the proposed wind farm would result in only temporary closures during construction and decommissioning in the interests of health and safety. The separation and orientation of the proposed turbines from existing bridleways within the Application Site with respect to the tracks will not detract from the local routes.
- 10.12 A Permissive Path joining Bidwell Lane to the existing bridleway at Woolfox Wood is being proposed throughout all phases of the proposed wind farm. This will serve as compensation for the route which would be temporarily closed during construction and an addition to the local network during the operation phase.

## 11. Other Topics

- 11.1 This section considers the potential for impact on communication systems and television (TV) signals, civil and military aviation operations, as well as the potential for impact arising from shadow flicker to local residents.

#### *Electromagnetic Interference*

- 11.2 A number of microwave communication links operate around the site and should the rotor of a wind turbine be positioned too close to the link it could cause interference. The operators of these links have been contacted and the turbines have been positioned at suitable standoff distances to the links to avoid interference.
- 11.3 An assessment by computer modelling was carried out on the impact that the proposed wind farm may have on TV signal in the area. Three TV transmitters were identified as potentially serving the area (Waltham, Stamford Relay and Sandy Heath) and the potential for interference from these assessed. Waltham has the greatest signal strength in the area but no impact is predicted as a result of the wind farm being constructed. The Applicant would agree to a scheme of assessment and mitigation as a protective measure in the eventuality that that complaints associated with television reception arise.

#### *Aviation*

- 11.4 Wind turbines can potentially interfere with aviation operations by either physically affecting the safeguarding of an aerodrome by the close proximity of the turbines or through interference with the radars that direct aircraft in flight. The applicant has consulted with all relevant organisations which could be affected by the proposed wind farm.
- 11.5 NATS En Route (NATS) supplies air traffic service to all en-route aircraft navigating UK airspace. The Applicant has consulted the published NATS self-assessment maps and commissioned a preliminary study into the potential for impact. NATS showed concern for the Claxby Radar, located 83km to the proposed wind farm and for Prestwick Centre Air Traffic Control (ATC). Mitigation has previously been reached on similar cases however discussions regarding the adoption of such mitigation only take place once a planning application has been submitted.
- 11.6 The Defence Infrastructure Organisation (DIO) safeguards all the Ministry of Defence (MOD) and Met Office infrastructures that may be impacted by the presence of wind turbines. DIO were

consulted in March 2013. The DIO responded highlighting some potential concerns regarding the proposed wind farm for ATC radars at a number of Royal Air Force (RAF) bases as well as on the operation of further two. The result of the latter meaning that, if consented the turbines would need to carry some form of navigation beacon. Similarly with civilian aviation, mitigations have previously been achieved on cases such as this but discussions on the adoption of such measures are initiated following the submission of a planning application.

- 11.7 The proposed wind farm is outside the safeguarding zones of any licenced, or unlicensed, airport or aerodrome, in accordance with CAP 764 guidelines, therefore, no consultation was sought. The proposed wind farm is approximately 50km from East Midlands Airport and would therefore cause no impact.

#### *Shadow Flicker*

- 11.8 Shadow flicker is a phenomenon caused by the moving shadow of the turbine rotor being cast over a narrow opening, such as a window or open door. The likelihood of disturbance from shadow flicker is dependent on the distance from turbines, turbine orientation, the time and day of the year and the weather conditions.
- 11.9 The Scottish Government web-based renewable advice (Scottish Government, 2014) on onshore turbines recommends that a separation between turbines and dwellings beyond 10 rotor diameters should avoid nuisance issues to nearby residents. The advice quotes:
- “In most cases however, where separation is provided between wind turbines and nearby dwellings (as a general rule 10 rotor diameters), “shadow flicker” should not be a problem.”*
- 11.10 An analysis of shadow flicker throughout the year from the proposed wind farm was carried out, taking into account the behaviour of the sun, the local topography and the turbine layout and dimensions. The results show that none of the occupied houses could be subject to shadow flicker from the proposed wind farm.

