Proposed Development: Erection of two turbines 65m to hub, 110m to tip and ancillary infrastructures, new entrance plus temporary construction compound.

Location: Iggusung Paperboard (Workington) Ltd
Siddick
Workington

Applicant: Iggusund Paperboard (Siddick) Ltd

Drawing Numbers:
I68 - Figure 2 - Location plan
I62 - Figure 5.4 - Block plan
I05 - Figure 5.2 - Proposed elevations
Environmental statement
Additional information received 4/06/2015 (including omission of T3 turbine)

Recommendation: Refused

Summary/Key Issues

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| Principle of Development     | The Council seeks to promote the development of renewable and low carbon energy resources provided the impacts (either in isolation or cumulatively) are, or can be made acceptable. The recent ministerial statement and Planning Practice Guidance 2015 is a material planning consideration and states “local planning authorities should 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.” |
| Community response           | There are 144 letters/emails of objection, with additional objections from the County Council, Seaton parish and Workington town councils. The recent ministerial statement in June 2015 and accompanying |
updated Planning practice Guidance 2015 is a fundamental change in policy as it emphasises that any proposed onshore turbine proposal needs to demonstrate that it has addressed the concerns of the local community and have their backing. Officers consider that as a result of the large volume of objection and their planning grounds which have not been addressed the proposal is contrary to the revised guidance.

**Landscape and cumulative impact**

The proposed turbines are located in an area already reflecting a windfarm landscape on an industrial section of the coastline which incorporates a wide range of existing man-made infrastructure. The application was the subject of a separate independent peer review. It concluded that overall the proposal given the existing surrounding environment would not have a significant harmful impact on the landscape of the site and its surroundings. It was considered the proposal would not have a significant individual or cumulative impact on landscape character.

However the merits of this issue need consideration under the recent ministerial guidance.

**Visual impact including residential amenity**

The extent of visual effects is greatest and most significant in short term views of the site which will diminish with distance. Effects are not generally significant for receptors at greater distances. The proposed turbines are within 800m of a large number of residential properties a number of which will have direct views of the turbine which is likely to have an adverse impact on the amenity of the residents of these properties.

The independent Peer review also evaluated visual impact on residential amenity. The review concluded that significant impact would occur at properties on the western edge of Seaton, Siddick and Northside. It is considered the impact of the development would be detrimental to the residential amenity of some existing properties.

There are up to 400 properties within 900m of the turbine sites. Shadow flicker is anticipated at a large number of properties identified in the Environmental Statement at different times of the day and year. A scheme of mitigation and a complaints procedure can be secured by planning condition.

The impact on amenity is also a material planning consideration under the ministerial guidance.

**Noise**

A noise assessment has been conducted as well as a noise assessment of the proposal to evaluate the noise impact both individually and cumulatively with the other nearby turbines in the locality of the site.
The Environmental health officers have sought an independent peer assessment by a noise consultant. The submitted evidence relating to potential cumulative noise impact does not appear to be acceptable and the Environmental Health officers conclude that presently they are not satisfied that the proposal will comply with ESTU-R-97 guidance. Ongoing reviews of the noise evidence are continuing and members will be updated at the Panel meeting.

Another separate outline planning application (2/2015/0308) for housing development on the western perimeter of Seaton was approved at the last Panel meeting which is closer to the site of the turbines than the existing houses in Seaton. However it will only be a material planning consideration if its formal decision notice has been issued at the time of member’s consideration of this application. Noise is a material planning consideration under the ministerial guidance which has not been satisfactorily addressed.

### Heritage

The proposal will not have a significant adverse impact on any designated heritage assets. A detailed evaluation has been undertaken to assess any archaeological remains from any former Roman watch tower in the vicinity of T1 turbine to the satisfaction of the County Archaeologist. There are no further heritage concerns subject to conditions to enable any future recording of any possible remains (i.e. watching brief condition).

### Highways

Subject to conditions relating to construction operations the proposed development would not have an adverse impact on the highway network.

### Nature Conservation

Subject to mitigation it is considered that the proposed development, as amended, would not have a significant adverse impact on nature conservation interests including bats and birds.

Planning conditions could secure mitigation to ensure the otter and badger species are protected during construction if found at the site if there were to be any development.

### Hydrology and Drainage

Flood risk and/or contamination of water are not anticipated to increase as a result of the development although mitigation measures would be required by planning condition.

### Potential benefits

The proposal will make a contribution to renewable energy deployment nationally. All of the energy produced will be exported.

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**The Proposal**

The proposal, as amended seeks consent for 2 wind turbines and associated development. (A former third turbine T3 which was sited north of Siddick ponds was withdrawn from the scheme.) The 3 bladed turbines would have a hub height of 65m and a maximum height to blade tip of 110m. The turbines would be finished in a white or pale
grey colour. An area for micro siting is provided for each turbine. The proposal also includes a 60 square metre control building and small transformers will be housed outside the turbines if they cannot be housed within the towers. The scheme would also include the provision of temporary crane hardstanding beside each turbine and a compound during the construction phase.

New and existing access tracks are to be constructed to serve the development with a highway entrance onto Lowca Lane for turbine T1 with suitable radius and visibility access requirements to accommodate the abnormal scale of the turbine deliveries. T2 would be served by the applicant’s existing industrial access onto the A596. The deliveries would be via either the port or the motorway network followed by the M6, A689, A595 and A596.

Each turbine has the energy capacity for 3MW of electricity generation. An element of micro-siting has been allowed for each turbine. (The exact model of the turbine has yet to be established, however for the purposes of the planning application the Vesta V90 has been used as the candidate turbine for the assessment.)

The applicant advises that the site was selected as a location for wind energy development on the grounds of; wind resource due to existing wind speeds, existing landuse designation within a heavily industrialised area without any national or international designations, availability of electrical connections (existing connection point), no adverse impact on air safety, no interference with public rights of way and sufficient area to accommodate the development.

It is envisaged the development will generate employment for 20 construction workers over a 6-9 month duration with some opportunities for local contractors, with added small direct positive benefits for local service companies. At a wider scale there would be other socio-economic benefits in terms of job creation and investment (estimates of 2500 jobs sustained by the wind industry in the UK).

During it operational use the site will be unmanned and monitored by an offsite control room.

The applicant highlights the international and national targets set to reduce the emission of greenhouse gases and reducing the carbon footprint including the Dhooa amendment to the Kyoto protocol, the U.K’s EU targets and the more recent UK renewable energy road map (update 2013 which reviewed the progress on these targets.

It is anticipated the proposal itself (based on 3 turbines) would generate approximately 20,687MWh which can be calculated to provide approximately 4991 households with energy annually. It would offset 8895 tonnes of CO2 per year.

On the basis of the omission of T3 turbine it is assumed that the output/offset will be two thirds of these figures.

The applicant undertook a community consultation exercise prior to the submission of the application. No concerns were made about the access changes and any design changes have been minimal.

The applicant accepted the development was schedule 2 development under the EIA regulations and submitted a supporting Environmental statement to the application.
Planning History

There have been no planning applications for built development on the application site. However modification and widening of the site field access on to Lowca Lane (2/2013/0707) were approved and implemented on the grounds of it serving the current willow plantation operations in the locality of the site.

Further to the submission of the current application a separate outline housing application (2/2015/0308) was submitted on the agricultural field to the west of Hazelgrove estate Seaton. The application was approved subject to an s106 at the last development panel meeting. Its decision cannot be issued until completion of the s106 legal document. Unless the decision is issued it cannot be a material planning consideration in the determination of the turbine proposal. However if issued it would introduce new material amenity issues relating to the impact on residential amenity including noise and shadow flicker. (The extent of any visual impact is unclear as the outline consent did not include layout details.)

Site

The site is located in a narrow green wedge of land located between the built coastal industrial corridor along the A596 and the residential estates on the western perimeter of Seaton. The application site lies to the east of Iggesund’s existing Paper Mill and Biomass Plant industrial complex.

The northernmost turbine (T1) is sited within an existing Willow plantation on a rising undulation of land on the escarpment of the coastal plain. The land is open with few trees in the locality and the nearby fields are divided by hedgerows.
The southernmost turbine (T2) is located on a raised area of land near a small copse of trees at the rear of the industrial buildings. The site is adjacent to a small area of ancillary plant associated with the factory.

The land to the east rises uphill to the edge of Seaton’s settlement (Hazelgrove residential estate and Building farm) segregated by open agricultural grazing field. A linear copse of woodland along Hazel Gill traverses on the land to the east of T2. The levels of the site vary from 16AOD to 35AOD with T1 and T2 being on higher land. The industrial complex of the applicant’s factory and its diverse range of large tall buildings (including the recently implemented biomass plant) and structures occupy the western outlook from the site. Most of the industrial buildings are sited at the northern end of the factory. Although the southern end of the factory is more open and is used for storage of materials it does include a wide range of large tall conveyor/plant equipment.

Hazel Gill County Wildlife Site (CWS) is located along Hazel Gill beck. Siddick Ponds (SSSI) is situated to the south west of the two turbine sites.

The land to the south relates to a green wedge of agricultural fields that segregate Northside and the retail/industrial development on the A596 from Seaton.
The land to the north in the coastal corridor is occupied by the former Eastman factory (presently vacant) which is also located at the base of the slope fronting onto the A596 with agricultural fields in the green wedge between the factory’s and Seaton’s settlement.
The nearest residential settlements are Seaton (approx 350 m eastwards) Siddick including both sides of the A596 (600m to the west), Workington 2km to the south and Flimby 3km to the north.

