

APPLICATION NO	WF/2014/0710
APPLICANT	Mr S Morgan, REG Windpower Ltd
DEVELOPMENT	Planning permission for wind farm development consisting of the erection of six three-bladed horizontal access wind turbines, 126.5 metres maximum height to blade tip and associated infrastructure, including transformers, new and upgraded access tracks, underground cabling, electrical substation, hard standings, upgraded construction site access of Godnow Road and ancillary equipment for a period of 25 years. Also, temporary works including construction compound, blade and nacelle lay-down areas, assist crane pads, turning areas and associated construction access tracks.
LOCATION	Land off Godnow Road, Crowle
PARISH	CROWLE
WARD	Axholme North
CASE OFFICER	Ann Scott
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Significant public interest Objection by Crowle Town Council

POLICIES

National Planning Policy Framework: The National Planning Policy Framework in Section 10 (Meeting the challenge of climate change, flooding and coastal change), paragraph 93 relates to how the planning system plays a key role in helping to shape places to secure 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.

Planning Practice Guidance – Renewable and Low Carbon Energy – Developing a strategy for renewable low carbon energy, updated 18 June 2015.

Written Ministerial Statement – Local Planning, 18 June 2015 in relation to amendments to planning guidance new considerations to be applied to proposed wind energy development so that local people have the final say on wind farm applications. When determining planning applications for wind energy development involving one or more wind turbines, local planning authorities should only grant permission if the development site is in an area identified as suitable for wind energy development in a local or neighbourhood plan, and following consultation it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.

In identifying these new considerations, suitable areas for wind energy development will need to have been allocated clearly in a local or neighbourhood plan. Maps showing the wind resource as favourable to wind turbines or similar will not be sufficient. Whether the proposal has the backing of the affected local community is a planning judgement for the local authority.

Where a valid planning application for a wind energy development has already been submitted to a local planning authority and the development plan does not identify suitable sites the following transitional provision applies. In such instances local 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.

North Lincolnshire Local Plan: Policies RD2 (Development in the Open Countryside), LC14 (Area of Historic Landscape Interest), DS1 (General Requirements) and DS21 (Renewable Energy).

North Lincolnshire Core Strategy: Policies CS1 (Spatial Strategy for North Lincolnshire), CS2 (Delivering More Sustainable Development), CS4 (Creating a Renaissance in North Lincolnshire), CS5 (Delivering Quality Design in North Lincolnshire), CS6 (Historic Environment), CS17 (Biodiversity), CS18 (Sustainable Resource Use and Climate Change) and CS19 (Flood Risk).

SPG: North Lincolnshire Council is supportive of the need to reduce the dependence on fossil fuels to reduce the impacts of climate change and global warming. The council is prepared to play its part in the region in meeting renewable energy targets. However, the district has seen unprecedented levels of wind farm proposals far greater than elsewhere in the Yorkshire and Humber region. Most of these schemes are concentrated in one small area of the district and appear to take no account of neighbouring proposals both within and adjacent to North Lincolnshire. The size and number of these proposals has caused fear and concern amongst residents and this has locally undermined the effort to ensure that more energy is delivered from renewable sources.

North Lincolnshire Council North Lincolnshire Landscape Character Assessment and Guidelines sets out the key landscape characteristics of each area. The site is located on land defined as Flat Open Remote Farmland in the Trent Levels. This area of flat open landscape has benefited in the past from agricultural influences of warping and intensive drainage. Agricultural intensification has led to significant hedgerow loss.

North Lincolnshire Council Strategic Flood Risk Assessment 2011

CONSULTATIONS

Highways: Having considered the supporting evidence submitted with the application there would appear to be no highway grounds to offer reasons for refusal. The main highways impact will be during the construction phase. Pre-application work was undertaken to determine the most appropriate routes to the site and any temporary mitigation measures that will be needed to accommodate construction traffic, and also before and after condition surveys of the highway. Conditions are recommended in relation to the construction phase traffic management plan and the applicants would be required to undertake surveys and meet the cost of any repairs in relation to any damage to the highway.

Environment Agency: Objection – the FRA submitted does not comply with the technical assessment in paragraph 9 of the NPPF: it does not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. The FRA fails to take account of the flood risk outline in the North Lincolnshire Council Strategic Flood Risk Assessment. The FRA concludes that the site is 8 kilometres from the River Trent and therefore the SFRA flood compartment cell is not appropriate. The flood cell covers the entire 3F4 and 3F5 area within which this site is located. The flood cell compartments are considered fluvial sources and the inland drainage network with an assessment of available storage as the development is categorised as essential infrastructure which should be able to withstand extreme flood events. 4.1 metres AOD should be considered as the flood level for the area and appropriate mitigation set against that. If such mitigation measures cannot be fully achieved we recommend that an assessment of the impact is made and that there will be no long-term loss of service or infrastructure as a result of flooding.

English Heritage: In accordance with paragraph 134 of the NPPF we advise that the harm caused to the significance of St Oswald's church should be weighed against the public benefits of the proposal. English Heritage considers that one of the proposed wind turbines would cause some harm to the significance and setting of St Oswald's church as a distracting element (due to the movement of the blades) in specific views of the church from the junction of Church Street and Vicars Walk.

National planning casework unit (NPCU): No comments to make.

Ofcom: No objections

Northern Powergrid and National Grid Gas Networks: – No objections

Severn Trent Water: No objections to make.

Environment Team (Trees and landscape): Trees holding objection – the application will cut through an area of woodland. The applicants need to demonstrate that this location is the most suitable when taking into account the quality and number of trees that may be required to be removed and how they are to mitigate the loss of these trees.

Environment Team Ecology: Measures to deal with bats, badgers, water voles and various birds have been agreed with the applicants' consultants.

