Allerdale Borough Council
Planning Application 2/2015/0296

Proposed Development: Installation of a single wind turbine with a maximum height to tip of 45m
Location: Moor House Farm
Access Road To Moorhouse Farm
Winscales
Workington

Recommendation: REFUSE

Summary/Key Issues

<table>
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<th>Issue</th>
<th>Conclusion</th>
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<tbody>
<tr>
<td>Principle of development</td>
<td>The Allerdale Local Plan (Part 1) 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. Paragraph 93 of the NPPF makes clear that the provision of renewable energy infrastructure is central to the economic, social and environmental dimensions of sustainable development. Regard should be made to the Ministerial Statement of 18 June 2015 which states planning permission should only be granted where: • 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</td>
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<tr>
<td>Residential amenity</td>
<td>The proposed turbine is within 517m of the nearest properties of the residential estate in High Harrington. It is considered that the topography and woodland does provide a varying degree of screening and existing pylons provide some visual distraction. Although this would help to mitigate impact, there is significant objection from the local community including residents and parish councils regarding visual amenity affecting living conditions.</td>
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<tr>
<td>Visual and landscape impact</td>
<td>There will be a varying level of visual impact locally and in the wider landscape mitigated by woodland screening. There is local objection on this matter of landscape impact.</td>
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</table>
**Cumulative and sequential impact**

The proposed turbine will be seen coincidentally with the existing turbine at the site and to a lesser degree with others in the wider area. Separation distances between turbines and the local topography and other vertical structures will mitigate the impact. There is however local objection.

**Nature conservation**

An ecological report has been provided regarding habitats and protected species. It is considered that the proposed development by virtue of its siting away from hedgerows and woodland would not have a significant adverse impact on nature conservation interests.

**Heritage**

The proposal will not have a significant adverse impact on any designated heritage assets. The nearest Listed Building is Cross House 1.42km west.

**Operational requirements**

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

**Potential benefits**

The proposal will make a contribution to renewable energy deployment nationally. It would also make a contribution to the running costs of the farm business, creating an alternative source of income, supporting rural enterprise and economic activity.

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**Proposal**

The proposal is for the erection of a single wind turbine on a concrete base of 30 metres hub height and 45 metres total height. The model specified for illustration purposes is of a three blade design.

There are plan details provided of ancillary ground control box with a new access across the applicant’s field from the existing farm track.

The supporting information indicates that the electricity generated by the proposed turbine would provide energy to the farm business and the surplus fed back to the national grid with the income generated helping to sustain the business. The proposed turbine will supplement the income already generated from the existing turbine as a means of ensuring the financial sustainability and resilience of the farm business. The existing mixed farm of food production is principally that of free range egg production.

**Site**

The application site relates to the corner of agricultural field adjacent to the farm access track and within close proximity of the public highway A597. The site and the host farm are located on the outskirts of Workington in open countryside. The land cannot be considered strictly rural and exists as a buffer between the residential suburbs of High Harrington noted 500 metres north and the extensive industrial area of Lillyhall 500 metres south of the proposed turbine site.
An existing turbine 47.1 metres high at the host farm is visible close to the farmhouse and within 250 metres of the proposed site. A prominent telecommunications mast of significant height is within the industrial site to the south.

The landscape rises from the coast to the proposed site that is generally flat and therefore elevated in relation to Workington. The land plateaus before gently undulating towards the south east with distant rural villages and the Lake District beyond.

The farm holding and field subject of the application is crossed by a line of pylons. Mature woodland areas form linear features to the field boundaries and provide a varying level of screening to the nearby residential properties at High Harrington. The farm itself is in a mixed use, part agricultural - a free range poultry farm of 36ha, part commercial, with a number of agricultural sheds and some external storage of trailers and portakabins.

The nearest dwellings are the applicant’s farmhouse (155 metres), and numerous residential properties on the edge of a residential estate at High Harrington (Inglewood Close 517 metres).