In addition to the large manmade infrastructure of the industrial units there is a range of existing turbines within the immediate locality of the site. These have been erected under different applications over a long timescale but can be summarised as:

- **Oldside**: 9 x 61m turbines (tip height)
- **Siddick**: 7 x 61m turbines (tip height)
- **Voridian**: 2 x 108m turbines (tip height)
- **Wythegill**: 1 turbine 92m (tip height)

A range of overhead lines supported on pylons also traverse across the fields within the green wedge to the east of the site.

**Relevant Policies**

**National Planning Policy Framework**

- Chapter 10 Meeting the challenge of climate change, flooding and coastal change
- Chapter 11 Conserving and enhancing the natural environment
- Chapter 12 Conserving and enhancing the historic environment


**Planning Practice Guidance for Renewable and Low Carbon Energy (June 2015)**

This was updated to reflect the recent ministerial guidance.

**National Policy for Energy EN-1 (July 2011)**

**National Planning Policy statement for Renewable energy Infrastructure EN-3**

**Allerdale Local Plan (Part 1) Adopted July 2014**

- Policy S1 - Presumption in favour of sustainable development
- Policy S2 - Sustainable development principles
- Policy S19 - Renewable Energy and Low Carbon Technologies
- Policy S27 - Heritage Assets
- Policy S29 Flood risk and surface water drainage
- Policy S32 - Safeguarding amenity
- Policy S33 - Landscape
- Policy S35 - Protecting and enhancing biodiversity and geodiversity
Policy DM17 - Trees, hedgerows and woodland

The Cumbria and Lake District Wind Energy in Cumbria supplementary planning document (Sept 2007)

The following representations were received

**Workington Town council** Recommend refusal – While the committee appreciate the site was already heavily developed, the proximity of the new turbines to the SSSI to the World Heritage site and the cycleway amenity served to dramatically increase the impact of the existing developments. Councillors were particularly concerned about the most southerly turbine which is very close to SSSI and has an overbearing visual impact on a view which has so far escaped excessive intrusion. The impact of this turbine on the huge variety of birds that use the nature reserve was also a cause for considerable concern.

**Seaton parish council** Object to the proposal on the grounds of – the development is located within 800 m of residential properties, the proposal would add to the cumulative visual impact causing noise and flicker, the proposal is adjacent to an award winning nature reserve.

On the reconsultation they reconfirmed their objections as contrary to policy with impacts on primary school, nature reserve and households, resulting in noise, shadow flicker height and disturbance likelihood.

**Maryport** – Noted

**County Planning** Object- concluded that in terms of policy they do not oppose renewable energy proposals subject to there being no unacceptable impacts. Whilst recognising that the development would contribute towards the production of renewable energy and references in government policy it is evident that the proposal will generate landscape, visual and cumulative effects with particular significant impacts on the residents of Seaton, the landscape character of landscape sub –type 5a and the setting of heritage assets. It is considered the effects outweigh the benefits associated with the generation of renewable energy contrary to the National Planning Policy Framework, sub RSS and supporting guidance in the Cumbria wind energy SPD.

**County Highway Authority** Refers to the recently approved single turbine at Wythegill under which a range of street furniture along highway corridors was modified to facilitate its delivery. Advise that overall that the construction traffic associated with the development are unlikely to have a significant impact. One potential benefit is that the turbine power output may replace power generated by the biomass which generates significant traffic movements on the A596/A595/A66.

The County highway authority are solely responsible for Lowca Lane and is satisfied with the submitted information submitted with the application subject to a highway condition relating to the access works.

**Highways Agency** - No objections.
Environmental Health – consider insufficient evidence has been submitted with the application. After completing an independent assessment by a noise consultant further additional survey evidence was sought on cumulative noise impacts. The initial results suggests there is the potential for the scheme not complying with the ETSU-97-R noise guidance resulting in the Environmental Health officers verbally advising that at present they are unable to support the proposal. Ongoing discussions are being undertaken with the applicant’s noise consultant to identify whether the points of concern can be resolved.

Natural England -Initially objected to the lack of information as to whether it would damage the features of the SSSI. Particular concern was referred to turbine T3 (which allowing for micro-siting would be 30m from the designation) Need of additional evidence of bird species at Siddick Pond. The submitted bird information is considered inadequate including hours of data, timing of surveys (Nov – March) and collision risk. Due to the importance of this evidence additional surveys are recommended. It is essential that the risk associated with contamination is also fully examined.
Further to the submission of additional bird survey evidence and the applicant’s decision to withdraw T3 from the proposal a further response was received from Natural England. They consider the removal of T3 substantially resolves their concerns relating to collision risk and displacement of birds. Whilst T2 remains within the 600m sensitivity zone of species using the pond it is accepted that it is the upper limit of the zone and there is intervening screening between the site and the pond. They also conclude it limits the collision risk to Golden Plover. Recommend that disturbed ground generated by the works should be reseeded with flowers including successional species such as kidney vetch. The development will provide opportunities for additional biodiversity gain.

Friends of Siddick Pond- Object The nearest turbine T3 is 90m form the pond and T2 is 456 m distance from the Pond. The ecology evidence recognises the importance and rarity of the species with 4 species of conservation concern and eight on the red list. The turbines would be a moving hazard that would endanger birds lifting or descending to the ponds or hunting in the locality. Particular reference is made to the Bitterns and their flight habits with the potential for collision. Insufficient evidence is outlined within the surveys. Reference is also made to barn owls, whooper and mute swans and bats all of which have collision risks.
The presence of otters is also a wildlife consideration. Also refer to the risk of contamination from any run off from construction works It is difficult to assess the impact of noise from any construction works. It is considered the movement of the turbines blades and the associated lighting works would hinder observational views of the wildlife at the ponds. Overall they consider here would be a severe impact on the Siddick Pond SSSI resulting in loss of wildlife habitat, failure of nests or abandonment of young. They therefore consider there would be significant harm to biodiversity from the development and the mitigation proposed would not adequately compensate for this impact. They also oppose any condition for micro siting to enable further consultation and reconsideration of any impacts.

Butterfly Trust Object to the application and seek a full survey be undertaken by a
qualified ecologist to establish the strength of any small blue colony at the site which at
the very least will need to be translocated to another site.
Verbally advise that a survey and any potential translocation to an agreed established
butterfly colony site under a condition would be acceptable.

**Cumbria Wildlife Trust**  Object The site is located to the east of Hazel Gill County
Wildlife site and is therefore recognised as being of at least county, sometimes national
importance for their nature conservation value. This is defined by its important distinctive
and threatened habits and species. Also Siddick ponds are a designated SSSI. It is
essential these are preserved. Questions the applications submitted protected bat
species identified in the survey which is a protected species. Seek controls on any
lighting details to minimise disturbance to nocturnal species. Also reference to potential
impacts on otters, amphibians and the bittern bird species (sited at the Ponds).

**Royal Society for the Protection of Birds**- Initially Object- Highlight that the NPPF
states that if significant harm to biodiversity resulting from a development cannot be
avoided or mitigated against it should not be refused.
They identify weakness in the applicant’s bird surveys on all bird species known to utilise
the site. The potential for bird impacts has not been fully considered with potential
impacts on species of a proposed outer Solway SPA proposed European site (which
government advice should be treated as fully classed SPA’s). The requirements of the
Conservation of habitats and Species Regulations 2010 are applicable to the proposal.
Consequently it is up to Allerdale as the planning authority to decide whether the
proposals will likely have a significant effect on the European site and its conservation
objectives.
They highlight the Goose lander population using the site and challenge the extent of the
survey and its seasonal recordings with no evidence for January, February or March.
Also refer to Wintering Bitterns (prone to collisions) and the need of further evidence.
Overall they would prefer a 2 year rather than one year survey.
They also refer to the bat evidence and the proposed mitigation to baffle artificial light
They also refer to any damage to the habitat of the small blue butterfly.
Revised consultation response on amendment (30/06/15). Further to removal of T3 which
significantly reduces potential displacements and collision risk for birds at Siddick ponds
they withdraw their objection. Although T2 remains within the recommended 600m
sensitivity zone it is suitably screened and sufficient distance to be unlikely have any
significant effect. They support Natural England’s comments dated 24th June and its
biodiversity recommendations e.g. provision of areas for kidney vetch.

**Environment Agency** – No objections subject to the inclusion of a planning condition re
contamination assessment, mitigation and verification to safeguard the environment in
compliance with the NPPF (para 121).
Officers based on the Environment Agency advice also recommend an additional
condition to control the temporary storage of oils or fuels at the site. This minimises any
risks to the nearby ecological sensitive locations of the SSSI.
It will need to be ensured that no surface water contaminated silts or sediments are to
be discharged to ground or surface water flows during construction.
During construction where it is necessary to dewater any excavations as a result of
groundwater ingress, this activity is currently exempt from abstraction licensing although
this situation is expected to be reviewed in the near future. The applicant will need to
consider the impact that any dewatering will have upon groundwater dependant features
in the area. If a potential impact is recognised then mitigation measures will need to be put in place. Additional evidence relating to separate regulations was provided.

**United Utilities** highlight the presence of their existing water main /trunk main crossing the site which is within the vicinity of Turbine 2. Seek an easement distance of no less than 10m (measuring at least 5m on each side of the centreline of the pipe (to be verified by hand dug trial holes).

In addition measures should be applied to protect the mains from any heavy plant crossing the main.

It is recommended that these be secured by condition.