## 12. References

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## WOOLFOX WIND FARM

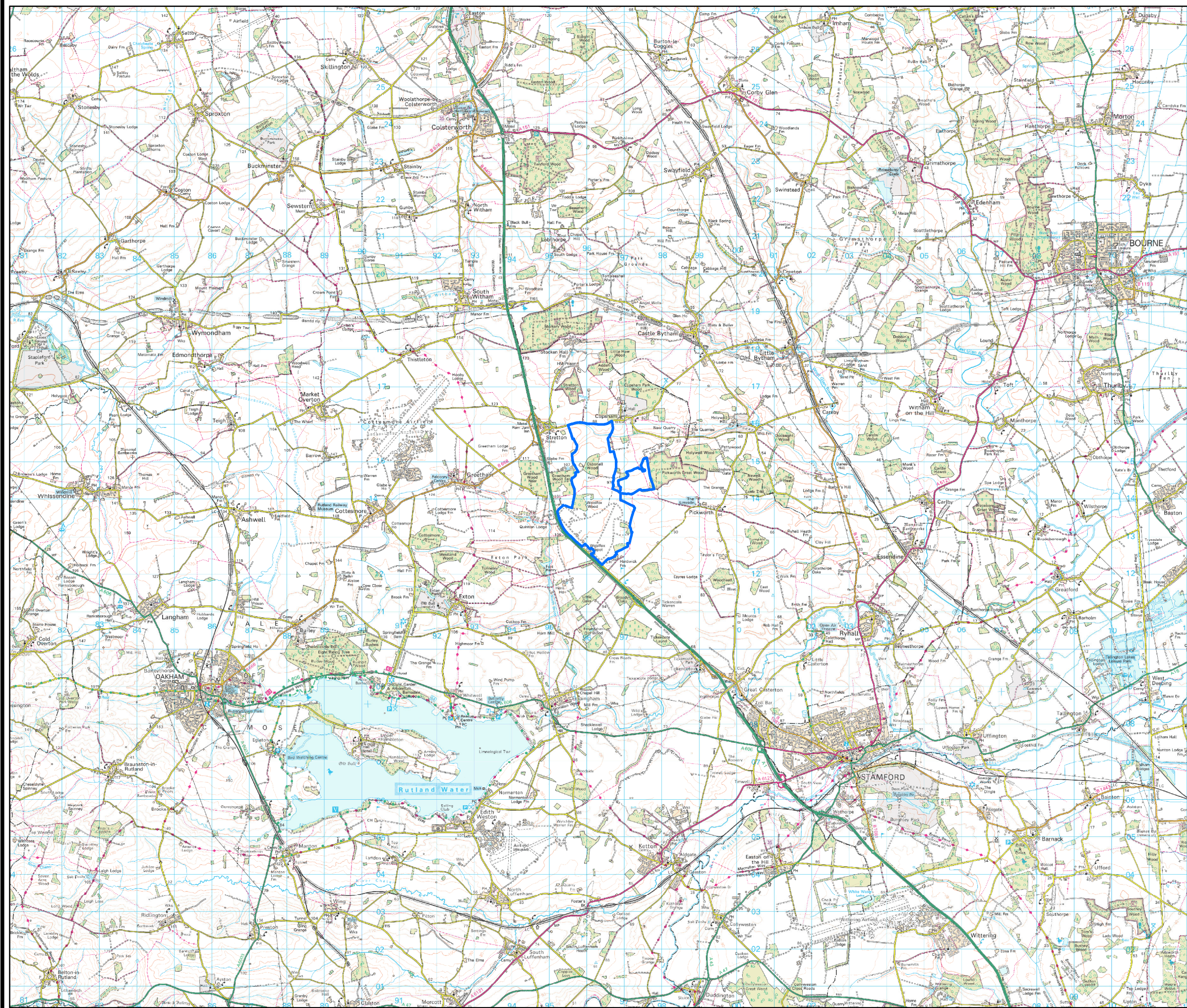
### FIGURE 1.1

### SITE LOCATION

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### KEY:

— Working Boundary



LAYOUT DWG	N/A	T-LAYOUT NO.	N/A
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## WOOLFOX WIND FARM

FIGURE 1.2

### SITE BOUNDARIES

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#### KEY:

- Application Site
- Working Boundary



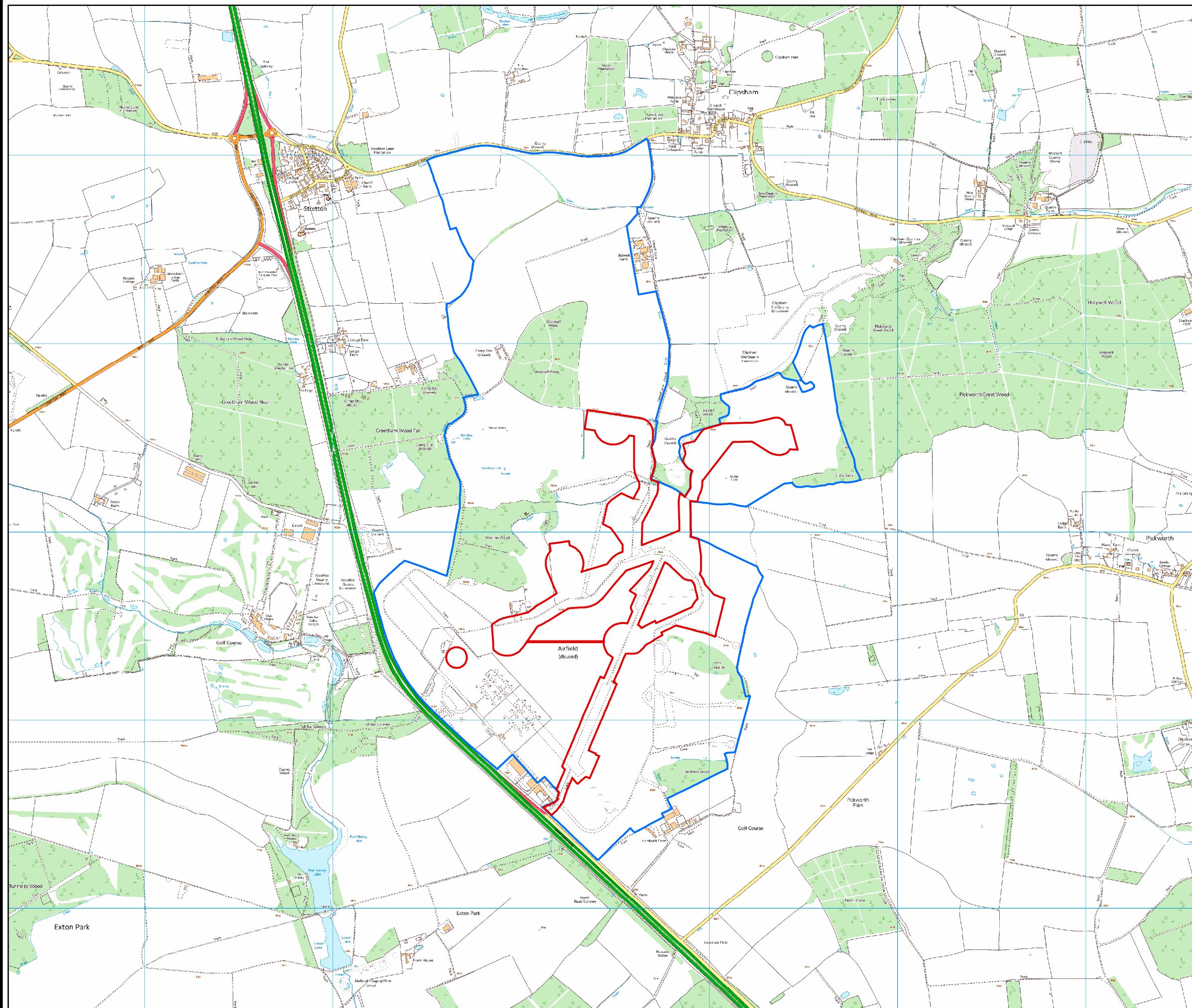
LAYOUT DWG N/A T-LAYOUT NO. N/A

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## Woolfox Wind Farm

Figure 12.3

### Proposed Route Corridors

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#### Legend

- Substation Location
- Wind Farm Connection Location
- Potential Route Option A
- Potential Route Option B
- Potential Route Option C



LAYOUT DWG

T-LAYOUT NO.

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