Environmental Health: Comments in relation to the noise survey supplied in relation to the levels of noise impact at residential locations for financially involved properties. The applicants' noise assessment indicates that compliance with ETSU-R-97 limits for this development relies on allowing higher noise limits for properties at Medge Hall, on the basis that these properties are financially involved. The AoA GPG provides guidance concerning financially involved properties.

“Financially involved noise limit 3.2.10 ETSU-R-97 considers it appropriate to allow a higher level of incident noise associated with turbine operation for properties with occupants that have an interest in the development, both as a higher fixed level (45 db) and or a higher level above the prevailing background noise level. It is considered that the occupants of financially involved property should be direct beneficiaries to allow an increase to the fixed limit noise levels.”

At this stage the information submitted does not show how the occupiers of the relevant properties will be direct beneficiaries of the lifetime of the development.

Further comments have been received from the Environmental Health Officer in relation to the noise assessment recommending conditions in relation to the proposal, if the application is approved.

RSPB: As a result of the outstanding concerns outlined above, the RSPB does not consider it currently possible to conclude that the application will not have a likely significant effect on the Thorne and Hatfield Moors SPA. The RSPB's view continues to be that it is likely that our concerns can be addressed through suitable mitigation; however, unless and until such measures have been fully agreed and secured, the RSPB continues to object to the application.

Lincolnshire Wildlife Trust: Whilst the Trust welcomes the additional information that has been submitted regarding risks to nightjar and crane from the proposed development, the Trust still has serious concerns regarding potential impacts on the two species. As we set out in our letter dated 28 July 2014, Turbine 1 is of particular concern to the Trust as it is within fields between Thorne Moor and Crowle Moor. Whilst the surveys carried out for the Old River Don Wind Farm did not record any nightjar travelling across these fields between the two moors, the surveys only represent a snapshot of bird activity at the site, and we still therefore have concerns that birds may fly between the two areas of moor across the development site, putting them at risk of collision with Turbine 1.

The Trust also continues to have concerns regarding potential impacts on common cranes from collision and disturbance given the proximity of Turbine 1 to the crane foraging area and its location between the moors. Given the concerns over potential impacts on nightjar and crane the Lincolnshire Wildlife Trust maintains its objection to the application. The Trust stands by its recommendation that Turbine 1 should be removed to reduce the potential impacts of the development on both common crane and nightjar.

CPRE: Would like to register its objection to the proposal. CPRE believes this proposal represents a potential significant threat to an area which is already saturated with wind turbines. Local residents who choose to live in this small rural town, will undoubtedly feel surrounded by these large industrial structures, with the additional six turbines significantly adding to the cumulative impact of local wind farms. In line with the renewable energy SPD policy 10 seeks to ensure that cumulative impact is adequately considered in assessing the appropriateness of a new wind energy development. Given that the site is very close to the local authority administrative boundary it would be useful to consult the neighbouring authorities.

Natural England: The application site is within or close to a European designated site (also commonly referred to as Natura 2000 sites) and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is close to the Thorne and Hatfield Moors Special Protection Area (SPA) and the Thorne Moors Special Area of Conservation which are European sites. The sites are also notified at a national level as Thorne, Crowle and Goole Moors Site of Special Scientific Interest (SSSI). Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects. Your assessment concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to

occur, either alone or in combination. On the basis of information provided, Natural England concurs with this view.

Conservation Officer: The proposed wind farm does not diminish the ability to appreciate and experience the significance of the listed buildings within a 5 kilometre radius of the application site. There is negligible impact on the character and appearance of the Crowle conservation area. There is no objection to the wind farm in this instance.

Environment Team Ecology: Measures to deal with bats, water voles, and various birds have been agreed with the applicants' consultants. If permission is granted there will be a need to secure biodiversity enhancements in accordance with the National Planning Policy Framework.

Humberside Airport: The proposed development has been examined from an aerodrome safeguarding aspect and does not conflict with the safeguarding criteria. Accordingly this department has no safeguarding objection to the proposal proposed provided that a condition in relation to the applicants notifying the local planning authority in consultation with Humberside Airport within one month of the turbine commencing operation, should consent be granted by the local planning authority.

NATS Robin Hood Airport: Objects (holding objection) – the proposed development does conflict with our safeguarding criteria. The matter may be dealt with by the submission of mitigation measures and the applicants are advised to contact to discuss the possibility of dealing with this impact.

Further information has been submitted in relation to the holding objection and NATS confirm that they have reached an agreement with the applicant for the provision of mitigation for the proposed turbines. The proposed conditions relate to provision of a mitigation scheme in relation to the impact of the proposal on RADAR prior to the commencement of the development in consultation with Air Traffic Controllers. A second condition requires that the wind farm should not come into operation until the agreed mitigation measures have been implemented. NATS are prepared to withdraw the holding objection if the Local Planning Authority is willing to include these conditions on a planning approval if the application is granted.

The Coal Authority: Material consideration. No objection – the application site does not fall into the defined development high risk area. This means that there is no requirement under the risk-based approach that has been agreed with the local planning authority for a coal mining risk assessment to be submitted or for the coal authority to be consulted.

British Waterways: This application falls outside the notified area for its application scale as there is no requirement for you to consult us in our capacity as statutory consultee.

Doncaster MBC: No comments to make.

East Riding of Yorkshire Council: No reply received.

Crowle Town Council: Object – effect on historical landscape, impact on open countryside, scale and mass of the development, cumulative impact of a potential wind farm, landscape, impact on residents of Godnow Road.

PUBLICITY

One letter of support from a nearby resident in relation to the use of wind power to generate electricity which they consider is vitally important to create electricity cleanly with no harm to the environment. They realise that they have more than their fair share of turbines surrounding them so don't really see the harm.