**Electricity North West** The development shown is adjacent to Electricity North West operational land or distribution assets. The development should seek to ensure no encroachment over apparatus or easements. Particular reference is referred to the southern turbine which is within 70m of two 33kV overhead lines which is below the recommended separation distance for a 100m tall turbine Any diversion works should be at the applicant’s expense.

**JT radio** Initially objected-The proposal is within 1km of is within a protected radio link operated by Electricity North west, Northern Gas networks and United Utilities which is generating below 1 Ghz or 0.5 of a link (seek turbines with a blade diameter of 32m to have a distance of 0.5km.of any protected link or path site managed by them. Whilst originally objecting following further analysis and clarification they withdrew their objection.

**HSE** Advise that this type of application does not fall within their consultation remit and would increase the number of the number of people within the consultation distance.

**County Archaeologist** – Highlight the applicants EIA confirms that the site is located within an area of archaeological sensitivity with the potential for significant archaeological remains. The remains of Burrow Walls Roman fort are located form the nearest proposed turbine and these are legally protected as a scheduled monument and form part of Hadrian’s Wall world Heritage site. It is understand that signal tower no 29 is believed to have been situated nearby. The EIA indicates the applicant considers the proposal will have a moderate/ large negative visual impact on the setting of the Burrow Wall schedule monument and the world heritage site particularly on the indivisibility between the a number of designated and undesignated heritage assets within the WHS. No mitigation has been offered. Seek consultation with English Heritage on this matter.

There is the potential of disturbing the remains of the signal tower which was associated with the Hadrian’s wall Cumbrian coastal system. These towers were regularly spaced in visually prominent locations Turbine T1 is in the likely position for this tower. Any such remains of the tower would have a significant equivalence to a designated heritage asset and is worthy of preservation in situ. Seek further survey evidence, in line with NPPF to establish the impact on these remains prior to determination.

In response to the reconsultation the County Archaeologist advised that the applicant commissioned an archaeological evaluation of the site of this turbine. The scope of the evaluation has been limited by willow growing on the site and so represents a very low sample of the overall proposed development area of the turbine. This means that the sample size is not statistically representative and does not fully characterise the
archaeological nature of the site. He is prepared however, to accept this approach as the only possible viable and reasonable way to provide some (albeit limited) information on the archaeological impact of the development, given that the site is covered with willow. He still considers there is the potential for the construction of the proposed northernmost turbine to disturb archaeological assets. I therefore recommend that, in the event planning consent is granted, further archaeological investigation and, where necessary, a scheme of archaeological recording be undertaken in advance of development. I advise that this work should be commissioned and undertaken at the expense of the developer and can be secured through the inclusion of a condition in any planning consent.

**English Heritage (Historic England)** – Potential impact on the setting of the scheduled Burrows Wall roman fort, a part of the Hadrian’s Wall world Heritage site and more importantly the Outstanding Universal Value (OUV) of the WHS. However the intervisibility with neighbouring sites suggest that visual communication did not play a significant part in the operation of roman defences on this part of the Cumbrian coast. Given the local topography and the current visual context we consider that the proposal will not cause harm to the setting of the fort or the OUV of the WHS. Therefore English Heritage has no objections to the proposed development.

**NATs** The proposal does not conflict with their safeguarding criteria and therefore has no safeguarding objection to the proposal.

**Ministry of Defence**- No objections but seek the proposal to be installed with air navigation details (to be conditioned).

**Civil Aviation Authority** – Seek consultation with the MoD and local airports which should be notified on any approval decision. Seek registration for all structures exceeding 300ft (91.4m) to be chartered on aeronautical charts. Similarly aviation lighting is required for all structures above 150m or required by other aviation organisations.

**Stobart Air (Carlisle Airport)** - No objections subject to conditions on reconsultation on any future amendments and corrective action if there are any changes to aviation legislation.

**Geospatial Air information team** No reply to date

**Arquiva (BBC and ITV transmission network)** No objections.

**Campaign to Protect Rural England (CPRE Cumbria Association) (Friends of the Lake District)** - Highlight that at no level does the planning system support proposals where there are unacceptably adverse impacts. Whilst the principle of renewable energy is one which they agree they are concerned that schemes are being brought forward which do have adverse impacts and should not be permitted. They refer to;

Residential amenity – the locality has been the subject of a proliferation turbine development with residents already experiencing visual impacts and loss of amenity. The site is 350m from Seaton and 600m from Siddick where the impact would be significantly adverse, especially from Lowca Lane. It would also be significant from Northside. Reference is made to the SSSI and national cycleway route which adjoins the site with
sensitive receptors with a number affected would have unacceptable impacts which are not outweighed by the benefits of the development. Given the proximity of houses there are also concerns on noise from the turbines. The applicant has chosen the Vespa 90 as its candidate turbine but a different model may generate different noise levels. Some existing noise levels may generate disturbance from traffic noise etc. and the proposal may increase these. Also potential for shadow flicker. Question the details of micro siting and its impact on the planning fee or the sensitivity of local receptors.

Local / National Policy; - Reference to the National Planning Policy Framework (NPPF) reference to sustainable development, which needs to include protection of the natural environment, these should include SSSI and a CWS. Updates by the Department of Communities and Local Government (DCLG) should be given weight in any decision especially as the need should not override environmental protections and the concerns of local communities.

FORCE refers to the level of local opposition to the proposal. They also consider the proposal is contrary to Policies S19 (within 800m of dwellings) and S32 which seek to protect residential amenity. They also challenge the agents claim that that the Cumbria Wind Energy supplementary Planning Documents is not planning policy.

Landscape – The two turbines T1 and T2 are located in landscape character sub type 5a Ridge and Valley which have a moderate impact for wind energy small group 3-5 or 6-9 in exceptional cases. No exceptional circumstances exist at this location with there already being an excess of turbines with a visual impression of a contiguous array. The applicant’s cumulative assessment includes omissions e.g. Westnewton and Winscales, West House Farm and Fox House Farm, Dearham. Little assessment has been undertaken of sequential impacts and the applicant has referred to the existing turbines as justification for additional development. FORCE finds this approach very objectionable especially when they would be no more than 500m from the two turbines at Eastman (Voridian) site. Refers to Policy Statement EN1 Which emphasises that coastal areas are particularly vulnerable to the visual intrusion of wind energy development due to their high visibility from the foreshore and the skyline and coast. Therefore they consider there is not reasonable to add more development at this location.

Ecology- T3 would have an impact on Siddick Ponds (100m distance). The surveys include species on red or amber lists as well as overwintering birds for foraging. The proposal will act as an avian obstacle. Bat species may also be at potential risk of collision and the required 50m buffer prompting the removal of a hedgerow near T2. T1 is also in breach of this guidance as its willow crop will need to mature prior to coppiced reducing the buffer to 34.5m with additional implications arising from micro siting. They observe that the RSPB objects to the application. The CWT also refers to otter activity in the vicinity of Siddick Ponds. The sites are in flood risk zone 1 whereas part of the supporting works is in Flood zone 2 and 3 and therefore raise concerns on pollution.

Heritage –refer to the County Archaeologists reply on the remains of Burrows roman fort. They dispute and object to the applicant claims that the presence of existing turbines to the World Heritage site justifies the addition to their number. FORCE also refers to the objection on radio interference and gas infrastructure concerns. They highlight the proposal is a commercial enterprise with all electricity being fed in to the Grid Network.
118 Letters of objection were received on the grounds which can be summarised under the following headings;

(i) Cumulative impact; Saturated cumulative visual impact from Seaton with other existing wind turbines – over 14 turbines within 2km of Seaton-additional Robin Rigg windfarm offshore Allerdale already hosts 70% of the County’s turbines. Question how may more turbines are to be built and when is there enough. The site of the turbines is well beyond the coastal industrial strip.

(ii) Noise: Potential noise disturbance above that presently experienced from the factory/biomass plant. Consider the applicants noise survey is inaccurate as it was undertaken prior to the construction of the biomass plant) Impact of any low frequency sound (extract of a warning report in Australia. Harmful cumulative noise impact with existing turbines. The effects of low level noise on downwind properties Potential impact on new housing proposal adjacent to Hazelgrove including noise and flicker Reference to a Society for wind vigilance of Canada and America peer review of scientific articles on European wind turbine facilities concluding; wind energy projects create negative impacts on human health and wellbeing (including noise and shadow flicker), annoyance with wind turbine noise was associated with psychological distress, stress and difficulties to fall asleep and sleep interruption and links to sick building noise due to audible and inaudible noise infrasound(referred to by the World Health Organisation1999 as exposure to low frequency noise can cause adverse effects on humans.

(iii) Visual impact: Existing westwards viewpoint views from Seaton are already punctuated by turbines at Clifton and Broughton Moor-the proposal will be closer more elevated and obtrusive than the existing turbines. Legacy for future visual impact on the Solway coastline. Proposal is within 800 m of houses in Seaton and Siddick contrary to adopted local plan policy S19. Their siting closer to Seaton than the existing factory at a higher contour level would dominate and blight views from Seaton. Taller than neighbouring turbines. The viewpoints in the assessment do not accurately reflect the worst case scenario and understates the true visual impact, with only one viewpoint in the immediate locality despite dwellings being identified as an important high sensitivity receptor.

Challenges the submitted evidence that the turbines are not out of place to the scale and close proximity of other turbines/pylons/overhead lines and chimneys as the turbines are massively taller in a more elevated and prominent location. Existing locality is an eyesore. The applicant's viewpoint evidence accepts that the viewpoints form Lowca Lane (VP1) the turbines are dominant and this is something that cannot be mitigated against with any colour scheme. Unneighbourly development. Adverse impact on residential amenity outweighs any renewable energy benefits.

