

14 November 2013

**Agenda Item: 4 b**

## **REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND CORPORATE SERVICES**

### **STRATEGIC PLANNING OBSERVATIONS ON A SINGLE WIND TURBINE, MILL FARM COTTAGE, NORTH ROAD WESTON, NEWARK ON TRENT**

#### **Purpose of the Report**

1. To seek Committee ratification for comments set out in this report which were sent to Newark and Sherwood District Council (NSDC) on the 18<sup>th</sup> October 2013 in response to the request for strategic planning observations on the above planning application for the erection of a single wind turbine at Mill Farm Cottage, North Road Weston, Newark on Trent.

#### **Information and Advice**

2. Nottinghamshire County Council (NCC) has been asked for strategic planning observations on the application and this report compiles responses from Departments involved in providing comments and observations on such matters. Officer comments have already been sent to Newark and Sherwood District Council in their role as determining planning authority for this application. A site plan is provided at Appendix 1.
3. The planning application is accompanied by an Environmental Statement, Design and Access Statement and a range of other supporting documents. This report is based on the information submitted with the application in the context of national, regional and local policy.

#### ***Description of the Proposal***

4. The planning application seeks permission for the erection of a single wind turbine generator with a maximum tip height of 79m and a hub height of 55m, a rotor diameter of 48m and rated at 500kW.
5. The turbine will have a base diameter 3.3m and will be mounted on a tapered tubular steel tower to which are attached a hub and rotor assembly including three blades. The potential maximum capacity of the turbine is 0.8 Megawatts. In the base of the tower there will be a transformer that will boost the voltage of the turbine's electricity output from 400 volts to 33,000 volts. A typical colour for the

tower is a semi-matt grey, designed to blend with a sky background and present a clean appearance.

6. The blades are a single piece made of epoxy resin. They angle into and out of the wind in response to variations in wind speed to optimise energy capture.
7. The nacelle contains the generation, cooling system, part of the electrical control system and the yaw drive. The yaw drive rotates the whole nacelle to ensure the rotor is always pointing directly into the wind
8. The tower is constructed from sections of welded rolled steel. The height from the bottom of the tower to the middle of the rotor is called the hub height. For the chosen Enercon E-48 this is 55m. Electrical and telecommunication cables pass down the centre of the tower to an external transformer adjacent to the base of the turbine.
9. The application site lies in open countryside and is not within the Green Belt.
10. The chart in Appendix 2 illustrates the height of the proposed wind turbine in terms of other surrounding landmarks on the landscape.

### ***Planning Policy Context***

#### ***National Planning Policy Framework (NPPF)***

11. There are clear aims and policies at a national strategic level that underline the need to meet renewable energy targets. The Government's renewable energy target seeks to generate 10% of UK electricity from renewable sources by 2010, its aspiration by 2020 is 20%. As a minimum, the UK must meet its legally binding target of 15% by 2020 as set out in the EU Renewable Energy Directive.
12. Planning Practice Guidance for Renewable and Low Carbon Energy (July 2013) seeks to ensure that proposals for wind turbines are assessed against their impact upon a range of factors including cumulative impact, safety, ecology, heritage assets, landscape and community benefit.

#### ***Local Planning Context***

13. The adopted Newark and Sherwood DC Core Strategy (March 2011) contains a number of relevant planning policies, of note are Strategic Objective 11, which seeks to ensure opportunities are taken to reduce the developmental impacts that can contribute to climate change and encourages the use of renewable and low carbon solutions. Core Policy 9 aims to ensure new development is sustainable and takes into account the potential impacts development can have on climate. Core Policy 10 seeks to encourage the provision of renewable and low carbon energy generation.
14. The adopted Newark and Sherwood DC Allocations and Development Management Development Plan Document (July 2013) contains Policy DM4 that relates to renewable and low carbon energy generation and seeks to encourage

its use providing the benefits of such technologies outweigh any detrimental impact they may have.