Relevant Policies

National Planning Policy Framework

Meeting the challenge of climate change, flooding and coastal change
Conserving and enhancing the natural environment
Conserving and enhancing the historic environment
Supporting a prosperous rural economy

Planning Practice Guidance for Renewable and Low Carbon Energy June 2015

Allerdale Local Plan (Part 1) Adopted July 2014

Policy S1 - Presumption in favour of sustainable development
Policy S14 - Rural economy
Policy S19 - Renewable energy and low carbon technologies
Policy S27 - Heritage assets
Policy S32 - Safeguarding amenity
Policy S33 - Landscape
Policy S35 - Protecting and enhancing biodiversity and geodiversity
Policy S36 - Air, water and soil quality
Policy S4 - Design principles
Policy DM17 - Trees, hedgerows and woodland

Relevant Planning History

A screening opinion has been issued by the Local Planning Authority confirming that the turbine is not considered EIA development and a formal Environmental Statement is not required.
Of some significance is the application for a single turbine 47.1 metres high approved by Development Panel under ref 2/2011/0444. This turbine is part of the same host farmstead and the material planning considerations and characteristics of impact are relevant to this application for a second turbine at the site.

With regard to the existing turbine at Moorhouse farm The Planning Officer’s report concluded as follows.

“In balancing the harmful effects of the proposal, which are in the main limited to the impact on the landscape, against the benefits arising from the promotion of renewable energy development, it is considered that the visual harm identified is outweighed by the benefits arising from the proposal. The recommendation therefore is for approval subject to conditions.”

More recently an application for a solar park ref 2/2014/0899 at Moorhouse Farm was refused by Development Panel with regard to adverse visual and landscape impact.

Representations

Workington Town Council – Objection on the grounds of ‘undesirable coalescence of the turbine zone.’

Winscales – Objection on the grounds that ‘there are already a high number of wind turbines in the vicinity; it is felt that there has to be a stopping point.

Seaton Parish Council – ‘Concern at cumulative visual impact’


Copeland District Council – Written confirmation of no comment to make.

NATS – No objection with regard to radar safeguarding.

Civil Aviation Authority – No objection and standing advice.

MOD – No objection.

Natural England – No objection.

Highway Authority – No objection. No significant impact upon the strategic road network wand with access from a private track.

Highways England – No objection. No significant impact upon the strategic road network.

Coal Authority – No objection with standard “note to applicant” regarding unexpected encounter with former mining features.
United Utilities – No objection with standing advice.

Environmental Protection – They have considered the noise assessment submitted by the applicant (including cumulative impact) and agree with the contents of the report and the conclusions reached. Recommend conditions be applied to any approval granted.

Electricity North West – No objection

FORCE – Object:

- Unacceptable impact on residential amenity with a significant number of dwellings within 800 metres contrary to Policy S19 and S32.
- Existing turbine at the farm does not justify or set precedent for a second turbine
- Unacceptable cumulative impact
- Unacceptable ecological impact with further survey recommended within the ecological appraisal.
- Of no justified need with no local benefit.
- Unacceptable impact from noise disturbance and criticism of accuracy of noise assessment

The application has been advertised on site and by neighbour consultation letters.

Thirty-four letters of representation objecting to the application have been received from twenty-one separate addresses of which nineteen addresses are in the immediate area. The main grounds of objection can be summarised as follows:

- Contrary to the Allerdale Local Plan with regard to 800 metre separation distance within Policy S19.
- Proliferation of wind turbines and cumulative impact on landscape.
- Cumulative impact with existing pylons.
- Visual impact in a rural area.
- Noise disturbance.
- Shadow flicker.
- Impact upon health and wellbeing

All the valid points of objection and matters raised by representations received have been fully reported within the body of the report.

Assessment

Policy Context

National Planning Policy and the Allerdale Local Plan (Part 1) 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.

To ensure that the impacts of development (either in isolation or cumulatively) are, or can be made acceptable, Policy S19 of the Allerdale Local Plan sets out clear criteria for the consideration of proposals for renewable energy development, including wind turbines. The criteria most relevant to the consideration of this application are considered below.

In assessing the merits of the proposed development it is necessary to balance the economic, social and environmental benefits of the proposed renewable energy development with any adverse environmental impact of the proposed turbine.

A Written Ministerial Statement on local planning was published on 18 June 2015. In relation to the determination of planning applications for wind turbine development this 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.

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.”

This application was validated on 18 May 2015 and therefore the transitional arrangements apply. The second part of the ministerial statement detailed above is therefore a material planning consideration.