50 letters of objection have been received, including one from the local MP, with regard to growing concerns about the number of wind turbines locally, both individual and wind farms, and the cumulative impact of these. The MP considers that the area has taken its fair share of turbines and residents have expressed their frustration at the dramatic change to the local landscape which would be further affected by this proposed development. The government's recent planning guidance places a greater focus on the cumulative impact of wind farms, and the opinions of affected communities. It also gives greater weight to environmental concerns, such as the impact of a wind farm on the landscape and visual amenity of the local area which this application would certainly impact upon especially as it faces open countryside.

The MP summarises the objections of the community, however further comments include the following issues raised which are clearly set out by members of the nearby community:

Visual impact – more turbines mean a disproportionate amount of wind farms in this area.

Already have enough turbines in this area. They spoil the position and dominate the landscape. Crowle community is being taken for granted in a town which was once surrounded by unspoilt green fields. These turbines would be very high, and would disturb the land that they sit on. We would ask that the council changes this for the Crowle community and looks how genuine we have already been to the wind turbine industry.

Adverse visual impact – we bought our property because of the delightful rural views; these turbines would be visible for miles. The landscape is presently rural, ancient, unspoilt and agricultural. Industrial-sized white turbines would be completely out of character.

Several local roads, footpaths and bridleways have beautiful and uninterrupted panoramic views across the area which are highly valued by local residents, ramblers and tourists. The proposed turbines would be severely intrusive in this context. It is fair to say that the area has reached saturation point for such turbines and enough is enough.

Noise from the turbines, adverse impact on amenity value, lack of community support and need, setting of a precedent and cumulative impact of turbines across North Lincolnshire.

Adverse impact on tourism and the local community. Predictions of noise generation from turbines will be based on manufacturer estimates and assume correct installation in near perfect conditions, The actual noise limits are unknown until they are installed and working. It will then be at that stage up to those affected to complain and rely on the measurements and enforcement by the local planning authority. This apportionment of risk is entirely in the favour of the developers at the potential expense of tax payers. The council should be seeking a bond from the developers to cover these potential costs. Blight on property, and noise during construction, and unsuitable routes to the site. Risk of failure to decommission the turbines at the end of their life and no information has been given about adverse impact from electromagnetic interference.

Cumulative impact is an important issue and is in order to prevent any one area being oversubscribed with turbines. Said decision makers, planning officers, planning committees and government appeal inspectors have a statutory duty to ensure that there is not a cumulative impact and should reject this application.

Further objections from neighbouring properties on Godnow Road in relation to the impact of the proposal on a nearby children's play area and an equestrian centre for the mentally ill and disadvantaged people which requires a calm and peaceful environment would be disrupted. There are too many wind turbines in a far too small concentrated area around the site and these turbines would be too close to residential properties. Please consider these points and reject the proposal.

Please note our strong objection to the application on the following grounds. The landscape and visual assessment of the proposal indicates the impact of the development as being 'medium'; this is ridiculous – due to the numerous wind farms already in the landscape visual impact is 'high' and would have significant effects on the character of Crowle.

High negative impact on the desirability of the Crowle area is a concern as these turbines will have a direct impact on our house. The value and views will be spoilt, resulting in an unattractive and depressing place to live.

As a resident of Godnow Road, I feel I have to comment on the application for more turbines to be placed on Godnow Road. At any point in Crowle you can already see at least 60 turbines within a 20 mile radius. In addition traffic generation from construction and the proposed site is encroaching onto the village boundaries and will further ruin the rugged, rural beauty of the area.

We are extremely disappointed that these further six structures are so close to the village and pose a significant risk to the population from our kitchen window. We can see six pylons and 18 wind turbines from the Thorne Wind Farm, and a further six at the newly opened wind farm at Keadby. To have more wind turbines will further spoil the outlook of the area.

We have more than our share in this area and payments are being paid to owners to shut down turbines at times because there is too much electricity (being reported recently on television programme Country file on the BBC.) The whole idea is absurd and wish to see the application refused.

ASSESSMENT

The application proposes the siting of six 126.5 metre wind turbines, an electrical substation, access tracks, underground cabling, crane hard standings, temporary construction compound and ancillary infrastructure. The proposed turbines have the capacity to potentially generate 12 to 18 megawatts of electricity which is enough to power in the region of up to 9,700 homes.

The location of the proposed development is on land to the west of Crowle. Access to the site is off Godnow Road, Crowle. The site is situated outside the development limits in open countryside. It is not in the area of Historic Landscape Value which is to the south of the settlement.

The total site area is 35.8 hectares of land, of which the operational footprint of the development would be 3.5 hectares. A further 4.8 hectares is proposed as a temporary construction compound, access, off-loading, lay-down and turning areas.

The site is located approximately 2 kilometres to the west of the centre of Crowle and lies east of the operational Tween Bridge wind farm. Scunthorpe is located approximately 15 kilometres to the east of the site. The River Trent is 8 kilometres to the east, the River Ouse 8 kilometres to the north. Primary highway routes to the area are the A18, which passes approximately 3.3 kilometres to the south of the site and the M180 which is approximately 4 kilometres to the south of the site. The M180 is the main route into the area and links Scunthorpe with the other larger towns to the east and west. To the south of the site is the Stainforth and Keadby Canal and the Scunthorpe to Doncaster rail line. There is also a byway running through the middle of the site which is open to all traffic, and joins Crook O'Moor Road and Moor Road. There are no other public rights of way through the site.

Close to the site there are several residential properties. The applicants have stated in the design and access statement, however, that there are no residential properties located within 600 metres of any of the proposed turbine locations.

The Thorne Moor Special Areas of Conservation and part of the Thorne and Hatfield Moors Special Protection Areas and Ramsar sites are located within 10 kilometres of the site. In addition there are no scheduled monuments, registered parks and gardens, battlefields or world heritage sites within 5 kilometres of the site. However there are a number of listed buildings and a conservation area in Crowle.

EIA assessment methodology

The EIA assesses the potential environmental impacts of a proposal for development prior to a decision being made by the determining body. The requirements for EIA are set out in EIA Directive 85/337/EEC and where amended under Directive 2009/31/EEC. The directive requires that the assessment must be carried out on the basis of the information supplied by the developers in the form of an environmental statement which has gone through due process, including consultation with statutory consultees, other bodies and members of the public. The requirement for undertaking an EIA in England is provided for by the Town and Country Planning (Environmental Assessment) Regulations. This development is classed as being under Schedule 2, Part 3, Installations for the harnessing of wind power for energy production. Under this regulation consideration must be given as to whether it either exceeds thresholds defined in Schedule 2 or is located within or near to a sensitive area. The applicants state that a scoping request was sought from the local planning authority in November 2013, however no formal scoping opinion was issued by the local planning authority. The applicants used the scoping responses to inform the Environmental Statement.

Statement of community involvement

The developers have submitted a statement of community involvement setting out how they have involved the community in the assessment of the site for the current application prior to its submission, and officers consider that this has been done appropriately and in accordance with current guidance. During the application process the local planning authority is required to undertake separate consultation with the community and those views are reported as part of this report.

Site selection and design iterations

The applicants have set out in the EIA how the site was identified as being suitable for wind development following consideration of other sites. The applicants' main reason for choosing this site is because of suitable wind speed, the proximity of housing, the identification of Environmental Designations, and adequate access. The application site was identified as having the potential to support a wind energy development and therefore was progressed to a feasibility study which included an evaluation site visit, technical consultations, assessment of grid connection, initial access options and a planning policy review. The applicants identified the site as being technically and environmentally viable for a wind energy development after considering technical constraints such as the siting of turbines. Initially the site was identified as being capable of supporting up to 12 turbines but this was narrowed down to the current application proposal after considering environmental constraints which included landscape character, visual amenity of nearby residential properties, existing land use, ecology, archaeology, surface and ground water, access, noise, aviation interests and interference with telecommunications links.

The applicants advise that in their selection and design of the site the proposed turbines have been designed to be laid out to take account of a 65 metre buffer between the turbines and surrounding woodland through the site, a 300 metre buffer from the Special Protection Area and a 35 metre buffer between turbines and the on-site drains and ditches.

In addition the applicants propose to bury any on-site cables along the access tracks and where possible, in the interests of the land owner, convenience and to minimise land loss and sustainability, the existing tracks are proposed to be used and in order to minimise the need to cross over ditches within the site to protect hydrology and ecology. The applicants also intend to mitigate potential significant effects resulting from construction, operation and decommissioning of the development where necessary.

Legal and policy framework

The applicants have set out a brief view of the legislation and planning policy background in the Environmental Statement with particular emphasis on renewable energy policy and climate change. They have submitted a planning statement in support of the proposal which sets out the reasons they consider should be taken into account when determining the planning application.

Landscape and visual impact assessment

The findings of the landscape and visual impact assessment indicate that landscape sensitivity within the study area tends to be medium, due in part to the presence of numerous existing and consented wind farms in the area. These are set out in the Environmental Impact Assessment submitted with the application as being defined by the following influences on the environment. North Lincolnshire Council has had the LIVA independently reviewed by a qualified landscape architect who considers the methodology of the LIVA to be sound and in accordance with current guidance and good practice. However, the LIVA still states that the impact of the proposal will be medium and higher closer to the site, with lower visual impacts when viewed from vantage points in the wider area.

The Tween Bridge wind farm influences the landscape character in the immediate vicinity of the site. The applicants consider that the scale of the effect of the development would be

greater if the development proposed was to be located away from existing wind farms. The applicants consider as a consequence that there are unlikely to be any large-scale effects on the surrounding landscape as areas that would ordinarily become a zone of being in a wind farm are already in this zone for Tween Bridge or the wider area where being near a wind farm is experienced.

The applicants consider the effects of the turbines upon the landscape within a distance range of 300 metres to 1.5 kilometres to be of medium to small scale. They consider that the proposal would be a change to the landscape character but not an entirely new feature. The character area is presently flat open remote farmland, and the areas of Crowle Common, Dirtness Levels and Eastoft Carr are already influenced by Tween Bridge. The applicants consider, therefore, that the resulting development would not have any localised significant effects on the area.

Effects on other areas of landscape are considered by the applicants to be low to negligible and of slight to minimal significance. The applicants conclude that there would be no significant effects on landscape character as a result of the proposed development. This view is not necessarily supported by officers and the reason for this view is set out in the next sections of this report and is based on examination of the information submitted, site visits, responses from statutory and non-statutory consultees and current planning policy and guidance.

Visual effects

The EIA considers that the turbines would be visible from the western edge of Crowle but would be seen in context with other turbines at Tween Bridge, but they would bring turbines closer to the western edge of the settlement which would have a major, moderate and significant impact. The other settlements within 5 kilometres of the application site would tend to have fewer and more distant views of the development in the applicants' opinion and distant views with effects of no greater than moderate significance.

The proposed turbines will be visible from the Doncaster to Scunthorpe rail link at a distance of approximately 2 kilometres, however the applicants consider that the visual effect on rail users would not be significant.

The routes in proximity to the site, including the public right of way through the site, the Keadby and Stainforth Canal and the cycleway to the south, will all be affected at moderate to low significance. Any effects on recreational and accessible landscapes are considered to be localised and the wider area experience a lower level of effects.

From specific viewpoints from the viewing platform at Thorne Moors the impact would be moderate in magnitude and not significant.

Any effects on designated landscapes within the locality, would be locally valued landscapes and the effects on the areas are considered to be localised for Thorne Moors and the Area of Special Landscape Value at Fish Lake which would be low to negligible.