## ***Strategic Planning Issues***

### **Highways**

15. It is considered that the proposed development would not generate a road safety concern, nor a highway capacity issue. However, from a Highways point of view there are a number of concerns. The County Council would like to see a design that includes the available visibility splays either side of the carriageway at the junction on Infield Lane and the B1164, in addition the County Council would wish to see a swept path analysis (the calculation and analysis of the movement and path of a vehicle bringing plant and equipment to site) submitted in support of this current application along the route which is in Nottinghamshire under our control as the local highway authority (LHA).
16. The County Council has no objections in principle to the delivery routeing however the applicant or contractor must to contact the Nottinghamshire County Council Abnormal Load Officer.
17. It is recommended that the applicant liaise directly with the Highway Agency (which is in control of the A1 and slip roads) for approval prior to any works commencing as the access route to the site is from the A1 slip roads which is part of the 'Trunk Road' Network for which Highway Agency is the road authority.
18. In light of the above, it is confirmed that insufficient information has been submitted with the application to enable the Highway Authority to provide a formal response. Additional information as outlined above should be submitted to enable the Highway Authority to comment further.
19. Detailed Highways comments are set out in Appendix 3.

### **Ecology**

20. The proposal will not affect any nationally or locally designated nature conservation sites.
21. A range of mitigation measures are outlined in section 6.1 of the applicants ecological assessment, which should be made conditions of any permission granted.
22. Provided that mitigation measures are secured, the proposal appears unlikely to result in any significant ecological impact.
23. Detailed Ecology comments are set out in Appendix 4.

### **Landscape and Visual Impact**

24. The Landscape Team request that the applicant quantifies the direct impacts on the landscape and identifies possible sources of temporary impact during the construction period and also request that the applicant considers the impacts from rights of way in the surrounding landscape that are closer to the wind turbine than the chosen viewpoints.
25. The applicant should consider planting to enhance landscape character and help to mitigate the installation of the structure within the landscape.
26. Detailed Landscape and Visual impact comments are set out in Appendix 5.

### Historic Environment

27. The application is accompanied by a 'Heritage Impact Assessment'. The assessment is considered to be insufficient in detail and fails to refer to a number of local interest buildings in the vicinity of the proposal site indicated on the county Historic Environment Record (HER). HER consultation is recommended as a minimum by paragraph 128 of the NPPF.
28. Regarding the methodology for assessment of impacts, it is considered that this is also insufficient information as it fails to note or take account of the recommendations of 'The Setting of Heritage Assets' English Heritage Guidance (2010).
29. Detailed Historic Environment comments are set out in Appendix 6.

### Cumulative Impact considerations

30. An application for 3 wind turbines at Cottam in Bassetlaw, has been re-submitted and is pending consideration by Bassetlaw District Council.
31. In combination with this proposed development, the proposal outlined above is not considered to have any effects in terms of cumulative impacts.

### Overall Conclusions

32. The overall National Planning Policy context in relation to wind turbines, as outlined above, is strongly supportive of the principle of wind turbines and the wider benefits of deploying renewable energy technologies in tackling climate change, subject to a number of considerations. The responsibility for determining planning applications for wind turbines lies with district planning authorities.
33. From a Highway point of view it is considered that insufficient information has been submitted with the application to enable the Highway Authority to provide a formal response. As such, additional information as set out in Appendix 3 should be submitted to enable the Highway Authority to comment further.

- 34. From an ecological perspective the proposal appears unlikely to result in any significant ecological impact.
- 35. The County Council raises concerns in relation to the direct impacts on the landscape and identify possible sources of temporary impact during the construction period, and would wish to see an enhanced landscape planting scheme.
- 36. The County Council considers there to be insufficient information relating to the impacts of the proposal on the historic environment and does not support this element of the proposal.
- 37. In combination with this proposed development, the proposals outlined above are not considered to have any effects in terms of cumulative impacts.

### **Other Options Considered**

- 38. This report considers all of the relevant issues in relation to the above planning applications which have led to the recommendations, as set out below. Alternative options considered could have been to express no or full support for the application.

