Proposed Development: Proposed siting of a 30m (hub height) endurance wind turbine with a tip height of 48.01m
Location: New Grange
Bullgill
Maryport
Recommendation: APPROVE

Summary/Key Issues

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| Principle of development   | The application is a resubmission to that previously approved by Development Panel at the same location. (2/2014/0484). 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
                                                                                   | The existence of a valid planning permission for a turbine in this location which establishes a ‘fall-back’ position that would allow the applicant to install a turbine in this location in any event is also however a material planning consideration.                                                                                                                                                |
| Residential amenity         | The proposed turbine is within 800m of three dwellings. New Grange Farm and The Bungalow are the applicant’s farmhouses (400m) with a financial interest in the turbine. The other dwelling Low House Farm at 438 metres is in private ownership and has expressed support.                                                                                                                                                                                                                                                                                                                                 |


### Visual and landscape impact

The proposed turbine will increase the proliferation of turbines in the immediate and surrounding area and it is considered that it will have some impact upon visual amenity and landscape character but this will not be significant when compared to the approved scheme.

### Cumulative and sequential impact

The proposed turbine will complete a cluster of three turbines with the approved sites at Fox House Farm and West House Farm with a degree of cumulative impact in the immediate locality. This in turn will add to the string of turbines seen sequentially to a varying degree from public vantage points and when passing along major transport routes through the District but the impact of this will not be significant when compared to the approved scheme.

### Heritage

The proposal will not have a significant adverse impact on any designated heritage assets.

### Nature conservation

Subject to mitigation it is considered that the proposed development would not have a significant adverse impact on nature conservation interests.

### 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 although this will be less than the previously approved scheme in terms of the level of electricity exported to the grid. It would also make a contribution to the running costs of the farm business by creating an alternative source of income, supporting rural enterprise and economic activity.

### Radar safeguarding

NATS has withdrawn a holding objection subject to conditions to implement appropriate technical mitigation.

### Proposal

An alternative turbine model is proposed to that approved in order to reduce the amount of energy generated due to restricted grid capacity.

The proposal is for the erection of a single three bladed wind turbine on a concrete base of 30 metre hub height and 48.01 metre total height. The hub height is the same as the approved turbine but is 2.94 metres higher in total than the previous model with a longer blade. The blade length is 2.94 metres longer at 17.5 metres.

There are no details provided of any ancillary ground equipment or structures that may be required for operational purposes. Access is from the public highway via an existing farm track. Temporary reinforcement of the track surface is planned.
Temporary excavations are required for cabling and connection to the National Grid.

**Site**

The application site comprises agricultural pasture land in open countryside associated with the applicant’s business of mixed farming. The landscape is generally flat in nature with gentle undulations.

Open fields with hedgerows and scattered trees are noted with small linear plantations. Grange Wood, a small plantation is near adjacent to the turbine site within 90 metres.

The proposed site is 400 metres south of the farm and the public highway. Public rights of way are noted traversing the fields to the north, west and east of the site within 350 metres.

The turbine site is at the 80 metre contour level.

The ground rises gently to the south with a high point of Tallentire Hill noted at 170 metres and falls to the Derwent Valley before rising again on the boundary of the Lake District National Park 5km away.

The ground falls gradually to the north before falling to the River Ellen valley and then rising to a high point of 87 metres at Crosby and the A596 with the coast beyond.

The nearest dwellings are the applicant’s farmhouse and additional worker’s bungalow at New Grange Farm 400 metres north. Low House Farm in private ownership is 438 metres south-west.

The area is essentially rural in character with few individual dwellings nearby. The settlements of Dearham is 1.2 km west, Tallentire 1.4 km south, Gilcrux 2.1 km north-east, Crosby 2.8 km north-west, Broughton Moor 4.7 km south-west.

**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
Relevant Planning History

A screening opinion has been issued by the Local Planning Authority confirming that it is considered the proposed development does not required EIA.

The exact same site has a valid consent for a similar turbine marginally lower in height and with shorter blade length approved by Development Panel contrary to Officer’s recommendation (2/2014/0484).

Representations

Dearham Parish Council – The Council has confirmed no comment to make

Gilcrux Parish Council – No objections

Ministry of Defence – No objection.

Civil Aviation Authority – No objection with standing advice.