(iv) Economic: Concerns on applicants company’s green credentials due to its impact on the communities. Proposal will not create any employment-Question the need for the development as it is understood that the existing CHP plant produces excess power and therefore the proposal is to gain extra revenue to National Grid without consideration of the residents of Siddick or
Seaton-no economic case. The proposal will not benefit the west Cumbria economy. Existing turbines in the locality are not always operating. Case for cost effectiveness not successful at Eastman’s. Why are turbines not installed at the applicant’s plants in Sweden and Spain? Financial motivations to undertake the project rather than renewable benefits. No local community benefits.

(v) Health and safety: risk from the noise, vibration and flicker from the turbine or an airborne aerofoil blade.

(vi) Shadow flicker: Need of controls or BS standards relating to flicker relating to flicker. Flicker impact from setting sun – potential health impact on people with epilepsy 405 properties are within 900 m of the turbines which will be affected by shadow flicker. The use of blinds is not a suitable mitigation measure for shadow flicker as it results in loss of amenity for occupiers.

(vii) Archaeology: Too close to the site of a roman fort and its archaeological remains.

(viii) Telecommunications: Effect on TV reception.

(ix) Tourism: Undermines visitor’s perception of the area (including tourists). Harmful impact on people using the C2C cycleway route which be dominated by the turbines (increased by the movement of the blades).

(x) Policy: reference was made to the “European best practices Guidelines for Wind Energy Development 2 by the “European Wind Energy Association “which refer to the need to consider: planning policy context, visual impact, proximity to dwellings, ecology.

(xi) Wildlife: Insufficient evidence on land contamination and its potential impact on the nearby Siddick Ponds. Insufficient evidence on the impact on wildlife with no consultation with the RSBP group. Adverse impact from the works on the habitats of the SSSI - increase risk of bird strikes, displacement of bird populations.

(xii) Consultation: 73% of the responders to the questionnaires oppose the development and one objector has not received any response. The public meeting on the proposal occurred whilst an objector was on holiday.

A further 26 letters of objection were received to the re-consultation following the withdrawal of T3 which reiterated their continued objection to the scheme on the grounds specified above, plus reference to the recent ministerial guidance and the planning application for housing on the western perimeter of Seaton.

The former Ward councillor also recommended refusal on the grounds of; the proposal is within 800 m of housing in Siddick and Seaton and is therefore contrary to the adopted local plan, the proposal close to a site in the Allerdale Local Plan (Part 2) for housing next to Hazelgrove resulting in development constraining the development of the settlement, cumulative volume of the turbines and their noise, visual and flicker impacts, the site of
the turbines on the crest of a hill will increase the prominence of the turbines especially for properties at the lower side of the hill, adverse increase to existing noise levels (invalid survey as it was prior to the biomass plant being operational, harmful impact on flicker, unsympathetic sitting of the turbines in proximity to the nature reserve, no economic case for the turbine as the applicant already sell on surplus power to the National Grid.

Six letters of support and one letter of no objection were received.

Assessment

Both the National Planning Policy 2012 and the Allerdale Local Plan (Part 1) adopted July 2014 are broadly supportive of proposals for renewable energy development. The need to meet national targets for the generation of electricity and heat from renewable and low carbon sources is recognised as are the wider environmental, community and economic benefits of such development. Therefore need is not a planning consideration in the determination of the application.

As with all planning applications each proposal has to be assessed on its individual planning merits, but also must reflect consideration of the most up to date planning policy context. Specific to wind generation development is balancing the economic benefits of the proposal and its contribution to the supply of energy by renewable developments against any environmental harm associated with the development. The Ministerial statement in April 2014 acknowledged that need does not automatically override local considerations. Furthermore and fundamental to the proposal is the subsequent recent ministerial statement issued in June 2015 and the need to consider whether the planning impacts identified by the local communities have been addressed.

The application was identified as EIA development and is supported with a detailed Environmental Statement (ES). It provides a detailed examination of the following topics; landscape and visual impact, air quality, geology, hydrology, hydrogeology, ecology, ornithology, cultural heritage and Archaeology, noise, socio economics, safety, shadow flicker, telecommunications, aviation and radar, traffic and infrastructure.

The ES accounts for the progressive phases of the development during construction, operation and decommissioning, evaluating the characteristics of the site and its locality (both immediate and wider area). It assesses the impacts of the development, pre during and post construction including any mitigation measures associated with the proposed works.

Officers in evaluating the evidence of the Environmental Statement and accounting for the views outlined in the stakeholder representations (including the local communities) consider the key issues may be summarised as follows:

Landscape and Visual Assessment

This represents a key issue which is assessed in the ES. Its landscape and Visual Assessment (LVIA) assesses the likely effect of the development on the landscape characters of the site including the neighbouring character classifications. It also evaluates the cumulative impact of the two turbines, within the baseline context of the
other existing/approved/pending turbines in the locality as well as the wider visual impact (up to 30km). The LVIA document includes a map of the Zone of Theoretical Visibility (ZTV), wireframes and photomontage evidence with 10 viewpoints at differing distances to measure the impact on both landscape character and visual amenity.

The landscape of the Borough is broken up into different landscape character types under the Cumbria Landscape Character Assessment (Part 2) Guidance 2007 and the Cumbria landscape character assessment toolkit. The site lies in the National character Area NCA7 West Cumbria Coastal plain. The assessment also evaluates the impact on the three sub types within the surrounding landscape.

Both proposed turbines proposed turbines are sited within landscape character type lowland landscape sub type 5a “Ridge and Valley”. The County’s Wind Energy SPD describes its features as ;“medium to large scale landform varying from undulating to ridge and valley terrain, medium to large field units, some vegetation enclosure with occasional valley woodlands, simple agricultural patterns, working countryside with some modern features e.g. pylons, multiple horizons and ridges backdrop of other landscape types in working countryside”.

The landscape character types and their capacity for additional development within the Cumbria Wind Energy Supplementary Planning Document (CWESPD), advises that landscape character type LCT 5a sub type has a moderate sensitivity the landscape capacity of ‘moderate’ for accommodating ‘up to a small group of wind turbines defined as 3-5 turbines or a larger group 6-9 in exceptional cases.

The viewpoints were evaluated with viewpoints 1 (Lowca Lane) and V” (Burrows Walls roman fort) and V10 having moderate adverse significant effects.

The applicant considers that the magnitude of the impact of the works during the construction phase would be low and the significance of the effects would be temporary and slight adverse.

During operations the applicant contests that the host’s type 5 moderate landscape sensitivity would be seen in the context of the neighbouring industrial development and its structures. Such impacts would be direct with the overall effect being direct and slight adverse resulting in a slight change to the landscape or characters within.

The report advises the site has no direct impacts on the sensitive designations of the Lake District National Park (11km east) and the Solway Coasts AONB (7km north), which is further reduced due to topography and the backdrop of the neighbouring industrial plant and buildings. No Conservation Areas would be significantly impacted by the proposal.

The neighbouring landscape types are Type 2 Coastal margins with low to moderate sensitivity and landscape type.1a intertidal flats and the urban landscape character. The landscape impact on Type 1 landscape Estuary and Marsh landscape would be limited as albeit new vertical features they would be seen in conjunction with the other industrial development on the coast. It is considered the impacts would be indirect and slight adverse.

The Coastal margins sub type 2d is considered to be of low-moderate sensitivity to accommodate turbine development. It is considered the industrial units will not
compromise the setting of Siddick settlement. Any impact would be indirect concluding the overall significance of effect to be slight adverse. It is considered that the proposal would be seen in the context of its industrial environment in the urban landscape setting and is physically detached resulting in the development being barely discernible and would not change the view from this landscape type.

This is referred to within the applicants submitted LVIA which concludes “The ES advises that the proposal will involve long term, permanent but reversible effects during both construction and during the operation of the development. These losses would be small and reversible once the development is decommissioned. It recognises that the site represents a transition between the flat coastal urban fringe with its built industrial features and the undulating ridge and valley landscape towards the east.”

The report also concludes that the proposal would not have any adverse impact on any designations and no distinctive characteristics of the area would be lost as part of the development.

The council commissioned an independent Peer Review Appraisal of the LVIA. This sought to assess the methodology of the applicant’s assessment as well as its overall findings. This would account for the sensitivities of the site and its associated receptors the capacity for change comparing the existing baseline with the predicted impacts (demonstrated in the agreed LVIA viewpoints). They observe that no alternatives were presented as part of the scheme. The consultant refers to the County’s SPD details that the prominence of turbines that may decline and diminish with distance with a “dominant focus” up to 2.4km. The consultation assessed the landscape of the locality its characteristics as well as the settlements their populations and visual outlook and the built development in the area. They consider the landscape character types blend into each other in this locality. It is considered that for a 25 year consent there will be a small –magnitude adverse impact on the change on both the class 1a Intertidal flats and class 2d coastal urban fringe landscape types which are in the locality of the host landscape type (these would not result in significant effects. Similarly it is considered the 25 timescale for any consent would result in a negligible adverse change) to the Broad valleys landscape type 8b (Derwent valley) which would not have a significant effect. (The urban valley in Workington is already built up and therefore there will no noticeable effect.)

However the consultant refers to the County toolkit for the host landscape area type 5a which describes this landscape as “rising gently to high wide ridges with long views or falls to small narrow valleys and being dominated by improved pasture with field being typically regular in shape with straight boundaries, hedges, hedge banks or fences reflecting the 19th century planned enclosure. According to the toolkit the landscape character feels enclosed in the valleys but there is a greater sense of openness in the ridge tops. Views are important and despite the concentration of large scale wind energy schemes that dominate the landscape around Workington, many parts remain intact and retain a sense of a pleasant, peaceful working farmed landscape”. It acknowledges the presence of factories, turbines, pylons and the trunk road within the vicinity of the site. Consequently large scale structures are not generally scarce. It observes Seaton domestic dwellings boundary with this landscape. It concludes the landscape is of medium sensitivity. As a result of the existing turbines
The peer review considers there would be a small change to this landscape character type as an urbanised extension into the fields. The change would have been greater if the turbines had not been sited so close to the factory and the adjacent vertical infrastructure including the turbines and factory emission stacks. Consequently the resulting small magnitude adverse change would not constitute a significant effect.

The independent assessment also concluded that the 25 year timescale would have a negligible adverse change on the high sensitivity of the National Park landscape due to the separation distance (not significant). The low lying land of the Solway Coast AONB will be limited in view or inter-visibility and therefore will not have a significant effect.

The peer assessment also refers to the context of the Wind Energy in Cumbria SPD. The site of the turbines in combination with existing turbines and behind the factory limits any impact on the landscape character of the Estuary and Marsh landscape type which presently lacks any turbines. The Coastal fringe landscape has been urbanised and industrialised and presently supports more turbines the 6-9 turbines capacity recommended in the SPD. However this is not the typical setting for this landscape and the addition of two additional turbines in the neighbouring landscape would not make a difference in terms of setting.

The independent assessment highlights that the site neither falls in the flatter on broad ridge categories for the greatest potential for wind turbine development.

Overall the peer assessment concludes that the landscape guidance suggests a large group of 6-9 turbines in the immediate area, however already eighteen exist. It is considered turbines are now a defining characteristic of the area and reinforce the existing local industrial character of the local setting (which in itself does not reflect the description of their respective landscape types. The assessment advises it is not possible to strictly adhere to the SPD guidance in this case given the existing turbines. It considered the proposal will not have a capacity effect on the Estuary and Marsh landscape. The coastal and Lowland landscape character type does not reflect the descriptions in the SPD, with an alternative industrial character prevailing. The landscape character would have the capacity for the proposed turbines because they would be linked to the buildings, structures in the transport corridor.

Officers are aware that in evaluating all the landscape evidence any such Lowland landscape impact that the localised sensitivities of renewable energy development highlighted in the landscape toolkit which specifies

“The continued need to support renewable energy schemes is likely to result in an increase in large scale wind energy schemes, energy crops and biomass planting. Large scale wind energy schemes have already changed the character of the sub type, particularly around Workington. Without careful control parts of this sub type could become defined by wind energy development. This could have knock on effects on the character of adjacent landscape types due to the far reaching visual effects of such development”.

Whilst officers concur with the professional advice of the peer review landscape assessment that on its individual merits by virtue of the existing development in the immediate locality there would be no substantial harm to an established windfarm environment as the main existing dominating feature it is for members to judge whether
by virtue of the independent peer review whether the views of the local community which have referred to this issue have been addressed, as their focus primarily appears to centre on the visual harm and cumulative harm rather that the character of the landscape.

Visual Effects (including residential)

The applicants ES suggests that moderate or slight visual effects could potentially occur up to 1km distance from the site. These would be dominant but not unfamiliar element within the view which already includes existing wind farm schemes. Over 1km the turbines would be less dominant. It evaluated the differing receptors accepting residential properties as being high sensitivity receptors.

In reference to specific settlements the ES states;

Siddick - “the turbines would be prominent elements in views from properties in Siddick at this distance and the magnitude of change is likely to be medium and the visual effects would be moderate adverse and significant.

Seaton - VP1 the turbines would be dominant elements in views from these properties at this distance and the magnitude of change are likely to be medium and the visual effects would be moderate and significant

Northside - “the turbines would be a relatively prominent element from properties on the north western edge of Northside where the magnitude of change is likely to be medium and the visual effects would be moderate and significant.

Views from other settlements were not considered to be significant.

The ES advises that road users are considered of low sensitivity on the A596 corridor Maryport – Workington with long term (reversible) direct and not a significant visual effect. Similar no significant visual effects would be experienced from the more remote highway routes of the A66 and A595.

In reference to footpaths the ES that the sensitivity of users of the National cycle route 71 adjacent to Siddick Pond (110m from T2) is high with the magnitude of effects would be medium. It is considered the moderate or substantial visual effects from this route which are likely to be significant. The national Cycle route 72 also alongside Siddick pond with high sensitivity receptors would be medium, resulting in moderate visual effects in places in places from this route and are likely to be significant.

The turbines would also be seen from the Cumbria coastal way between Workington and Maryport. The sensitivity of the users would be high with medium magnitude of effects within 1km which will diminish with distance. This will result in substantial to moderate visual effects in locations along the coast which are likely to be significant.

Finally on Heritage the proposal would have a moderate adverse impact from the Burrow Wall fort resulting in a deteriation of the view.

The applicant’s evidence refers to previous appeal decisions at Enifer Down, Devon which considered residential amenity (Lavender test) “is it an unattractive and unsatisfactory (but not necessarily uninhabitable) place to live”. They also refer to an appeal at Burnthouse farm which considered whether the visual impact would be “unpleasant, overwhelming and oppressive “to the occupiers of the dwelling.
The applicant contests that by virtue of the location of the dwellings, the existing outlook with industrial buildings, turbines and turbines plus vegetation that these thresholds are not triggered.

The councils independent peer examination also reviewed the applicants examined visual impact evidence. The report accounted for the distribution of built development in the locality and attached a medium to high sensitivity for people living in the area. The survey identifies six samples of properties within 2.4km and seven sample properties/settlements within 6km.

It considered that properties in Senhouse St-Siddick experience a medium adverse magnitude of change. Seaton would experience a large adverse impact (including its western edge) and large adverse impact would occur at Northside. Properties between 2.4km and 6km had a negligible magnitude of change.

This resulted in Senhouse St- Siddick, Seaton (some properties on western edge only), Hawk Hill and Seaton Road and Northside having significant adverse visual impact. Other properties elsewhere would not have significant impacts. However most properties within 2.4m would not experience a change of view, or would not experience a significant visual impact. The properties therefore which will experience significant impact are some houses on the north west of Seaton, some houses on Seaton road, some houses on the northern edge of Northside and some houses to the west of Iggesund.

The independent assessment outlines “there is no right to a view in English Law. However changes in views which could be considered to be “overbearing “ or unduly obtrusive “are taken into account in planning. Public inquiry and Appeal decision making”

The four locations were examined in the peer review greater detail to allow for; scale of change in the view, degree of contrast with features in the view, duration and nature of change, angle of view and size and proximity of new features in the view.

(i) Senhouse St -Siddick – introduces new turbines behind the factory. There would be more movement in the view at a higher level with more people likely affected at the southern end of the street. The views would not be incongruous in terms of the scenery, but increase the dominance on man- made features in the view which would last for 25 years

(ii) Western Seaton. There are some houses at the top of the ridge with views out to sea and the industrialised corridor. This is rural agriculture (foreground) industrial and coastal elements and the sea / sky beyond with longer views of the Scottish coastline in the distance. These are broken up by vertical elements; chimneys/pylons and wind turbines. Only a small number of houses have this view as others are shielded by houses or vegetation or orientated away from the view or are sited on the lee side of the ridge. A small number of houses (approx 4-5) will have clear views of the turbines approx. 500m distance in front of the factory “There would not be a change in the type of view , but for those affected , wind turbines would be a more prominent part of the view’s”

(iii) Hawk Hill / Seaton Rd – Existing houses have views across fields. There are many vertical elements but these tend to be in the distance. The proposed turbines would increase the size and prominence of vertical, man-made, moving features in the view seen in the middle distance (1.2km). The biggest change
in the view would be the movement of the blades against the horizon rather than the size of the elements in the view.

(iiv) North Northside – Existing houses have views over Siddick Pond, Dunmail Park and Iggesund factory with scrubland in the foreground. Existing turbines line the horizon in the distance. A small number of houses would have oblique views of new turbines (750m distance)- This would not change the view, but this affected wind turbines would become a more prominent part of the view and the movement of the blades would be visible on the skyline.

The peer assessment also looked at the people working in the vicinity of the site and those passing through the area but concluded that they would not experience in any adverse significant effects.

Overall officers attach significant weight to those properties that would experience significant adverse impacts on the western side of Seaton. The proposal is clearly within 800m of residential properties and therefore is contrary to Policy S19 of the Local Plan. Whilst the orientations of houses on Hazelgrove estate limit the direct visual impact of the turbine it will remain a dominant feature in the streetscene. The properties on Building Farm Close have habitable rooms with a direct overview over T1. It is considered it will be an adverse dominant feature in the foreground of the industrial buildings exacerbated by their closer proximity, size, higher level and movement of their blades. In officer opinion this would result in an unpleasant, overwhelming and oppressive impact resulting them being an unattractive and unsatisfactory place to live, contrary to Policy S19. Furthermore officers highlight that visual concerns were highlighted by the local community in the objections from the parish/town council and the letters of objection which need to be considered under the guidance in the Ministerial statement.

**Landscape and Visual Cumulative Effects**

This matter is assessed in the applicants EIA and was also outlined within several of the stakeholder consultation responses. The applicant has applied a 30km study area incorporating existing and consented turbines within this distance.

The applicants list of other turbines in the ES are as follows ;
<table>
<thead>
<tr>
<th>Site</th>
<th>Location</th>
<th>Number</th>
<th>Maximum power output (MWe)</th>
<th>Height to hub (m)</th>
<th>Height to tip (m)</th>
<th>Approx Distance to proposed site (km)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eastman (Voridan)</td>
<td>Workington, Cumbria</td>
<td>2</td>
<td>4</td>
<td>67</td>
<td>108</td>
<td>0.5</td>
</tr>
<tr>
<td>Siddick</td>
<td>Workington, Cumbria</td>
<td>0.6</td>
<td>4.2</td>
<td>40</td>
<td>61</td>
<td>1</td>
</tr>
<tr>
<td>Oldside</td>
<td>Workington, Cumbria</td>
<td>0.6</td>
<td>5.4</td>
<td>40</td>
<td>61</td>
<td>1.4</td>
</tr>
<tr>
<td>Flimby Wind Farm</td>
<td>Flimby Cumbria</td>
<td>2.05</td>
<td>6.2</td>
<td>-</td>
<td>-</td>
<td>4</td>
</tr>
<tr>
<td>Winscales Moor</td>
<td>Winscales, Cumbria</td>
<td>0.85</td>
<td>5.95</td>
<td>50</td>
<td>81</td>
<td>4.5</td>
</tr>
<tr>
<td>Harrington Parks Farm</td>
<td>Coppers Hill,</td>
<td>0.33</td>
<td>0.33</td>
<td>-</td>
<td>60.3</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>Workington</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Officers are aware than there were inaccuracies in this evidence especially relating to the Winscales turbines which refers to 7 turbines whereas there are 18 turbines at Winscales under different consents. This results in 39 turbines within 5km of the application site rather than the stated 28 in the assessment. Similarly there are some inaccuracies on their heights and there are additional turbines consented at appeal (West House and Fox House Dearham).

The applicants ES assessment considers there will be no direct or indirect landscape effects on the Lake District National Parks landscape due to the separation distance and the intervening landscape and topography and the size of the development. Whilst there is no direct impact, there would be an indirect impact to the southern section of the coastline at Maryport in conjunction with the existing turbines at Eastman Siddick, Oldside and Wythegill. Although the development would be apparent the cumulative

<table>
<thead>
<tr>
<th>Site</th>
<th>Location</th>
<th>Turbine output (MWe)</th>
<th>Number</th>
<th>Maximum power output (MWe)</th>
<th>Height to hub (m)</th>
<th>Height to tip (m)</th>
<th>Approx Distance to proposed site (km)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lowca</td>
<td>Lowca, Cumbria</td>
<td>0.66</td>
<td>7</td>
<td>4.62</td>
<td>40</td>
<td>63.5</td>
<td>8</td>
</tr>
<tr>
<td>Fairfield Farm</td>
<td>Pica, Cumbria</td>
<td>1.3</td>
<td>5</td>
<td>6.5</td>
<td>50</td>
<td>80</td>
<td>9</td>
</tr>
<tr>
<td>Tallentine</td>
<td>Tallentire, Cumbria</td>
<td>2</td>
<td>6</td>
<td>12</td>
<td>-</td>
<td>-</td>
<td>11</td>
</tr>
<tr>
<td>Robin Rigg (offshore)</td>
<td>Solway Firth</td>
<td>3</td>
<td>60</td>
<td>180</td>
<td>70</td>
<td>115</td>
<td>13</td>
</tr>
<tr>
<td>Wharrel's Hill</td>
<td>Bothel, Cumbria</td>
<td>1.3</td>
<td>8</td>
<td>10.4</td>
<td>50</td>
<td>81</td>
<td>18.6</td>
</tr>
<tr>
<td>Hellrigg Re-submission</td>
<td>Abbeytown, Cumbria</td>
<td>2.3</td>
<td>4</td>
<td>9.2</td>
<td>-</td>
<td>-</td>
<td>26</td>
</tr>
<tr>
<td>WWU High Pow</td>
<td>Bolton Low Houses, Cumbria</td>
<td>1.3</td>
<td>3</td>
<td>3.9</td>
<td>60</td>
<td>95</td>
<td>26.6</td>
</tr>
<tr>
<td>Winscales</td>
<td>Workington</td>
<td>0.66</td>
<td>3</td>
<td>1.98</td>
<td>-</td>
<td>-</td>
<td>30</td>
</tr>
</tbody>
</table>

Consented Projects:

<table>
<thead>
<tr>
<th>Site</th>
<th>Location</th>
<th>Turbine output (MWe)</th>
<th>Number</th>
<th>Maximum power output (MWe)</th>
<th>Height to hub (m)</th>
<th>Height to tip (m)</th>
<th>Approx Distance to proposed site (km)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wythegill</td>
<td>Near Workington</td>
<td>0.66</td>
<td>3</td>
<td>1.98</td>
<td>-</td>
<td>-</td>
<td>1.5</td>
</tr>
<tr>
<td>Tarn Bank</td>
<td>Winscales, Workington</td>
<td>0.5</td>
<td>1</td>
<td>0.5</td>
<td>-</td>
<td>-</td>
<td>4</td>
</tr>
<tr>
<td>High Mains</td>
<td>East Town End, Winscales</td>
<td>0.5</td>
<td>1</td>
<td>0.5</td>
<td>-</td>
<td>-</td>
<td>4.5</td>
</tr>
<tr>
<td>Potato Pot</td>
<td>Branthwaite, Workington</td>
<td>2</td>
<td>3</td>
<td>6</td>
<td>-</td>
<td>-</td>
<td>8</td>
</tr>
<tr>
<td>Brayton Park</td>
<td>Brayton, Aspatria, Wigton</td>
<td>0.5</td>
<td>1</td>
<td>0.5</td>
<td>-</td>
<td>-</td>
<td>17.5</td>
</tr>
<tr>
<td>Prospect House</td>
<td>High Scales, Aspatria, Wigton</td>
<td>0.9</td>
<td>1</td>
<td>0.9</td>
<td>-</td>
<td>-</td>
<td>22</td>
</tr>
<tr>
<td>Firs Farm</td>
<td>Crookdale, Wigton</td>
<td>0.5</td>
<td>1</td>
<td>0.5</td>
<td>-</td>
<td>77</td>
<td>22</td>
</tr>
<tr>
<td>Westnewton Wind Farm</td>
<td>Westnewton, Cumbria</td>
<td>2</td>
<td>3</td>
<td>9</td>
<td>-</td>
<td>107</td>
<td>18</td>
</tr>
</tbody>
</table>
impact would be negligible. The applicant contests there are no cumulative impact on heritage assets or their settings due to their distance from other operational and consented sites.

The applicant refers to the landscape character type for the turbines (Ridge and valley) and its medium sensitivity. The ES suggests the turbines would result in a minor increase in the perception of the wind turbines with limited effects on the area. Therefore there will be no discernible effects or that any detrimental skylining effects would occur in views from the coastline. It is considered the significance of cumulative effects would be moderate—slight which would not be significant in the context of the EIA regulations. The cumulative impacts of the combined turbine schemes are displayed on the Zone of theoretical maps. The cumulative impacts of combined turbines are also demonstrated within four of the ten turbines viewpoints. Residential receptors of a high sensitivity would have a slight and not significant cumulative visual effect. Any predicted significant impact effect would extend over an area 1km from Iggusund reducing to not significant 5km from the site. The significant effect viewpoints include VP1, VP2 and VP10.

Any sequential cumulative impacts are limited in view from the A595 either are non-existent with no significant effect. Alternatively there would be potential views from the A596 but these would be seen alongside the existing turbines result in on a slight and not significant visual effect. Intermittent views will occur for east and westbound traffic on the A66 near the Winscales Moor development but the cumulative effect would be slight and not significant. The ES considers the cumulative impacts would not be adverse because the scheme does not introduce a new landscape element. The relationship with the Oldside, Siddick and Eastman turbines will provide visual cohesion within a limited area of coastal landscape and would not introduce “skylining effects”. The landscape effects would be localised due to the limited size and scale of the windfarm. The ES concludes that the site is within an area with the capacity to accommodate a small group of turbines similar in scale to the cluster proposed and therefore considers it is acceptable at this location.

The independent peer assessment also assessed cumulative impact considered existing consented and proposed turbines with the significant impacts limited to 6km (hence also excluding the Fox house and West House turbines). The impact was assessed with 2.4m radii for the larger turbines (Voridian) and 1.44km for the smaller Siddick and Oldside turbines which reflects the guidance for the larger turbines and the proportion for the smaller turbines. It is considered the proposal would be seen as one large group. The would be no cumulative impact in the landscape character as it would be seen as part of a group and other vertical elements, especially as they also would be viewed from few places and would not interfere with the character of the area. On cumulative visual impact the peer review it will result in a more dominant view from Workington and Stainburn, but given existing development they are unlikely to be significant. From Northside the proposal would be seen as part of a group. Views from Hawk Hill would have limited combined views with the existing turbines. The most noticeable cumulative effect is from Senhouse St-Siddick and the NW tip of Seaton. However this is likely to be negligible adverse due to the orientation of these houses which means dwellings will not be affected by the existing and proposed turbines at the same time.

Sequentially would not cause significant cumulative impacts as it primarily relates
movement along the north south alignment of the existing wind farm landscape.

Officers concur with the views of the peer assessment that cumulatively it will be seen as part of the group of the existing windfarm landscape and will not be perceived as a separate group introducing new and elongated views of the existing group of turbines. However it is recognised that the subject of cumulative impact was highlighted by the local stakeholders and given the high level of local representation it can be taken that these concerns have not been addressed.

**Noise**

Interrelated to the subject of visual amenity and living standards (reflecting Policies S19 and S32) is the issue of noise which was raised within the representations. The applicant has undertaken a detailed noise assessment in accordance with ETSU-R-97. This includes measuring existing baseline noise levels to evaluate both the individual and cumulative noise levels relating to that from the other turbines or industrial uses both in daytime and nighttime hours.

The council’s environmental Health department have assessed this noise evidence and sought an independent assessment to identify whether it complies within current guidelines in the ETSU –R-97 document. Unlike rural remote locations on other turbine development this site is located in proximity to existing noise generating activities deriving from the nearby factories, the transportation links as well as the existing turbines.

The noise impact assessment (dated September 2015) of the revised 2 turbine proposal was peer reviewed by an acoustic consultant employed by Allerdale Borough Council. The review concluded that taking account of the increases in noise allowed for the existing and consented schemes in the area, the predicted noise levels exceed the ETSU derived noise limits. In addition to this it was concluded that the potential noise emissions from neighbouring sites could be higher than assumed in the noise assessment, as set out in current IOA good practice guidance, therefore leading to potential higher predicted excess over the ETSU derived noise limits. The applicant argues that this could be remedied through operation of the turbines in the reduced noise modes. There is however no mitigation details supplied to demonstrate how this can be achieved. There is therefore not enough information presented to conclude that the proposed turbines could operate such that cumulative noise limits would not be breached in practice. The applicants propose to address this concern through a condition, however the applicants have not submitted for consideration a proposed wording of such a condition which could be considered for review.

The IOA (Institute of Acoustics) good practice guidance recognises that the planning inspector, with respect to another wind farm application, determined that the construction of such a condition was ‘not straightforward, with potential difficulties of enforceability’ and ‘is questionable whether such a requirement would meet the tests which are applicable to planning conditions’. The Council’s consultant would also caution against such an approach as concerns remain regarding the assessment approach taken and the likelihood that the proposed scheme could achieve the noise limits in practice.

Discussions are ongoing between the noise consultants and members will be updated at the meeting. However unless this aspect is resolved it is considered that in the absence
of evidence to the contrary there is insufficient evidence to demonstrate compliance with current guidance.

The additional housing development on the western periphery of Seaton under 2/2015/0308 by virtue of being submitted after the applicant’s submission does not include noise evidence within the EIA assessment. However it is considered that it can only be reasonably given weight upon the issuing of any approval decision for the outline residential development.

Noise is another specific topic raised in local representations and therefore also additionally needs to be evaluated under the ministerial guidance.

**Shadow Flicker**

In assessing wind turbine development it is accepted that shadow flicker is only likely to be an issue within 10 x rotor diameters of the candidate turbine (90m rotor diameter) and within 130 degree either side of north relative to the turbine.

In this case the applicants revised shadow flicker document suggests that at least up to 400 properties will be potentially affected by shadow flicker within a 900m distance of the turbines. The ES shadow flicker worst case survey evidence includes receptors from 7 sample local properties within the zone and stipulates the level (hours and times) of shadow flicker that may be experienced at these properties (between 8-161 hours per year). It states that the extent of this impact may be affected by site position, separation distance, wind turbine size and number, cloud cover, horizon diffusion, shielding, wind speed and direction, window size and orientation. It advises that although there is no national planning policy or guidance, it is considered 30 hours per year or 30 minutes per day are acceptable. A mitigation strategy including a procedure for complaints would need to be secured by planning condition.

Officers consider the option of the provision of blinds is both unreasonable and unenforceable. The applicant recognises the extent of the shadow flicker and is agreeable to the concept of agreeing a protocol for the timed switching off of the turbines based on a predicted model of a computer program. This mitigation practice has been applied elsewhere on other turbine schemes and would address any disturbance from this activity.

However officers acknowledge that this is a high number of affected properties and despite proposed mitigation measures therefore similarly needs evaluating under the ministerial guidance.

**Highway**

The proposed sites are located in close proximity to the existing strategic highway network. Following the omission of T3 the applicant advises the works would generate 2271 vehicle trips of which 1600 will be staff.

The highway authority have indicated no objections to the proposal on highway grounds and the County have indicated that the relocation of street furniture for former turbines in the area will assist in the delivery of any future abnormal loads.

Officers highlight that the proposal is independent and would not supersedes the biomass operations at the site and their associated traffic movements.

As the proposal access is both acceptable in terms of highway capacity for the
development traffic and its physical works the proposal is considered acceptable.

Ecology and nature Conservation

The applicants report advises that the assessment of this subject was via both desk top and field study surveys. The sites concerned are not directly within any designations, the nearest being Siddick Ponds SSSI and Local Nature reserve. There is one non-statutory designation which is Hazeldgill’s county wildlife site ancient semi natural woodland. A detailed phase 1 habitat survey was undertaken in March 2012 to identify and record any protected species and their habitats. A range of species were identified including: badger, otter, water vole, red squirrel, bats, birds, reptiles, white clawed-crayfish and small blue butterfly. It was considered of negligible value for badgers, water vole and red squirrel and white clawed crayfish. Otters were known to be present but subject to maintaining a 50m buffer from Ling beck (except a crossing point it is considered there would be no significant effects. Bat surveys were undertaken in 2013 but very low levels of high risk and low risk species, and low levels of medium species were found to use the site. Given the enhancement of local hedgerows the impacts were considered not to be significant. Given the small area to be affected it was considered small reptiles would not likely be affected by construction works. Mitigation measures are recommended to safeguard these species. Six patches of kidney vetch which support small blue butterflies were identified. Mitigation measures are to be introduced to make sure these habitats are safeguarded thus ensuring there is no significant impact. No cumulative impacts were identified.

The applicants also undertook a breeding bird survey which identified 48 species of which 34 had the potential for breeding. Wintering bird surveys identified 46 species including important species; Golden plover, Bittern and Whooper swan which were primarily concentrated in the swan area used for foraging. It was considered there would be negligible effects on ornithology with no resulting loss of habitat. The risk to Golden Plover was less than 1% from collision. Any site clearance will occur outside breeding bird season. The ES evidence suggests no residual impacts are predicted following the implementation of the mitigation.

Officers acknowledge that the site is clearly sensitive given the close proximity of the Siddick ponds designated SSSI. The initial consultation responses from the wildlife agencies (including Natural England) identified shortfalls in the extent of bird surveys that had been undertaken as part of the assessment, prompting additional surveys during the earlier part of this year. The applicant subsequently decided to omit T3 from the scheme in order to address the concerns of Natural England on the potential impact of the development on the bird population of the pond.

Subsequent consultation responses from the wildlife agencies withdrew their original ecological objections to the proposal. Whilst T2 may have the potential for some impacts, the extent of these is considered to be insufficient to warrant the refusal of the application. Consequently further to the omission of T3 turbine from the development officers considers the ecological merits of the scheme are acceptable subject to conditions. There are opportunities to enhance the wildlife potential of disturbed sections
of the site.

As the omission of T3 turbine was in direct response to the objections relating to nature conservation it is considered this topic raised by the local community has been addressed especially given the additional weight of the withdrawn objections from Natural England and the RSPB.

**Built Heritage and Archaeology**

The ES advises that the proposal has the potential for minor adverse effects on undiscovered remains to be moderate to high. The location of Burrows Walls roman fort and signal station 29 suggests roman occupation in proximity to the site. Additional Romano-British evidence relating to the world heritage site also exists in the locality. Archaeology may also potentially exist for earlier periods (Bronze and Iron Age) and the medieval and post medieval periods.

The proposal has the potential for temporary effect on the setting of heritage assets associated with the WHS in a moderate large manner. Other designations include plus four scheduled monuments.

The ES identifies one Grade 1 and one Grade 2* listed buildings within 1km of the proposed development with an additional Grade 1 within 3km and three Grade 2* within 2km. There are 30 other grade 2 listed buildings within 2km.

The ES assessment has measured the environmental impact on the impact of the development on the character and setting of the listed buildings. None of the designations would be directly affected. During the operational phase the buried heritage assets and neutral. The moderate adverse impact will be on 2 scheduled monuments within Hadrian's Wall world heritage site and two associated non designated assets within the same Heritage site.

Whilst there will be a residual effect on the significance of the setting of four designated assets following the implementation of the mitigation works reference is made to the two other operational wind energy developments in the locality and the recent approved scheme at Wythegill which already depreciate the significance of the setting. The remaining assets will be impacted upon in a slight adverse manner.

English Heritage highlighted the sensitivity of the site and its impact on the Hadrian’s Wall World Heritage site and the OUV. However on balance given the existing development in the locality they do not raise any objections on the impact on the setting of the heritage assets.

The County archaeologist did initially raise concerns on the archaeological impact relating to the possible siting of the former Roman signal tower requesting archaeological evaluations prior to determination to verify the sensitivity of the site. A series of trial trenches have been dug. The County archaeologist has examined the findings and raised no objections subject to further planning conditions to facilitate the monitoring of the site. Officers therefore consider the heritage aspects of the development are acceptable.

**Hydrology, Hydrogeology and Geology**

During the construction phase there are potential impacts upon the hydrological receptors at the site, including the sensitive water environment of Siddick ponds SSSI. The Environment agency raise no objections subject to mitigation conditions and any such potential pollution impact will be reduced given the greater separation distance
following the omission of T3 turbine.

**Electromagnetic Interference (EMI), Aviation and RADAR**

NATS and the MoD have raised no objections to the proposal, nor has Stobart Air on behalf of Carlisle Airport. As such, the scheme is considered acceptable in terms of aviation safety and radar insofar as these agencies’ interests are concerned. These organisations have requested notification should there be approval of the scheme and erection of the structures. This could be dealt with by suitable condition if planning permission were given.

Aquirva (representing the BBC, ITV and Re-Broadcast Links) and JT radio have raised no objection to the proposal. Based on the consultation responses, the proposal is considered acceptable in relation to electromagnetic interference (subject to condition to safeguard a future complaint protocol).

**Tourism**

The issue of potential effects on local tourism within the locality, especially with the proximity to the C2C cycleway has been raised within several of the objection representations. However, the Inspector on the Parkland/Hellrigg appeal, in evaluating impact on tourism including the AONB, considered that if there was not a significant impact on the landscape then the degree of effect on attracting visitors would be limited. He considered the evidence of Scottish research submitted at the appeal indicated that the small number of people discouraged from visiting was insignificant. In the absence of any conclusive evidence on this issue, officers consider it would be difficult to sustain a reason for refusal. Further to the Hellrigg appeal officers consider that there is no specific detailed local evidence to demonstrate any conclusive views backed up with evidence.

**Ministerial guidance**

The recent ministerial guidance can be summarised as follows

**Ministerial statement (April 2014)** “We have published planning guidance to help ensure planning decisions on green energy do get the environmental balance right in line with the National Planning Policy Framework. The guidance is designed to assist local councils in their consideration of local plans and individual planning applications. In publishing the guidance, we have been quite clear that the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities.”

**Ministerial statement (June 2015)** A Ministerial Statement has been published on 18 June 2015 relating to the determination of wind turbine development the statement outlines:

“local planning authorities should 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.

In applying 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 a proposal has the backing of the affected local community is a planning judgement for the Local Planning 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."

As this individual application was received prior to the Ministerial advice the transitional provisions within the guidance are applicable to this proposal.

Officers attach substantial weight to the recent ministerial guidance which applies new considerations relating to the views of the local community in determining on shore turbine applications. The weight of this guidance in accounting for the views of the local community and whether their concerns have been addressed have been highlighted in the dismissal of recent appeals for wind turbine development. As the application was received prior to the guidance the transitional arrangements prevail with members requiring to assess whether the views of the local community have been accounted for. The applicant considers that the proposal has been evaluated by the respective professional statutory stakeholder consultee’s objectors and their objections have been resolved under planning guidance including the omission of T3 turbine. They advise their business employs approx. 400n direct staff and similar as subcontractors which equates to 15% of the workforce or 2% of the total population of Seaton (5000). They highlight the important contribution of their factory to the local economy and the need for further investment in green initiatives. They therefore consider the merits of the proposal are acceptable.

However officers highlight that the proposal has been the subject of objections from the County and parish council as well as a large number of local representation which are predominantly local residents. The range of their comments is diverse but do contain common themes with an emphasis on cumulative impact and the potential impact on amenity. Although some issues could be interpreted as resolved e.g. nature conservation other remains the same as submitted and have not been amended in response to the comments.

Local Finance Considerations

Having regard to S70 (2) of the Town and Country Planning Act the following local finance considerations are relevant to the consideration of the application
Summary and Conclusion

Officers do not dispute the proposal's possible 6MW power output will constitute a renewable form of energy which will provide economic benefits to the applicant and also assist in generating supporting an increased supply of renewable energy to the national electricity infrastructure network.

The NPPF explains that all communities have a responsibility to help increase the use and supply of green energy, but this does not mean the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities.

It is essential that members in determining the merits of the current application need to balance the renewable energy benefits of the proposed development and its contribution to energy targets against any harm arising from its environmental impact. However it is essential that it also accounts for the recent up to date ministerial guidance to establish whether the concerns of the local community have been addressed. The Planning Practice Guidance was also updated in June 2015 to reflect the details of the recent ministerial statement.

The council attach significant weight to the recent ministerial guidance, under which the transitional approach is applicable. There have been objections from the County council, Workington and Seaton parish councils plus another 144 letters of objection from the public. The grounds within these objection representations predominantly relate to planning considerations. The reasons for objection generally relate to adverse visual, landscape and cumulative impacts, noise, ecology, shadow flicker, aviation safety and an adverse effect on communications and that. Matters of a loss of view and any reduction in house prices within the locality are not 'material' planning matters that can be considered as part of the balancing of this assessment.

Although some have been addressed e.g. the omissions of T3 turbine, others despite independent assessment have not been amended and therefore from the local perspective remain unresolved. Alternatively there was one letter of support. As the amenity subjects of visual impact, cumulative visual harm, noise and shadow flicker have not been addressed to the satisfaction of the local community it is interpreted from the large volume of objection representations that it does not have their backing.

In the absence of the support of the local; community, the principle of the development is therefore considered to be contrary to the ministerial statement (June 2015) and the accompanying Planning Practice Guidance 2015.

The Allerdale Local Plan (Part 1) adopted July 2014 clearly establishes that the Council will seek to promote and encourage the development of renewable and low carbon energy resources given the significant wider environmental, community and economic benefits. The Council will take a positive view if: The proposal (either in isolation or cumulatively) does not have an adverse impact on the amenity of local residents (amongst other matters to include noise, water pollution and shadow flicker); that do not have significant adverse impact on the location in relation to visual impact or impact on the character and sensitivity of the surrounding landscape; and do not have an adverse effect on protected nature conservation sites, including qualifying habitats and species; also that does not have unacceptably adverse impacts on heritage assets and their
setting; it can be demonstrated that the development would not have significant adverse
effect on protected bird species; and that appropriate operational requirements are
addressed and measures to remove structures and restore sites should the sites become
non-operational.

Protecting local amenity is an important consideration which is given weight in the
consideration of this application. Whilst recognising the potential benefits of the proposed
wind farm and the contribution it would make to meeting renewable energy and low
carbon targets this must be balanced against the likely adverse visual effects.

In the interests of safeguarding residential amenity and safety, the Allerdale Local Plan
July 2014 states that a minimum separation distance of 800m between turbines and
residential properties will be expected. In this scheme a large volume of properties would
be within 800m of either turbine. After considering physical characteristics of the site
including orientation of views, land cover, other buildings and topography, it considered
that at least 2 dwellings (2 and 3 Buildings Farm Close, Seaton) would experience an
‘overbearing or overpowering’ impact due to the open and elevated outlook over the
turbines and their close proximity which is well within the 800m distance specified, under
Policy S19. The loss of amenity is therefore considered contrary to Policies S19 and S32
of the local plan.

Furthermore the issues relating to the impact of noise from the turbines have not been
satisfactorily addressed to demonstrate compliance with the ETU-97-R guidance. Whilst
acknowledging the background noise from the applicant’s industrial plant and other
turbines in the locality, the applicant’s submitted evidence indicates that cumulatively the
proposal may potentially adversely affect the residential amenity of properties in the
locality. (The proposal has a closer location to the properties in Seaton.) The proposal in
terms of noise and detrimental impact on residential amenity is similarly contrary to
policies S19 and S32 of the local plan.

In balancing of all material planning considerations including any potential for mitigation,
plus the recent ministerial guidance the benefits of the two proposed turbines is
outweighed by their adverse environmental impact. I.e. the national benefits to meet
renewable energy targets do not outweigh the local disbenefits. This is by virtue of the
amenity objections of the local community and the parish/town and County councils not
being addressed and consequently being contrary to the recent planning ministerial
statement which seeks on shore windfarms to have the backing of the locality.
In addition it is considered that the visual amenity of the proposal would result in
significant adverse harm to some existing residential properties on the western edge of
Seaton. Also the applicant has failed to demonstrate to the satisfaction of the
Environmental Health officer that the proposal would comply with current ETSU-97-R
guidance. It is therefore recommended that the application be refused.
Annex 1

Reasons for Refusal

1. The Local Planning Authority consider the County council, parish town council and local representation objection grounds relating to loss of amenity including cumulative visual impact, noise disturbance, harmful visual impact and shadow flicker from the proposed two turbines have not been satisfactorily addressed and their do not have the backing of the local community. The proposal is therefore contrary to Planning Practice guidance Renewable energy and low carbon energy 2015 and the ministerial statement (June 2015).

2. The proposal would result in significant adverse visual effects to the residential amenity of the occupiers of 2 and 3 Building Farm Close Seaton which are not outweighed by the potential benefits of the proposed wind turbines and the contribution it would make to meeting renewable energy and low carbon targets. The proposal is therefore considered contrary to policies S19 and S32 of the Allerdale Local Plan (Part 1) adopted July 2014 and the advice contained within the National Planning Policy Framework 2012, the Planning practice Guidance Renewable and Low carbon energy (June 2015) and the Ministerial statements dated April 2014 and June 2015.

3. The local Planning Authority considers insufficient evidence has been submitted to demonstrate that the proposal would not cause an unacceptable noise disturbance to the amenity of residential properties in the locality of the site. The proposal is therefore considered contrary to policies S19 and S32 of the Allerdale Local Plan (Part 1) adopted July 2014 and the advice contained within the National Planning Policy Framework 2012, the Planning practice Guidance Renewable and Low carbon energy (June 2015) and the Ministerial statements dated April 2014 and June 2015.

Proactive Statement

Application Refused With Discussion – With Way Forward

The Local Planning Authority has acted positively and proactively in determining this application by identifying planning policies, constraints, stakeholder representations and matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve all those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out within its report, the outstanding matters needing to be remedied to address the harm identified within the reasons for refusal— which may potentially lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.