### **Reason/s for Recommendation/s**

- 39. It is recognised that significant weight is given to renewable energy at a National and strategic planning level. From a Highway point of view it is considered that insufficient information has been submitted with the application to enable the Highway Authority to provide a formal response. As such, additional information as set out in Appendix 3 should be submitted to enable the Highway Authority to comment further.
- 40. From an ecological perspective the proposal appears unlikely to result in any significant ecological impact.
- 41. The County Council raises concerns in relation to the direct impacts on the landscape and identify possible sources of temporary impact during the construction period, and would wish to see an enhanced landscape planting scheme.
- 42. The County Council considers there to be insufficient information relating to the impacts of the proposal on the historic environment and does not support this element of the proposal.

### **Statutory and Policy Implications**

- 43. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder,

human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Financial Implications**

44. There are no direct financial implications.

### **Implications for Sustainability and the Environment**

45. There are no direct implications for Sustainability and the Environment

## **RECOMMENDATION/S**

1) That Newark and Sherwood District Council be advised that the development is supported in principle as it is recognised that significant weight is given to renewable energy at a National and strategic planning level.

2) Concerns are raised in relation to landscape matters and the impacts of the proposal on the historic environment.

3) It is considered that insufficient information has been submitted with the application to enable the Highway Authority to provide a formal response. As such, it is recommended that additional information as set out in Appendix 3 should be submitted to enable the Highway Authority to comment further.

**Jayne Francis-Ward**

**Corporate Director, Policy, Planning and Corporate Services**

**For any enquiries about this report please contact:** Nina Wilson, Principal Planning Officer, Planning Policy Team, ext 73793

### **Constitutional Comments (SHB.14.10.13)**

46. Committee have power to decide the Recommendation.

### **Financial Comments (SEM 17/10/13)**

47. There are no specific financial implications arising directly from this report.

### **Background Papers and Published Documents**

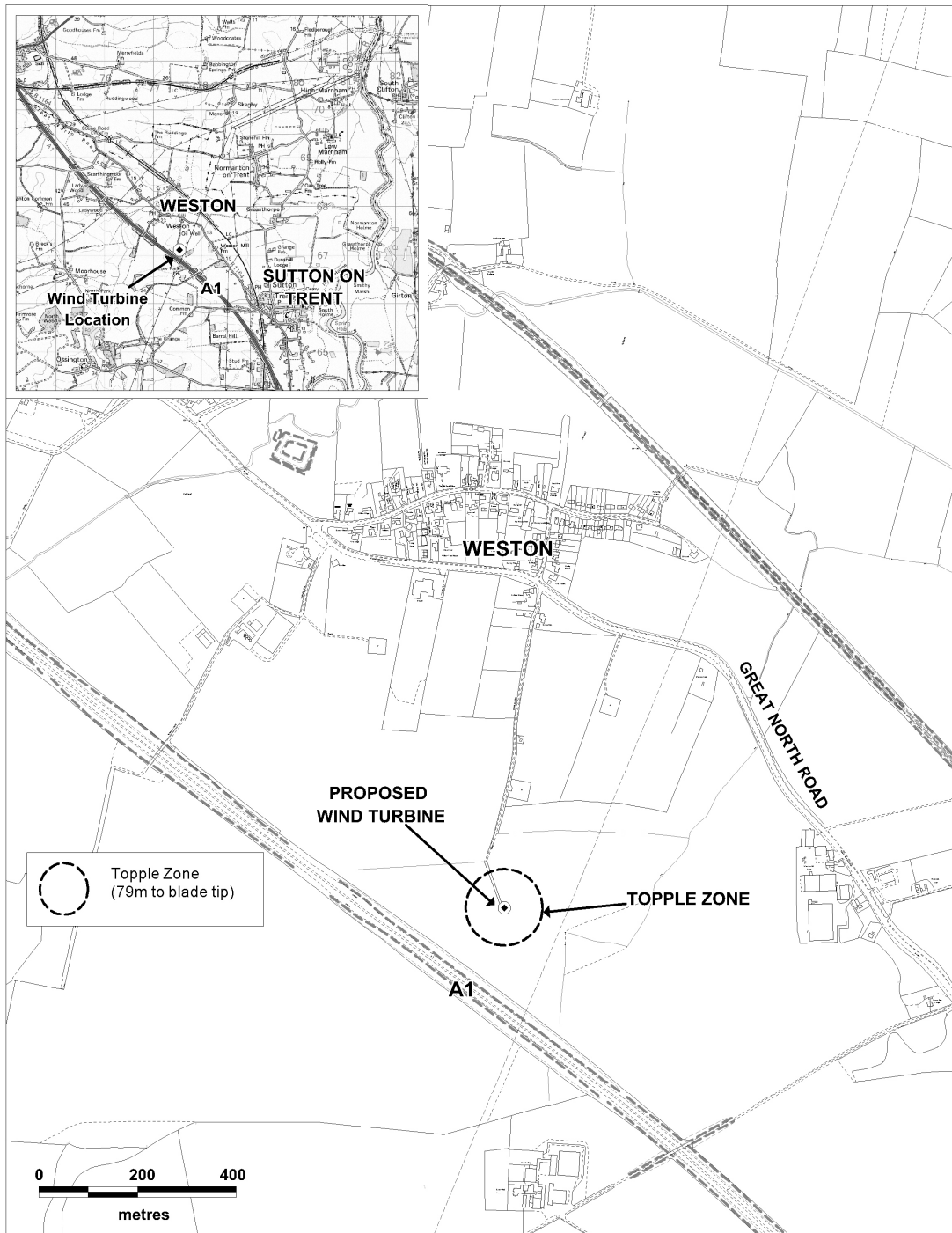
Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