NATS – Objection provisional withdrawn subject to appropriate conditions to ensure mitigation for radar safeguarding with a contractual obligation.

Natural England – No objection with standing advice

Highway Authority – No objection in principles subject to conditions regarding safeguarding the highway from dirt and debris and the submission of a Construction and Traffic Management Plan.

Environmental Protection – Has repeated conditions for the previous model. This alternative turbine identified as a quieter model with slower blade rotation.

Electricity North West – No objection in principle. Comment regarding possible easements to protect and maintain existing power lines in the locality.

FORCE – Object: Repeat the previous relevant reasons of objection and with reference to the Ministerial Statement regarding community support which they consider to be absent

- Unacceptable impact on local landscape, increasing the number of turbines far in excess of CWESPD recommendations and contrary to national planning guidance, outweighing any gain in renewable energy output.
- Unacceptable impact on residential amenity.
- Inappropriate size and scale of the proposed turbine.
- Inadequate and unacceptable cumulative impact alongside other local wind energy developments.
- Proposals contrary to current National and Local Policies.

There are eight letters of objection regarding visual and landscape impact.

One representation of support has been received from the nearest residential property to the turbine site Low House Farm.

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

**Assessment**

**Introduction**

The proposed turbine is planned as an alternative model at the same precise location. The reason for the resubmission is to achieve a turbine model of a slightly longer blade length with slower rotation. This will reduce the amount of energy captured and exported to the grid that has limited capacity in the area.

**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 19 June 2015 and therefore the transitional arrangements do not apply. The full provisions of the ministerial statement are therefore a material planning consideration.

The Allerdale Local Plan (Part 1) adopts the approach of assessing proposals for wind turbines against the criteria based within 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.

In this case however the existence of a valid planning permission for a wind turbine at the application site is also a material planning consideration which should be given substantial weight in that it establishes a ‘fall-back’ position for the applicant that would still enable a wind turbine to be erected at the application site.

The assessment of the impacts of the proposed development is based on consideration of the fall-back position that the extant planning permission is still capable of implementation and a comparison between the previously approved scheme and the current proposal.

**Visual/Residential Amenity**

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 only three residential properties within 800m of the application site. New Grange Farm is the applicant’s farmhouse 400m north alongside The Bungalow (agricultural worker’s dwelling with occupancy condition) both with a financial interest in the turbine. The other dwelling Low House Farm at 438 metres south-west has expressed support in writing.

The applicant has provided a detailed assessed of visual impact from only one individual property being Low House Farm that has expressed ‘community’ support. The photomontage clearly shows the proposed turbine in full and open view from several angles. With support of the alternative turbine model from the owner of Low House Farm this receptor is disregarded as a constraint.

An assessment of residential impact has been provided from viewpoints 8 and 9 in Dearham with the conclusion that the alternative turbine will not be seen as was the case with the original turbine. The viewpoints are from street frontage locations in the village with intervening buildings. Viewpoints from the rear of residential properties in Dearham and more significantly from the rear of properties nearer the turbine site at Row Brow Dearham have not been provided.

It is Officer opinion that there will be some visual impact upon some properties in Dearham particularly at Row Brow. Such impact will be no more than the original turbine and there are no properties that would have their outlook so affected that their living conditions would be unacceptably degraded with a separation distance of 1.1-1.6 km and with intervening electricity pylons.

As with the previous application, further viewpoints have been provided at a greater distance from the site close to nearby settlements of Greengill, Gilcrux, Tallentire, Prospect, Crosby Villa and Birkby. These give an indication of impact from the alternative turbine upon residential properties at or near these viewpoint locations. The distance and intervening buildings, structures and topography would appear to mitigate for any visual impact with living conditions not affected significantly.

With regard to visual impact of the alternative turbine, there is no objection from Dearham Parish Council or Gilcrux Parish Council. Eight letters of objection have been received.

Despite the lack of conclusive evidence from the applicant regarding residential impact, it is Officers’ opinion that there are no individual properties or settlements significantly harmed by the alternative turbine as a standalone structure. Low House Farm within 800 metres is an exception with moderate to high impact. However with the owner’s written support of the new application the constraint of 800 metre separation distance of Policy S19 is considered to have been overcome.