Effects on existing residential properties have been assessed. Those closest to the site (some of which have a financial involvement in the scheme) would have open views to the sites. Properties within 750 metres of the proposed turbines would also have open views to the site. The applicants consider that views from these properties would be oblique and vegetation would intervene and obscure views that would screen some or all of the development. Any remaining properties within 1 kilometre are considered in the EIA to have

limited views of the proposed turbines. The EIA considers that no property would be affected to the extent that the turbines are deemed oppressive or overbearing to the point where the property would become an unattractive place to live.

The proposed turbines will be viewed in an area which is defined in the North Lincolnshire Landscape Character Assessment as being open with mostly large arable fields, offering expansive views across a low-lying, level landscape with tree and hedge cover almost completely absent over much of the landscape.

Cumulative impacts

Views from residents in the locality indicate that they are currently feeling surrounded by turbines and consider that they have now reached capacity for this type of development in the locality. A recent application to the west of Crowle was refused by the council for a smaller single turbine on the grounds of cumulative impact. The CPRE also supports the view that the proposal will result in a cumulative impact to the detriment of the community.

The adopted national policy guidance on renewable and low carbon energy discusses the following in relation to the cumulative impact of wind farms. Cumulative landscape impacts and cumulative visual impacts are best considered separately. The cumulative landscape impacts are the effects of a proposed development on the fabric, character and quality of the landscape; it is concerned with the degree to which a proposed renewable energy development will become a significant or defining characteristic of the landscape.

Cumulative visual impacts concern the degree to which proposed renewable energy development will become a feature in particular views (or sequences of views), and the impact this has upon the people experiencing those views. Cumulative visual impacts may arise where two or more of the same type of renewable energy development will be visible from the same point, or will be visible shortly after each other along the same journey.

The submitted EIA concludes that the visual impact of the development will be medium, this is due to the location of the site and its relationship with other wind farms. Officers consider that there will be some significant cumulative impact arising from the proposal. The impact is coupled with the concerns from local residents and the town council that the site will add to the number of turbines surrounding the settlement of Crowle, therefore adding more turbines and increasing the cumulative impact of the proposed wind farm on the landscape, its setting, and other wind farms in the wider area. In addition it is clearly believed that the impact on local residents who are closest to the site will be significant from a visual point of view and would dominate the landscape features in the locality.

The character of the landscape in this locality is flat and open with far-reaching views across the Isle of Axholme and beyond to the Thorne Moors. Opposition to the turbines is clearly demonstrated in the number and strength of objections to the proposal from the town council, neighbours, the local Member of Parliament and the CPRE, who all consider that the development will have a significant cumulative impact on Crowle and the surrounding area. The site will be visible from vantage points along the M180, the A18 and the rail line to the south of the application site. On approach to the settlement from the eastern main trunk road (A18) the Goole Fields wind farm is clearly visible to the east; the Keadby wind farm is also visible on the eastern approach. To the south from Belton the wind farm would be visible from the A161 and the M180. From the western approach to the site the turbines would be visible and viewed in conjunction with the Keadby and Tween Bridge wind farms.

Planning policy update

A recent ministerial statement clearly sets out the government's current position on renewable energy development with an emphasis on wind farm development. It sets out considerations to be applied to proposed wind energy development so that local people will have the final say on wind farm applications. This provision took effect from 18 June 2015, and makes some changes to current planning guidance. When determining applications for one or more wind turbines, local planning authorities should only grant planning permission if the development site is an area identified as suitable for wind energy development in a local or neighbourhood plan and following consultation with the affected local communities that the planning impacts have been fully addressed and therefore the proposal has their backing.

Where a valid application for a wind energy development has already been submitted to a local planning authority and the development plan does not identify suitable sites, the transition provision applies. In such instances local 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. This is also reflected in the updated National Planning Policy Guidance on Renewable Energy.

This site is not identified as suitable for wind energy in a local plan. In view of the responses received and upon examination of the EIA it is clear that there will be an impact on the locality in terms of cumulative impact, given that the site is viewed in conjunction with existing wind turbines at nearby sites within a 20 kilometre radius of the application site. This is acknowledged by the local community and summarised in the comments section of this report. It is clear from the letter submitted on behalf of local residents by the local MP that the community are opposed to the proposal and consider that they have already been greatly affected by the impacts of the turbines on the locality. In addition, they feel that a further six in this location is not acceptable and is of concern to residents. The local MP asks that the council recognises the local opposition to this application.

The applicants have submitted their comments on the Ministerial Statement and have requested that a summary of their comments in relation to the recent challenge to the ministerial statement issued on the 18th June 2015 be included in this report. The applicants refer to NPPF and the suite of National Policy statements on Energy including the National Policy Statement for energy EN1 and The NPS for Renewable Energy EN3. The applicants refer to the formulation of new policy requiring a strategic environmental assessment which was not undertaken prior to the Ministerial Statement coming into force. They therefore consider that less weight should be given to the Ministerial Statement and the National Planning Policy Framework and associated documents should remain the primary national planning policy considerations together with associated local planning policies in determining on shore wind farm development.

The points raised have been taken into account but it is considered that the comments made in relation to the requirement for a strategic environmental assessment related to a recent decision made in relation to changes to affordable housing targets taking away the ability of local authorities to lower thresholds in rural settlements. This was challenged in the Courts and was found to be unlawful. It remains that the Ministerial statement in relation to Renewable Energy is to be considered as a material consideration as the Statement clearly says that it should be a material consideration. Therefore in conclusion the comments made by the applicant are not considered to be relevant in relation to the Renewable Energy

Ministerial Statement and the Local Planning Authority does consider that the Ministerial Statement on Renewable Energy should be given significant weight in the consideration of this application.

Ecology/trees

The applicants have submitted an ecological assessment to accompany the application as part of the Environmental Statement. In a wider context the applicants have taken into account bat, bird and badger surveys together with the consideration of water creatures, including freshwater invertebrates, water voles, migrating bird species, flora, fauna and trees/woodland areas. The survey submitted has been carried out in accordance with current survey guidance and the applicants conclude that it is unlikely that there will be any significant effects on ecology as a result of the development proposal. The tree officer initially objected to the proposal and requested more information. In some instances there would be a need for mitigation measures to be carried out to protect the trees affected by the proposal. This could be mitigated by appropriate conditions.