### **Electoral Division(s) and Member(s) Affected**

Collingham – Councillor Maureen Dobson;

Southwell & Caunton – Councillor Bruce Laughton;  
Tuxford – Councillor John Ogle.

## Appendix 1 – Site Location Plan



Trent Bridge House, Fox Road  
Nottinghamshire West Bridgford, Nottingham, NG2 6BJ  
County Council Tel: 0115 962 3823

Erection of 1 no. 500kW wind turbine with a maximum height of 79m.  
Mill Farm Cottage, Great North Road, Weston, Newark On Trent,  
Nottinghamshire.  
Planning Application No. 13/00938/FUL

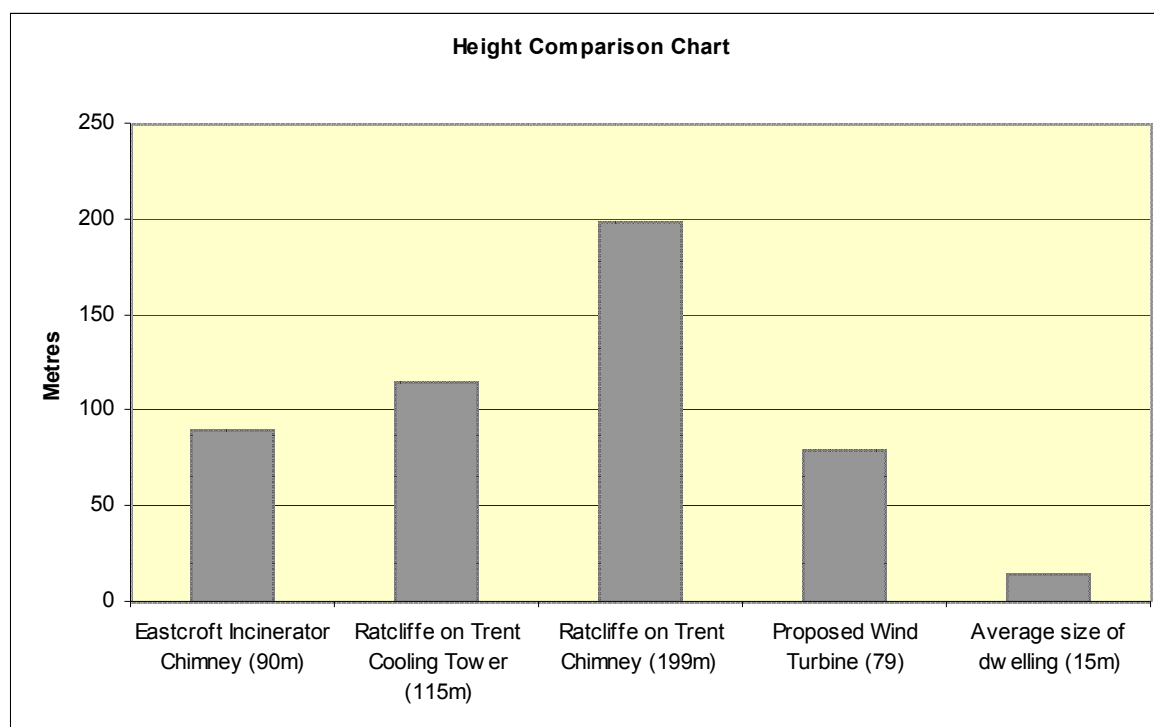
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Scale 1:10,000  
Produced by: JW  
Date: NOV 2013