When comparing the current proposal to the extant permission the minor differences in height and blade length of the alternative model are not considered to have any additional impact.
Noise Disturbance

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

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 350m) 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.

The turbine site will be visible from a number of footpaths used for local public recreation but not considered to be harmful.

The matter of cumulative and sequential impact upon residential amenity is a wholly separate matter and considered in full below.

**Visual and landscape impact**

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.

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 5a Ridge and Valley.

Key Characteristics of this area are:

- A series of ridges and valleys that rise gently to the limestone fringes of the National Park
- Well managed regularly shaped medium to large pasture fields
- Hedge bound pasture fields dominate
- Scattered farms and linear villages found along ridges
- Fields are large and rectangular
- Large scale structures generally scarce

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).

The applicant has submitted a landscape and visual appraisal assessing the proposed development as an alternative model to that previously approved.

The appraisal has been updated and includes a series of photomontages and assessment from a number of viewpoints in the vicinity of the site and as far away as 5.5 km.
This assessment seeks to demonstrate that whilst there would be some local visual and 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 an additional high visual element in the landscape.

In relation to the issue of cumulative impact the applicant’s assessment acknowledges there are a number of viewpoints where the alternative 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. When comparing the current proposal to the extant permission the minor differences in height and blade length of the alternative model are not considered to have any additional cumulative impact.

As with the previous application approved by Members, it is considered that the applicant’s Landscape and Visual Appraisal has some deficiencies with the lack of viewpoints at residential properties in Dearham and Row Brow, Dearham. Despite this the matter of cumulative and sequential impact can be assessed and concluded as follows.

**Cumulative/Sequential Impact**

In order to assess such impact the following turbines existing and approved have been taken into account.
- 1 turbine 77m West House 1.6 km
- 1 turbine 77m Fox House Farm 2.9 km
- 2 turbines 27m Bullgill 1.7 km
- 7 turbines 62m Wharrels Hill Bothel 8.5 km
- 3 turbines 107m Westnewton 7.5 km
- 6 turbines 100m Tallentire 2-2.5 km
- 3 turbines 115m Flimby 6.5 km
- 2 turbines 107m Eastmans, Siddick 10 km
- 7 turbines 60m Siddick 10 km
- 9 turbines 63m Oldside 12 km
- 1 turbine 92.5m Seaton 10 km
- 20 turbines 61-81m Winscales Moor 11km
- 3 turbines 100m Potato Pot 14 km
- 3 turbines 95m High Pow 16 km
- 6 turbines 68m Great Orton 30 km
- 4 turbines 121m Hellrigg 19 km

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.

Of some significance to the assessment of cumulative impact is the planning history regarding West House Farm and Fox House Farm reported as follows.
Both sites were considered by Development Panel and refused on the grounds of visual and landscape impact. The planning Inspectorate allowed both 77 metre turbines under separate decisions effectively judging that the landscape character had the capacity for both turbines without resulting in a ‘wind turbine landscape’. These turbines are now operational.

As with the previous application, the proposed turbine will form a distinct cluster of three high structures with the operational Fox House Farm and West House Farm turbines. The proposed turbine, if constructed, will ‘fill a gap’ and contribute to an encroachment upon the cluster of six turbines at Tallentire. The clusters at Westnewton (3) and Wharrels Hill Bothel (9) continue the immediate string of turbines to the north with the group of three high turbines at Flimby Wood (Broughton Moor) to the south. This network of turbine development continues further to the north to Brakenbarrow, High Pow, Hellrigg and Great Orton with a culmination in the south at Winscales Moor via a sequence of turbines on the coast at Seaton, Siddick and Oldside.

The regular clusters of turbines over such distance already has significant cumulative and sequential impact when viewed from various vantage points over a large distance and when travelling through the area on the major and minor arterial routes including the A595, A596 and A66.

The proposal will add to the cumulative and sequential impact in the area but it is considered that such impacts will be no greater than the turbine previously approved.

**Impact on nature conservation interests**

The proposed turbine is located within open pasture and within 90 metres of a small plantation of mixed trees. The nearest hedgerow is also at 90 metres.

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 and concludes as follows. 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 nearest sensitive site being the River Derwent SSSI is 4.5 km south-east and very unlikely to have any interaction with the application site.

The only ecological issue is the habitats found at and adjacent to the site. The installation of the proposed turbine would have no impact on the loss of habitat with no trees or hedgerow removal planned. Collision risk and disturbance or displacement of species is 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.

Impact on any local bat population is considered unlikely as the hedgerow and tree habitat is more than 50 metres from the turbine site 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.
It is Officers’ opinion that an adequate assessment has been provided and that matters of ecological interest are not affected by the alternative model.

**Impact on heritage assets and their settings**

The nearest listed building is identified as Tallentire Hall 1.49km to the south in Tallentire. The grounds and its setting are marginally closer. Considering the separation distance and the relationship there is considered to be no harm to this Listed Building and its setting.

The nearest site of archaeological interest is Monument 1466804 being a post-medieval earthwork and furrow south west of Low House farm. This site is more than 400 metres from any proposed excavations and under no threat from this new proposal.

**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. There is no recorded evidence of interference of any kind of signal from a turbine less than 45 metre high.

**Radar Safeguarding**

An objection was received by NATS regarding radar safeguarding with potential interference from the proposed turbine as was the case with the previous model. This has been overcome by a method of technical mitigation and the objection provisionally withdrawn by NATS in writing. This is however subject to the completion of an appropriate contract and financial payment by the applicant and safeguarded for delivery by a Grampian planning condition.

**Proximity to airports and Flight Paths**

There will be no impact on the flight paths of Carlisle airport 24 km and Dovenby Helipad 2.1 km. No objections have been received from statutory consultees on this matter.

**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. The Highway Authority has no objections to the proposal subject to a condition to protect the highway surface from dirt and debris during construction and to provide a comprehensive Construction and Traffic Management Plan.

**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. The reduction in the level of electricity exported to the grid will reduce the overall benefits of the scheme but it is considered that this is not itself sufficient to affect the assessment of the overall planning balance.
Local Financial Considerations

Having regard to S70 (2) of the Town and Country Planning Act. There are no local financial considerations relevant to this application.

Conclusion

Whilst the written ministerial statement of 18 June 2015 is a material consideration in the assessment of this application the existence of an extant planning permission for a wind turbine application is also a material planning consideration. In this particular case it is considered that the ‘fall-back’ position of the applicant being able to implement the extant permission and the assessment that the proposed turbine would not have materially greater planning impacts when compared to that scheme outweighs the guidance in the ministerial statement that planning permission should not be granted except in areas identified as suitable for wind turbine development.

It is therefore recommended that planning permission be granted subject to the conditions attached to the original planning permission and an appropriately worded additional condition to safeguard aviation.
Annex 1

Conditions/Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
   Reason: In order to comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out solely in accordance with the following plans:
   Figure 001 - Site Location Plan
   Figure 002 - Site Layout Plan
   Figure 003 - Turbine Elevation
   Reason: In order to comply with Section 51 and Section 91 of the Planning & Compulsory Purchase Act 2004.

3. This permission shall remain valid for a period of 25 years from the date that electricity from the development is first connected to the grid. Within 12 months of the cessation of electricity generation at the site or the expiration of this permission, whichever is the sooner, all development shall be removed and the land restored in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to any development commencing.
   Reason: To ensure the satisfactory long term restoration of the site, and the removal of any non essential development in the open countryside to safeguard the visual amenity of its site and surroundings in the open countryside.

4. If the turbine ceases to be operational for a continuous period of 6 months, the development hereby permitted shall, within a period of 3 months (or such longer period as may be agreed in writing by the Local Planning Authority), be removed in its entirety from the site and the site shall either be restored to its condition before the development took place, or otherwise in accordance with a scheme that shall have first been submitted to and approved in writing by the Local Planning Authority.
   Reason: To safeguard the visual amenity of the site and surroundings from non essential development in the open countryside.

5. Within 12 months of the completion of the construction works the temporary working areas around the turbines shall be reinstated in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to any development commencing.
   Reason: To safeguard the visual amenity of the site and surroundings in the open countryside.

6. All buildings and other operational structures shall be removed from the contractor’s compound within 3 months of the completion of the works required by Condition 5 above.
   Reason: To minimise the impact of any non essential development in the open countryside and to safeguard the visual amenity of the site and its surrounding

7. Before development commences a full specification of the turbine model including the colour and finish shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
   Reason: To minimise the visual impact of the development of its site and
surroundings in the open countryside.