The Allerdale Local Plan (Part 1) adopts the approach of assessing proposals for wind turbines against criteria based Policy S19 and does not identify or allocate specific areas as suitable for wind turbine development.

Whilst Local Plan Policy S19 is of considerable assistance in assessing the planning impacts of the development, as the Local Plan does not identify specific areas or sites as suitable for wind turbine development, this would appear to provide a presumption against further wind turbine development unless, and until, further work is undertaken to
identify suitable areas for such development in Allerdale. To date however this interpretation of the implications of the ministerial statement has not been tested at appeal in Allerdale or indeed elsewhere.

**Visual Impact**

In order to address community concerns and in the interests of residential amenity and safety the Local Plan sets out an expectation that a minimum separation distance of 800m will be provided between wind turbines (over 25m to blade tip) and residential properties. It is recognised that in some cases due to site specific factors such as orientation of views, land cover, other buildings and topography it may be appropriate to vary this threshold where it can be demonstrated through evidence that there is not unacceptable impact on residential amenity. Shorter distances may also be appropriate if there is support from the local community.

In this case there are a substantial number of residential properties within 800m of the application site with the residential estate centred around Seadown Drive, High Harrington 790 metres to the north. The edge of that residential development is 517 metres at its nearest point from the turbine site. Individual streets on the estate are summarised as follows:

- Inglewood Close 517 metres
- Moore Way 571 metres
- Bannatyne Drive 632 metres
- Woodville Way 647 metres
- Ruskin Close 701 metres
- Seadown Drive 790 metres

The nearest individual property to the turbine site excluding the host farmhouse is Whinmill Farm at 833 metres west. Further afield properties at Distington Toll Bar, Winscales Avenue and Furnace Row are 1.2 km south at Distington. Workington is noted to the north with the southern edge of residential development at Moorclose 2.1 km away.

The applicant has assessed the visual impact from near and distant viewpoints including the most sensitive residential receptors. Additional locations have been requested by the case officer as a response to local representations. The residential impact assessment and the photomontages clearly show that the proposed turbine will be visible from some locations including residential properties to a varying degree.

It is not considered by Officers that the impact would be significantly harmful upon visual and residential amenity and would be reduced by a combination of angle of view and orientation of properties, separation distance and intervening trees and woodland screening. The existing pylons as vertical structures in the landscape also punctuate the views. Despite such screening, local objection has been received that considers such mitigation not to be adequate as to protect amenity. With regard to the lack of community support the relevant guidance within the ministerial statement is not considered to be satisfied.

The existing turbine operational at the site was subject to a similar debate regarding
visual impact and residential amenity. The mitigation was considered adequate on that occasion however that decision was prior to the publication of the ministerial statement that now carries significant weight regarding impact upon local communities.

Impact upon other receptors in the wider area including public highways, footpaths and areas of recreation including the golf course is not considered significant.

As a standalone turbine, it is considered by Officers that there is a varying degree of minor visual impact considered more significant and harmful by local residents.

The impact cumulatively and sequentially with other existing and approved turbines is a separate matter reported below.

*Noise Disturbance*

Following initial criticism of the applicant’s noise report, supplementary information has been provided regarding the turbine including cumulative impact with the exiting turbine at Moorhouse Farm. Environmental Health has reassessed the matter via a noise consultant (including investigations into noise complaints relating to the exiting turbine).

In relation to the potential impact of noise from the turbine on residential amenity, the Environmental Heath team advises that this can be mitigated through the use of planning conditions to limit the level of noise from the turbines to satisfy maximum noise levels.

This issue is subject to an evidence based assessment rather than subjective opinion, the local objection to potential noise is therefore considered to have been addressed and not considered a reason for refusal.

*Shadow Flicker*

It is generally acknowledged that the potential impact of shadow flicker on residential amenity is only likely to be an issue within 10 x rotor diameters of the turbine (in this case 300m) and within 130° either site of north relative to the turbine. In this case there are no residential properties within the zone likely to be affected by shadow flicker.

*Landscape impact (cumulative)*

Policy S19 of the Allerdale Local Plan (Part 1) requires consideration to be given to the visual impact of the proposed turbine both individually and cumulatively within the landscape.