## **Appendix 2 – Height Comparison Chart**



### **Appendix 3 – Detailed Highway Comments**

#### **TOWN AND COUNTRY PLANNING ACT**

##### **HIGHWAY REPORT ON PROPOSALS FOR DEVELOPMENT**

<b>DISTRICT:</b>	Newark	Date received	20/08/2013
<b>OFFICER:</b>	Karen Tate	by D.C.	12/07/2013
<b>PROPOSAL:</b>	Erection of 1 no. 5000kW wind turbine with a maximum height of 79m.	D.C. No.	N/13/00938/FUL
<b>LOCATION:</b>	Mill Farm Cottage Great North Road West Newark on Trent		
<b>APPLICANT:</b>	Pollock Associates		

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It is considered that the proposal will neither generate a road safety concern, nor a highway capacity issue. Once constructed the site will only generate low levels maintenance traffic. During construction, however, abnormal load vehicles will be involved and the applicant is advised to contact the Nottinghamshire County Council Abnormal Load Officer, Malcolm Goodhall, tel. 0115 977 4490 to agree routes.

In terms of the turbine's position and effect on the public highway, it meets the recommendations of the Companion Guide to PPS22 Planning for Renewable Energy.

This said we still have a number of outstanding concerns with the proposals which need to be addressed in the first instance;

- We would like to see a design that includes the available visibility splays either side of the carriageway at the junction on Infield Lane and the B1164,
- We require swept path analysis be submitted in support of this current application along the route which is in Nottinghamshire under our control as the local highway authority (LHA)
- Infield Lane is subject to rights of way and consultation must therefore be carried out with NCC Rights of Way section for authorisation.

We have no objections in principle to the delivery routeing however and as stated above the applicant or contractor must to contact the Nottinghamshire County Council Abnormal Load Officer, Malcolm Goodhall.

The applicant must also liaise directly with the Highway Agency (which is in control of A1, and slip roads) for approval prior to any works commencing as the access route to the site is from the A1 slip roads which is part of the 'Trunk Road' Network for which Highway Agency is the road authority.

In light of the above, it is confirmed that insufficient information has been submitted with the application to enable the Highway Authority to provide a formal response.

Additional information as outlined above should be submitted to enable the Highway Authority to comment further.

**Additional notes to applicant:**

The details also required by the Highways Authority before any works shall commence on site are as follows:

1. Provision of wheel washing facility and a road sweeper to remove mud, dirt or other debris from the public highway during the construction phase should be proposed as it is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway.
2. Should any traffic management measures/road space approval be required, the applicant must contact Heath Phillips, Notts. C.C. Principal Co-Ordination Officer (North) 01623 520739 for approval prior to any works commencing.
3. The applicant should contact Malcolm Goodall, NCC Abnormal Load Officer on 0115 977 4490 for approval prior to any works commencing on site.

Shaun Brown  
Highway Development Control Officer

## **Appendix 4 – Detailed Ecology Comments**

### **Weston wind turbine**

Nick Crouch

### **Re: Mill Farm Wind Turbine - Newark and Sherwood DC (13/00938/FUL)**

Some brief comments on the above:

- The proposals will not affect any nationally or locally designated nature conservation sites.
- The application is supported by an ecological assessment, which is welcomed.
- The proposals are located within an arable field, and as such construction will not directly affect any habitats of high nature conservation value.
- The ecological assessment has considered potential impacts on birds although no detailed assessments have been carried out. Nevertheless, the site is not located in any situations, as detailed in Natural England's Technical Information Note TIN061, where detailed assessments would be expected (i.e. Locations where Schedule 1 or Annex 1 birds are present in significant numbers; locations within or close to SPA's; known migration routes and local flight-paths where potentially vulnerable species occur; or topographical features such as ridges or valleys).
- The ecological assessment has also considered potential impacts bats, and again no detailed assessments have been carried out. However, the site is likely to have low value for bats given its arable use, and the turbine has been located in compliance with guidance given in Natural England's Technical Information Note TIN051, which requires that wind turbines be sited more than 50m from boundary features which could be used by foraging bats - in this case the distance is around double this minimum requirement.
- A range of mitigation measures are outlined in section 6.1 of the ecological assessment, which should be made conditions of any permission granted.
- Biodiversity enhancements in the wider area, such as gapping up or reinstating hedgerows, and introducing management into the woodland identified as Target Note 1 in the ecological assessment (focussing on removal of non-native species such as sycamore, whitebeam and pine) would be welcomed if they can be secured through any grant of planning permission.

As such, and provided that mitigation measures are secured, the proposal appear unlikely to result in any significant ecological impact.

Kind regards,

Nick

Nick Crouch

Senior Practitioner Nature Conservation



## **Appendix 5 – Detailed Landscape and Visual Impact Comments**

Your ref: Mill Farm Wind Turbine – N and S DC 13/00938/FUL

Our ref: 20130910MemoAS2NWMillFarm

Tel: 0115 977 2169

Email: [alison.stuart@nottsc.gov.uk](mailto:alison.stuart@nottsc.gov.uk)

**Proposal:** 1 No. 500kW Wind turbine with a maximum tip height of 79m

**Location:** Weston Mill Farm, North Road, Newark, NG23 6TS

**Applicant:** Pollock Associates

Thank you for asking the Landscape and Reclamation Team to comment on the above proposals. We have no objections to this application but have the following observations and recommendations.

The following documents and drawings have been assessed in order to provide these comments:-

- Landscape and Visual Impact Assessment Entrust Planning for Renewables. July 2013
- Design and Access Statement (DAS) July 2013
- Location Plan 1:5000

### **Landscape and Visual Impact Assessment Methodology**

The Landscape and Visual Impact Assessment has followed the general methodology as set out within the Landscape Institute and the Institute of Environmental Management and Assessment in “Guidelines for Landscape and Visual Assessment” – Third Edition, published 2013 and the previous edition 2002 has also been referenced. There are no references to other guidance documents such as the Visual Assessment of Windfarms (Best Practice 2002), and the Visual Representation of Windfarms (Good Practice Guidance March 2006) Scottish Natural Heritage (SNH), the latter of which is currently under review.

### **Proposed Development**

The proposed development is for a single medium sized 500kW wind turbine (Enercon E-48 Model or EWT 500) to a maximum height of 79m to blade tip, with a 48m rotor diameter. The turbine will have a base diameter of 3.3m and be mounted on a tapered steel tower. The final colour is to be determined by consultation with Newark and Sherwood District Council but likely to be a semi-matt grey which is designed to blend in with a “sky” background.

The turbine will be set on foundations 1.6m deep and 12.6m in diameter. The cabling connecting the turbines to a substation will be laid underground. This land will continue to be in agricultural use.

The Design and Access Statement explains that the existing track north of Weston (Infield Lane) will be used for the construction and maintenance operations of the proposed development. A new access track will be constructed at the southern end which will be 4.5m.

The construction period for the development will be approximately 12-18 weeks and the main visual impact during this period would arise from the use of cranes to erect the turbines. I note that the size of crane has not been described but assume that this would be no larger than the turbine itself.

Our comments on the Landscape and Visual Impact Assessment are:-

#### 1. Landscape Impacts

The direct impacts of the works are not described within the LVIA but within the Design and Access Statement (DAS) which states that:

*“No hedgerows will be damaged or will need to be removed during the construction phase.”*

The temporary impacts on the landscape during the construction phase of the development have not been described although the works are described within the DAS.

Aerial photography shows existing hedgerows along either side of Infield Lane. Should the sweep of vehicles transporting the sections of turbine column come close to the root zone and/or hedgerows these should be protected Trees in Relation to Design, Demolition and Construction BS: 5837 2012

The Location Plan drawing does not show any areas of proposed hard standing adjacent to the turbine, such as for crane access for maintenance purposes so we assume that this is not required.