If permission is granted, there will be a need to secure biodiversity enhancements in accordance with the National Planning Policy Framework. This overlaps with the ornithological impacts on migrating and other bird species likely to be affected by the proposal and can be mitigated by the submission of a biodiversity management plan. This is recommended as a condition in accordance with policy CS17 of the North Lincolnshire Core Strategy.

Ornithology

Concerns regarding the proposal have been raised by the RSPB and the Lincolnshire Wildlife Trust. Comments have also been received from Natural England, particularly in relation to the proposal and the potential impact on migrating birds. In relation to the nightjar and the common crane, the RSPB consider the following: 'As a result of the outstanding concerns outlined above, the RSPB does not consider it currently possible to conclude that the application will not have a likely significant effect on the Thorne and Hatfield Moors SPA. The RSPB's view continues to be that it is likely that our concerns can be addressed through suitable mitigation; however, unless and until such measures have been fully agreed and secured, the RSPB continues to object to the application.'

However, the council's ecology section are of the opinion that, including migrating birds, measures to deal with the protected species, including bats, badgers and water voles, are capable of mitigation by conditions and for the provision of biodiversity enhancement. The ecologist recommends conditions requiring a biodiversity management plan in accordance with policy CS17 Biodiversity of the North Lincolnshire Core Strategy.

Cultural heritage and archaeology

Historic England has commented on the scheme and advises that any potential harm to the significance of St Oswald's Church should be weighed against the benefits of the proposal. The council's Heritage team has commented and considers that there is only one turbine which is potentially visible at St Oswald's Church. In respect of the Crowle conservation area they conclude that there is a negligible impact on the character and appearance of the Crowle conservation area. There is no objection to the wind farm on heritage grounds.

Noise/vibration

The EIA concludes that there will be the potential for noise nuisance and vibration during the construction and decommissioning stages and noise during the operational stages. During operation the likelihood of ground vibration occurring is low. Following requests for additional information from the council's Environmental Health team more information has been submitted and the Environmental Health Officer recommends conditions accordingly.

Hydrology, hydrogeology and ground conditions

The EIA report concludes that there will be no reduction in the quality or quantity of water for private water supplies and none within 2 kilometres of the application site were identified. In addition the EIA concluded that it was unlikely that there would be any contamination on surface or ground water and effects on surface water and drainage. The natural surface water run-off of the site and the permeable nature of the superficial geology suggests that this development would not adversely affect existing and future ground conditions if the proposal were to be carried out.

Flood risk

The Environment Agency has commented on the application in relation to flood risk and raised objections in relation to the potential for flooding on the site. It is in an area at 2/3a tidal and at a high risk of flooding as set out in North Lincolnshire Council's Strategic Flood Risk Assessment 2011. The EA concluded that there was not sufficient evidence provided to demonstrate that the equipment proposed could be protected sufficiently in the event of a flood. No further information has been put forward in relation to this, however it is likely that this matter could be overcome by the use of mitigation measures and imposition of appropriate conditions. In the absence of this information officers conclude that the advice given by the EA should be taken account of and that they consider the current flood risk assessment does not provide sufficient evidence that the essential infrastructure proposed would not be adversely affected by flooding. The nature of a wind farm development is that it is likely to be carried out in a rural area and as such the sites may be susceptible to flood risk implications.

Transport and traffic

An assessment of the traffic and access implications of the development in relation to the proposal and the existing site situations has been undertaken. It identifies Godnow Road as the proposed route to the site and an existing access track off Godnow Road; this is a public right of way. The applicants estimate that traffic generation would be increased during the construction period and as a result there could be potential localised disruption during this phase. The transport of turbine components would be principally from the Goole area via Goole Dock and the A161, directly through Crowle, utilising other principal routes, including the M62, M18, M180, A18, A614 and the A161. Construction site traffic in a local context is primarily likely to travel between the site on Godnow Road and the A161 route to the A18 and the M180. The highways team has no objections to the proposal subject to appropriate conditions to secure a traffic management plan.

Aviation

The proposal has the potential to have an impact on aviation sites in the vicinity. Doncaster Robin Hood Airport has submitted a holding objection to the proposal. However it states that with the cooperation of the developers this could be withdrawn following agreement of appropriate technical mitigation measures to negate any risk. Further information has been

received back from Doncaster Robin Hood Airport with suggested conditions in relation to mitigation measures to be agreed in consultation with Air Traffic Control and that these agreed measures should be implemented prior to the Wind Farm coming into operation. Doncaster Robin Hood Airport is willing to withdraw their holding objection if the Local Planning Authority is willing to include the suggested conditions on the planning decision notice if the application is approved. Humberside Airport does not object to the proposal.

Electromagnetic interference (EMI)

EMI can be caused by turbines. The applicants have undertaken consultation with the relevant network operators to establish whether or not the proposal would affect their links. The EIA states that there were no fixed links identified at the site and due to the switch to digital TV/Radio the impact on TV and radio signals was deemed to be insignificant. Some comments were raised by concerned residents in relation to this matter.

Other environmental considerations – air quality/shadow flicker

Other environmental factors taken into account are air quality and shadow flicker. In relation to air quality it was concluded that there would be the potential during construction for particles to become airborne during hot or dry weather. Residential properties surrounding the site are a minimum of 600 metres away, however the applicants conclude that the impact of the potential for air quality to be affected would be limited only to the construction phase. This would be short in duration and therefore the impact would be minimal. In addition the applicants confirm that the proposal would generate electricity of between 27,000,000 to 41,000,000 kWh per year. This would reduce the emission of approximately 11,700 and 17,600 tonnes of CO₂ per year, directly contributing to regional and national targets for improvements in air quality and a reduction in greenhouse gases.

Shadow flicker was identified as another potential effect. This can occur when the shadow of a moving turbine blade passes over a window briefly reducing the intensity of light within the room thereby causing a flickering to be perceived. It occurs during certain conditions of relative sun, turbine and window locations, in connection with times of day, days of the year and certain weather conditions. The flickering may have the potential to cause disturbance and annoyance to residents or some individuals who may be affected by photosensitive epilepsy and are sensitive therefore to flickering light. Modern turbines are designed to reduce the impact of this effect; it was more apparent on older style turbines. However, following surveys there are three properties that have been identified as being potentially affected by shadow flicker as a result of this proposal. These same three properties are also considered to be predicted as being affected from the Tween Bridge wind farm on northern orientations. Flicker effects are predicted to be less than 30 hours per year and mitigation measures are proposed to reduce or remove these effects. This could take the form of screening, installing blinds at the receptor site and measures of control applied to the turbines, for example shutting them down at times when the effects may occur.

Human and socio economics

Finally the applicants have assessed the proposal against the likely impact on human and socio economics. This takes account of factors including land use, employment, tourism and recreation at local, regional and national levels. These effects are considered for the construction, operation and decommissioning phases. These issues were addressed with North Lincolnshire Council during the scoping process. The applicants consider that the proposal supports national, regional and local objectives for renewable energy. The

proposal would bring substantial financial investment to the area and employment: approximately 20 full-time jobs are likely to be generated during the construction phase. The EIA assesses that the effect on tourism and recreation is not likely to be significant. During the construction phase it is anticipated that recreational uses such as walking and cycling are unlikely to be affected due to the proposal utilising the existing highway network during the proposed construction phase.

Conclusions

In conclusion, the proposal is considered to be unacceptable and would have an adverse impact on the locality and the visual character and appearance of the area in terms of cumulative impact and adverse visual impact. It fails to accord with the relevant recent Ministerial Statement and updated planning guidance and planning policies set out in this report. The guidance, including the written Ministerial Statement introduced on 18 June 2015, makes it clear that when considering applications for wind energy development local planning authorities should (subject to the transitional arrangement) only grant planning permission if the development site is in an area identified as suitable for wind energy development in a local or neighbourhood plan; and following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.

Whether the proposal has the backing of the affected local community is a planning judgement for the local planning authority.

Whilst some of the issues contained in the application have been addressed, it is clear that the local community do not back the proposal and consider that they have already been surrounded by turbines. There are approximately 50 turbines which are visible from wind farms, within and outside of the North Lincolnshire Area. Residents, the town council and the local elected representative who have objected to the proposal consider the application to be unacceptable and are therefore seeking support from the council in refusing this application. The Ministerial Statement and updated planning practice guidance on renewable energy leave the assessment of whether a community support a proposal for wind farms in the hands of the local planning authority. Given the above considerations that have been considered fully it is evident that the community clearly do not support the proposal. The site is not allocated in either the Core Strategy, North Lincolnshire Local Plan or any other adopted planning guidance. On this basis the application is considered to be unacceptable and is therefore recommended for refusal.

RECOMMENDATION Refuse permission for the following reasons:

1.

The proposed wind farm development would have an adverse impact on the locality, residential amenity and the visual character and appearance of the area in terms of cumulative impact and therefore fails to accord with policies DS21 of the North Lincolnshire Core Strategy and policy RD2 of the North Lincolnshire Local Plan.

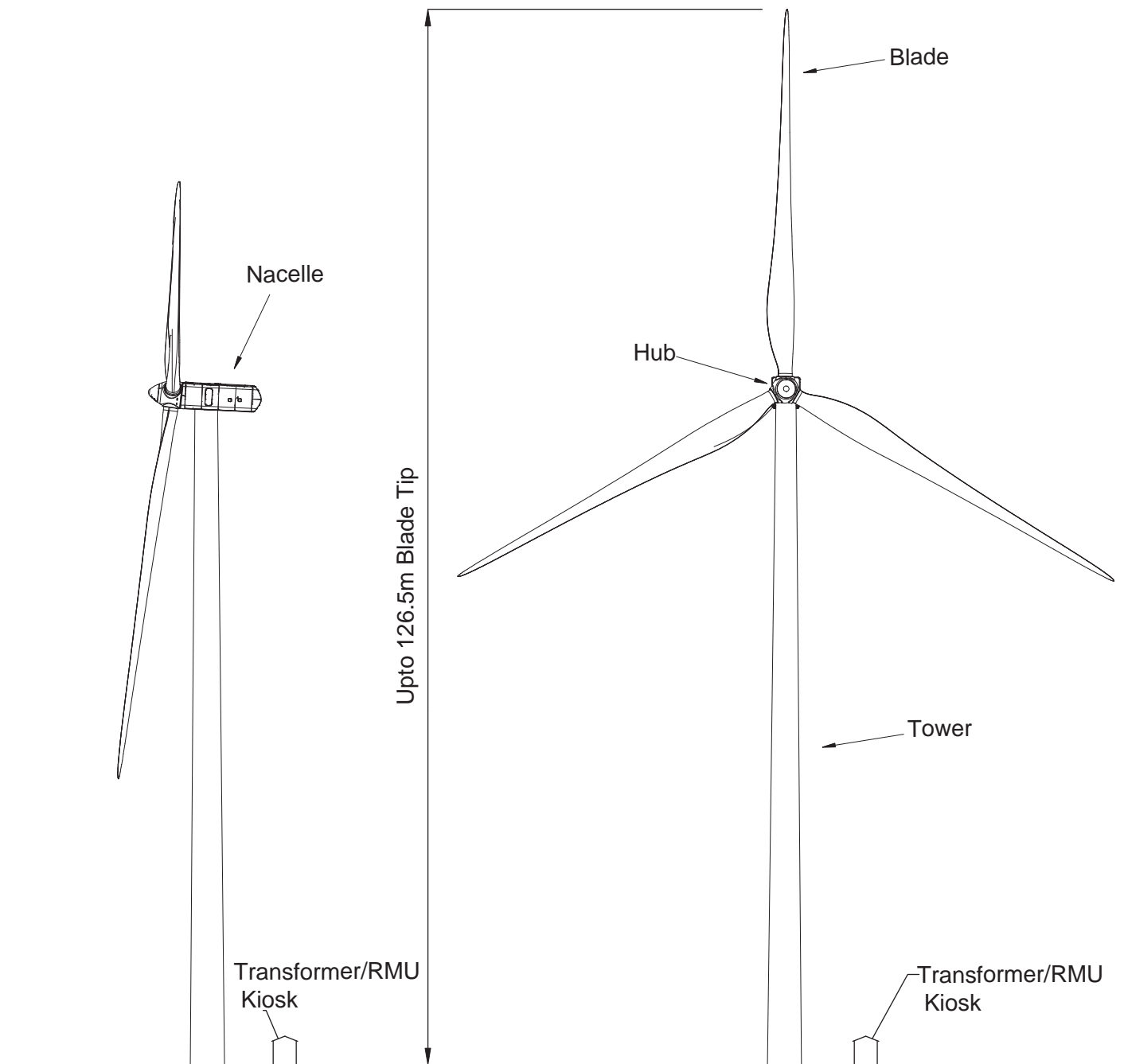
2.

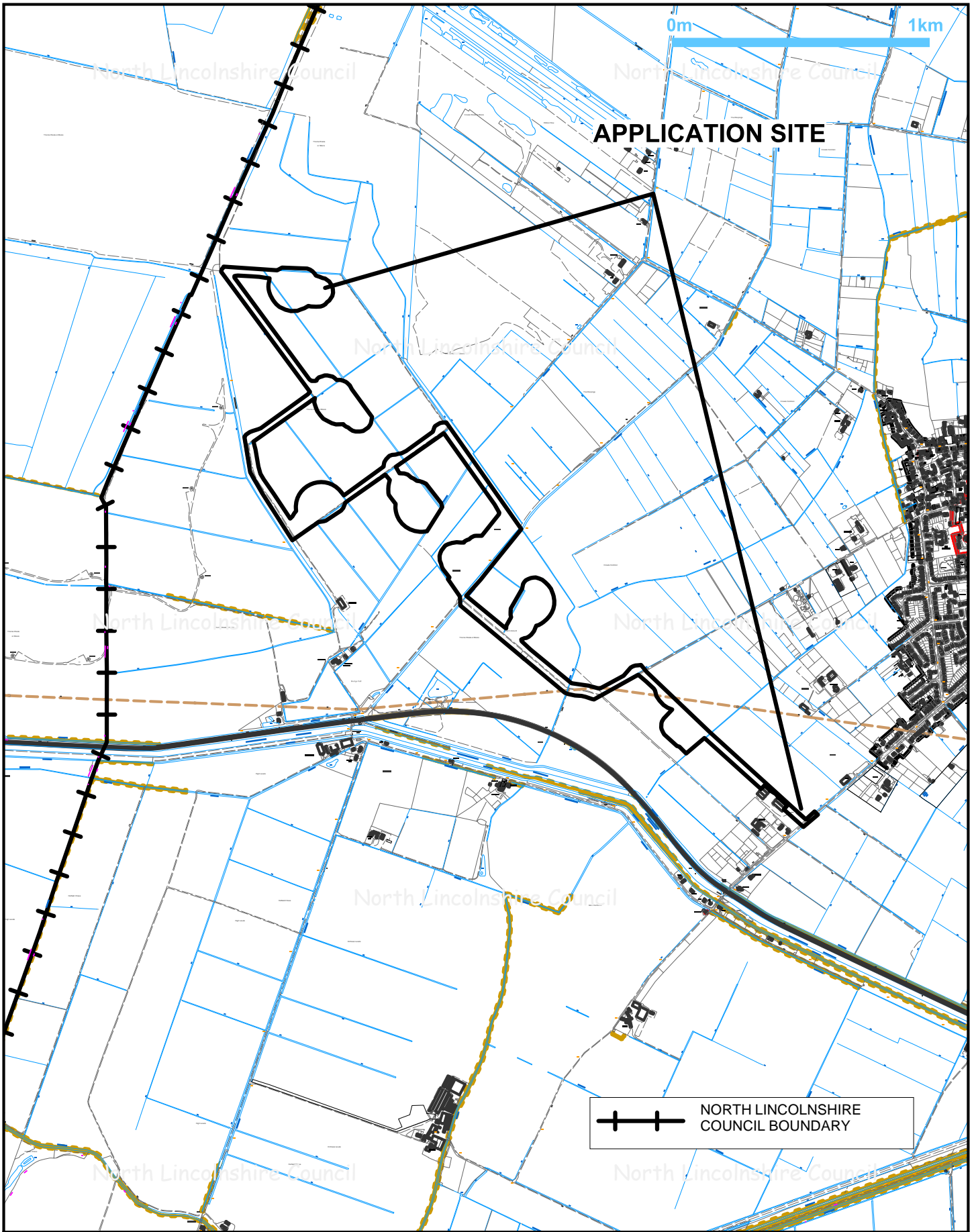
The proposed wind farm fails to accord with the recent ministerial statement and updated planning practice guidance on renewable and low carbon energy because the development is not on land which is allocated within the local development plan for wind energy development and does not have the backing of the local community.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

WF/2014/0710 Indicative Typical Wind Turbine - Not to scale





Title: WF/2014/0710

Drawn by: Sue Barden

Date: 08/09/2015

Scale 1:20000



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Director of Places
Peter Williams
BSc,DMS,CEng,MEI,MCMI,AMIMEChE