8. **No development shall take place until a written scheme has been submitted to and approved in writing by the Local Planning Authority setting out a protocol and methodology for dealing with the assessment of shadow flicker in the event of any complaint. The protocol and methodology shall include remedial measures to be taken to alleviate any identified occurrence of shadow flicker. Operation of the turbines shall take place in accordance with the agreed protocol and methodology.**
   
   **Reason:** To minimise the risk of shadow flicker from the development affecting the occupiers of any residential dwellinghouses in the locality of the site.

9. **No development shall take place until a written scheme has been submitted to and approved in writing by the Local Planning Authority setting out a protocol and methodology for dealing with the assessment of electromagnetic interference in the event of any complaint. The protocol and methodology shall include remedial measures to be taken to alleviate any identified occurrence of electromagnetic interference. Operation of the turbines shall take place in accordance with the agreed protocol and methodology.**
   
   **Reason:** To minimise the impact of any disturbance potential electromagnetic interference from the development to the aerial reception of any dwelling-houses in the locality of the application site.

10. **No development shall take place until a written haul route plan and scheme for temporary works’ signs has been submitted to and approved in writing by the Local Planning Authority. Works so approved shall be carried out prior to works commencing on site, and shall be retained until the construction phase of development has been completed.**
    
    **Reason:** In the interests of highway safety.

11. **No development shall take place until a scheme for a condition survey of the public highway from the site access along the haul route prior to development commencing and after development is complete has been submitted to and approved in writing by the Local Planning Authority. Any necessary remedial works identified shall be made good in accordance with the approved scheme prior to the turbine becoming operational.**
    
    **Reason:** In the interests of highway safety.

12. **No advertisements other than safety or information notices shall be displayed anywhere on the turbine structures.**
    
    **Reason:** To minimise the visual impact of the development of its site and surroundings in the open countryside.

13. **The turbine shall be erected at the following coordinates: E309445 N536273. A variation of the indicated position of any turbine shall be permitted by up to 20 metres in any direction. A plan showing the position of the turbine as built shall be submitted within one month of the First Export Date.**
    
    **Reason:** To minimise any impact of the development from micro-siting the approved turbines on the landscape and its associated visual amenity.

14. **Prior to the commencement of development, a plan to a scale of 1:500 shall be submitted to the Local Planning Authority showing the location of the temporary site compound or compounds required in connection with the construction of the development. Each plan shall indicate the location of the buildings, car parking, and boundary fencing. The plans shall describe the surfacing of each site compound and the means of drainage and dust suppression within the compound. Any fuel, oil, lubricant, paint or solvent
stored on site shall be contained within bunds or double skin tanks, which must be capable of containing at least 110% of the largest capacity vessel stored therein. Thereafter any temporary site compound at the site shall be constructed in accordance with the approved plans. All temporary contractors' site compounds shall be removed and the land reinstated to its former profile and condition no later than 9 months after the First Export Date. Reason: To ensure the long term restoration of the site and safeguard against non essential development in the open countryside and to prevent the pollution of the local water environment.

15. Before development commences details of any permanent buildings or ground equipment of any kind shall be provided to the Local Planning Authority and approved in writing.
Reason: In the interests of the visual amenity of the site and surroundings.

16. No development shall take place until a surface water management plan covering water treatment and the means of drainage from all hard surfaces and structures within the site and accesses to the local highway network has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. For the purposes of this condition, hard surfaces include access tracks within the site, the substation compound, temporary construction and laydown areas, turbine pads and crane pads. The details to be submitted shall indicate the means of protecting groundwater, including private water supplies, and diverting surface water run-off.
Reason: To protect the local water environment from any potential pollution.

17. Development shall not take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include details of:
(a) Alterations or works to the site access
(b) Proposed accommodation works and where necessary a program for their subsequent removal and the reinstatement of street furniture and verges, where required, along the route;
(c) Details of road improvement, construction specification, strengthening, maintenance and repair commitments if necessary as a consequence of the development;
(d) Retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
(e) The dimensions of turbines and associated components;
(f) The management of junctions to and crossings of the public highway and other public rights of way/footway;
(g) The scheduling and timing of movements, details of escorts for abnormal loads, temporary warning signs and banksman/escort details.

h) A wheel and chassis wash facility for delivery vehicles
The development shall be carried out in accordance with the approved CTMP.
Reason: In the interests of highway safety.