Generally we agree with the findings of this section of the report but the direct impacts on the landscape should be quantified.

#### 2. Landscape Character

The site lies within the **Trent and Belvoir Vales** National Character Area Profile as defined by Natural England. At a county level the site falls with the **Mid Nottinghamshire Farmlands** character area. Within the Newark and Sherwood Landscape Character Assessment the site lies within Policy Zone MN20 *Ossington Village Farmlands with Ancient Woodlands*.

Within the Newark and Sherwood Landscape Character Assessment this area is described as:

*“A large area encompassing numerous varied landscape uses. Arable farming is the principal land use, with some pastoral farming, small industry and some commercial*

*land use evident. Landform is gently undulating and rounded, resulting in views being medium to long distance throughout most of the area, with frequent wooded skylines. Vegetation within the area (woodlands and hedgerows) often encloses the views, especially along fields and tracks.”*

The landscape policy for this area is to **Conserve and Reinforce**

The landscape character is described at national, regional and local level within the LVIA. It would be useful if the landscape character of the study area was also described in relation to the local landscape character assessment, accompanied by a plan showing the study area and policy zones within this area.

A summary of the Landscape Effects is given on page 43 of the LVIA and generally we agree with these findings. However we consider that there is some scope to provide some mitigation with planting works on the surrounding farmland within the applicant's ownership in terms of hedgerow gapping up. This should include some hedgerow tree planting where this does not impact on wind flow patterns. This would help to deliver one of the key actions for the Policy Zone MN20 Ossington Village Farmlands with Ancient Woodlands which is:

*“Conserve and maintain hedgerows and prevent fragmentation (through lack of management and intensification of arable farming). Infill hedgerows where necessary. “*

### Visual Impact

A summary of the Visual Effects is given on page 43 of the LVIA and we agree with these findings. The largest effect on Visual Amenity is **Moderate (Not Significant)** for Viewpoint 1, Intersection of Colley Lane and Great North Road and Viewpoint 2 Grade 1 Listed Church in Weston.

Viewpoints are generally representative positions although a viewpoint from a public right of way in closer proximity to the wind turbine would have been useful. The Zone of Theoretical Visibility (ZTV) is shown on Figure 4. Annotation to show the study area and 5km, 10km, 15km and 25km radii from the proposed wind turbine would allow for better interpretation of the drawing.

The viewpoint locations should also be shown on the ZTV drawings and the scale shown at the size it will be read in the document. Guidance from SNH for Wind turbine developments recommends for each viewpoint there should be a detailed location plan, on a 1:50,000 or 1:25,000 OS base map, along with a note on the grid reference of the location of the viewpoint, the date, time and weather conditions when the photographs were taken. This is information which is not within the current application.

### **Recommendations:**



The following points should be considered by the applicant:

1. Quantify the direct impacts on the landscape and identify possible sources of temporary impact during the construction period.
2. Consider impacts from rights of way in the surrounding landscape that are closer to the wind turbine than the chosen viewpoints.
3. Consideration of planting to enhance landscape character and help to compensate against installation of structure within the landscape.

## **Appendix 6 - Detailed Historic Environment Comments**

### **RE: Mill Farm Wind Turbine - Newark and Sherwood DC (13/00938/FUL)**

Jason Mordan

With regards to the above application, I have the following comments from the viewpoint of cultural heritage and the requirements of the NPPF:

The application is accompanied by a 'Heritage Impact Assessment'. The assessment is not thorough and should be revisited. There are a number of local interest buildings in the vicinity of the proposal site indicated on the county HER that are not mentioned in the HIA. I suspect that there was no official consultation with the HER, we have no record of any recent enquiries regarding this site. HER consultation is recommended as a minimum by paragraph 128 of the NPPF.

Regarding the methodology for assessment of impacts, this is also insufficient as it fails to note or take account for the recommendations of 'The Setting of Heritage Assets' English Heritage Guidance (2010).

Jason Mordan  
Senior Practitioner Historic Buildings  
Nottinghamshire County Council  
Tel: 0115 9696529