The Cumbria Landscape Character Guidance and Toolkit supports appropriately located schemes for wind energy in line with the provisions of the Cumbria Joint Wind Energy Supplementary Planning Document which was adopted by the Council in 2007. The application site is located within Cumbria’s landscape classification Lowland (5a Ridge and Valley).

This area is judged to have moderate landscape capacity to accommodate turbine development of up to a small group (3-5 turbines), exceptionally a large group (6-9 turbines). Of significance to the landscape capacity to accommodate a larger group, is
the industrial linkage with Lillyhall industrial estate to the south that diminishes landscape quality. This has also taken into consideration the concerns expressed within the Cumbria Landscape Character Guidance and Toolkit that turbines around the Workington area have resulted in a sequential impact defining the town perimeter. The turbine subject of this application is not judged to add to this impact.

The applicant has submitted a landscape and visual appraisal assessing the proposed development.

The appraisal comprises a suite of documents and methods of analysis and includes a series of photomontages and assessment from a number of viewpoints in the vicinity of the site and as far away as 6km.

This assessment seeks to demonstrate that whilst there would be some local landscape impact, the turbine could, in the opinion of the applicant, be accommodated without any significant adverse impact. The applicant does acknowledge that the proposal would inevitably have some impact on the area, particularly within 2km of the application site, as it would be a tall structure in the landscape.

In relation to the issue of cumulative impact the applicant’s assessment acknowledges there are a number of viewpoints where the proposed turbine would be viewed in conjunction with existing and approved turbines but again concludes this would not result in a significant adverse effect on visual amenity and the landscape character of the area.

The matter of cumulative and sequential impact is assessed by Officers as follows.

*Cumulative/Sequential Impact*

In order to assess such impact the following turbines existing and approved have been taken into account.

2/2011/0444 Moor House Farm 1 turbine 47 metres 250 metres south-west.
2/2012/0594 Potato Pot 3 turbines 100 metres 3km south-east.
2/2012/0051 Harrington Parks 1 turbine 61 metres 2.9km south-west.
2/2013/0082 Hunday Farm 1 turbine 77 metres 1.4km north east.
02/2012/9011 Lillyhall 4 turbines 99 metres 1.81km east. (Appeal pending).
Winscales Moor Windfarm 20 turbines 60-80 metres 2-5km north-east

Further distant are turbine developments at

1 turbine 77m West House 11.9km east.
1 turbine 77m Fox House Farm 10.7km south-east
7 turbines 62m Wharrels Hill Bothel 21km north-east
3 turbines 107m Westnewton 22km north-east
6 turbines 100m Tallentire 15.5km north-east
3 turbines 115m Flimby Wood 5.7km north
2 turbines 107m Eastmans, Siddick 5.7km north
7 turbines 60m Siddick 5.7km north
9 turbines 63m Oldside 4.6km north
3 turbines 95m High Pow 31km north-east
6 turbines 68m Great Orton 42km north-east
4 turbines 121m Hellrigg 31km north

These sites are considered most relevant forming a string or necklace of turbine development in West Cumbria over a distance greater than 20 km parallel to the A66, A595 and A596. Other more dispersed turbines and smaller turbines may also add to the cumulative assessment from more distant views.

Most significantly, the proposed turbine will be seen coincidentally from a number of near and distant viewpoints with the existing turbine at Moorhouse Farm, the turbine at Harrington Parks and those within the Copeland area to the south. It will be seen to less of a degree with other turbines existing and planned in the immediate and wider area.

The most sensitive receptors of the residential estate of High Harrington will have a cumulative view of the proposed turbine and existing turbine to a varying degree. This cumulative view will be at a distance within 800 metres. The cumulative views will be interrupted from certain viewpoints with the line of woodland and electricity pylons.

It is Officer’s opinion that the cumulative and sequential impact locally and in the wider area will be minor with the woodland screening providing some mitigation. However local objection has been received that considers the impact to be more significant and harmful to amenity and landscape character.

**Impact on nature conservation interests**

The applicant has provided a comprehensive ecological survey.

The proposed turbine is located within open pasture bounded by intermittent hedgerows of moderate to poor quality. The nearest hedgerow identified within the ecological report as a possible habitat is approximately 70 metres to the south-east and the nearest building with potential 100 metres.

The hedgerow survey has concluded them to be poorly maintained and of very poor condition and of limited habitat potential.