18. Development shall take place until a Construction Method Statement including details of all on-site construction works, post construction reinstatement, drainage, mitigation, and other restoration, together with details of their timetabling has been submitted to and approved in writing by the Local Planning Authority and shall include measures to secure:
(a) Formation of the construction compound and access tracks and any
areas of hard-standing, earthworks and re-grading associated with the access tracks, storage and handling of top-soils/soils;
(b) Cleaning of entrance sites and the adjacent public highway;
(c) Temporary site illumination measures;
(d) Disposals of surplus materials;
(e) The sheeting of all HGVs taking spoil to/from the site to prevent spillage of deposit of any materials on the highway;
(f) Soil storage and handling;
(g) Temporary and permanent parking and storage areas for construction vehicles, maintenance vehicles, equipment and component storage;
(h) Measures to prevent mud and debris extending onto the public highway
(i) Disposal of any surplus materials
(j) Dust management;
(k) Drainage arrangements for all impermeable areas and buildings, including parking areas, hardstandings, access tracks
(l) post construction restoration/reinstatement of the working areas.
The Construction Method Statement shall be carried out as approved.
Reason: In the interest of visual and residential amenity, and to prevent pollution of the environment.

19. Construction work shall only take place between the hours of 07:00-19:00 hours on Monday to Friday inclusive, 07:00-13:00 hours on Saturdays, with no such working on a Sunday or local or national public holiday. Outside these hours, construction work at the site shall be limited to emergency works and dust suppression. The receipt of any materials or equipment for the development, other than turbine blades, nacelles, and towers are not allowed outside the hours set out.
Reason: To safeguard the residential amenity of occupiers of dwellinghouses in the locality of the site from any noise pollution relating to the development.

20. No part of any turbine shall be erected above ground until a Primary Radar Mitigation Scheme agreed with the Operator has been submitted to and approved in writing by Allerdale Borough Council in order to avoid the impact of the development on the Primary Radar of the Operator located at Lowther Hill and associated air traffic management operations.
Reason : In the interests of aviation safeguarding

21. No blades shall be fitted to any turbine unless and until the approved Primary Radar Mitigation Scheme has been implemented and the development shall thereafter be operated fully in accordance with such approved Scheme.
Reason : In the interests of aviation safeguarding.

22. The following background noise levels shall not be exceeded when the turbine is in operation:
(a) Noise from the turbine shall not exceed an LA90 (10 minutes of 35dB(A)) up to wind speeds of 10m/s at 10 metres in height when assessed and measured 3.5 metres from the façade of the nearest noise sensitive receptor namely Low House, Dearham, CA15 7LA
(b) Noise from the turbine shall not exceed an LA90 (10 minutes of 45dB(A)) up to wind speeds of 10m/s at 10 metres in height when assessed and measured 3.5 metres from the façade of the nearest financially involved noise sensitive receptor namely New Grange Farm, Dearham (in existence at the date of this permission).
Reason: To minimise any potential noise disturbance from the development to the
occupiers of any residential dwelling-houses in the locality of the site.

23. In the event of a complaint being received in writing by the Local Planning Authority alleging noise nuisance at a residential property or properties due to the wind turbine, the wind turbine operator shall, at its expense, employ an independent consultant approved by the Local Planning Authority to measure and assess the level of noise emissions from the wind turbine at the location of the complainant’s property. The results of the independent consultant's assessment shall be provided in writing to the Local Planning Authority within three months of the date of notification of the complaint. If a breach of Condition 22 was confirmed in the assessment the operation of the turbine will cease until the Local Planning Authority is satisfied the turbine can operate within the noise limits specified in Condition 22. The operator of the development shall be under no obligation to follow the procedure set out in this condition where the complaint relates to a residential property more than three kilometres from the wind turbine generator.

Reason: To minimise any potential noise disturbance from the development to the occupiers of any residential dwelling-houses in the locality of the site.

Proactive Statement

Application Approved Without Amendment

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any stakeholder representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.