Impact on any local bat or bird populations is considered unlikely as the hedgerow and tree habitat at the site is more than 50 metres from the turbine sweep path which accords with advice from Natural England that wind turbines are unlikely to affect bat populations where a 50m buffer is maintained from foraging habitat.

The technical note from Natural England has been addressed with the 50 metre separation of blade tip and hedgerow satisfied resulting in the need for 64.23 metres of separation between mast and hedgerow. This is achieved.

The applicant’s survey recommends further survey to determine the importance of the hedgerows as wildlife corridors. This is not considered reasonable to condition as the 50 metre separation distance described above has been achieved.

The site does not have any local or national wildlife designations and there are no Sites of Special Scientific Interest in the area.
The applicant has provided a summary appraisal of the ecological issues that concludes as a non-designated site there is no evidence of protected flora, fauna or bird species at the site and in the immediate vicinity.

The installation of the proposed turbine would have no impact on the loss of habitat with no tree or hedgerow removal planned. Collision risk and disturbance or displacements of species are considered the only two effects that may occur. Given the habitats at the site, smaller more agile birds will be most common and the turbine blades are unlikely to have any significant impact.

It is Officers’ opinion that an adequate assessment has been provided and that matters of ecological interest are not affected. Local objection has been received to impact upon local habitats and species but with no evidence base.

**Impact on heritage assets and their settings**

The nearest listed building is identified as Cross House 1.42km west. Considering the separation distance there is considered to be no harm to this Listed Building and its setting.

There is no known archaeological interest at the site of the turbine under threat.

**Electromagnetic Interference**

The digital TV in the UK is not affected by electromagnetic interference previously associated with analogue reception. Any scattering or disruption of a signal is a rare occurrence and associated only with larger scale turbines. The relevant statutory consultee Arquiva does not object.

**Proximity to airports and Flight Paths**

There will be no impact on the flight paths of Carlisle airport 70km and Dovenby Helipad 12km. No objections have been received from statutory consultees on this matter.

**Radar Safeguarding**

NATS has not objected to the proposal with regard to radar interference and radar safeguarding is considered unaffected.

**Operational requirements, including the suitability of the road network**

The main impacts of the proposed development on the road network would be associated with construction traffic. Highways England has not objected with regard to the A595 trunk road connection and route to the site.

The Highway Authority has no objections. With no abnormal load movements from a single turbine of this size, it is considered that there are no highway or traffic implications for the A596.
Potential benefits to the local economy and local community

It is acknowledged that the proposed turbine will have local economic benefits in terms of the contribution it would make to the sustainability of the agricultural operation at the host farm.

Local Financial Considerations

Having regard to S70 (2) of the Town and Country Planning Act there are no local finance considerations that are relevant to the consideration of the application.

Ministerial Statement

For the reasons above it is judged that the planning impacts identified by affected local communities including the Parish Councils have not been fully addressed as far as possible and therefore with regard to the interpretation of the ministerial statement the proposal is recommended for refusal.

By virtue of the number of objections from residents and the surrounding parishes and their grounds for objection, which is now a material planning consideration, the proposal is contrary to the ministerial statement and the accompanying Planning Practice Guidance 2015.

Recent Secretary of State and Inspector decisions relating to wind turbine proposals elsewhere in the country give significant weight to community objections to wind turbine proposals, particularly when the objection is expressed via a representative body such as Parish Councils.

Conclusion

Whilst recognising the potential benefits of the proposed wind turbine and the contribution it would make to meeting renewable energy and low carbon targets this must be balanced against the likely impact on the landscape and visual/residential amenity.

Despite the existing turbine at the site approved at Development Panel and the intermittent screening in the area that helps to mitigate impact, due regard is given to the relevant part of the ministerial statement that is not considered to be satisfied with a significant level of local objection from residents and Parish Councils. Community backing has therefore not been gained.

For the reasons above, the application can therefore not be supported.
Annex 1

Reasons for refusal

Planning matters raised by the community, regarding the potential for adverse visual and local landscape character impacts have not been overcome to alleviate local community concerns, in order to enable community support of the scheme. The proposal is therefore considered contrary to the Planning Practice Guidance 2015 and Ministerial Statement of 18 June 2015.

Proactive Statement

Application Refused Following Discussion – Where there is no 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. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Notes to Applicant: