

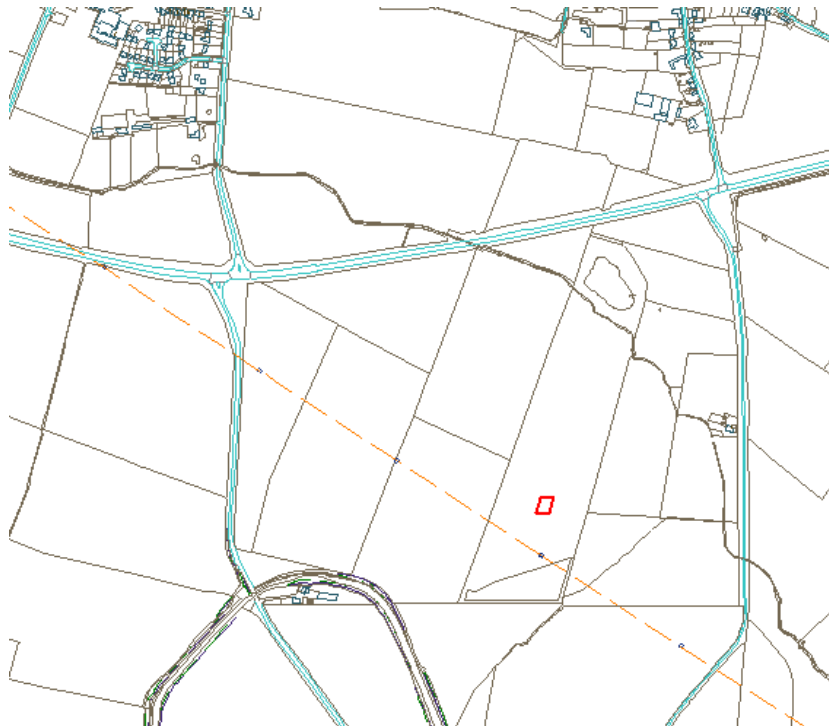
Reference: 14/00712/FUL

Date Submitted: 29 August 2014

Applicant: James Goodson Esq

Location: Field Numbers OS 1600, Castle View Road, Easthorpe

Proposal: Installation of one 50 Kw wind turbine to a maximum tip height of 34.3 metres



Introduction:-

The proposed development consists of a single wind turbine with a hub height of 24.7 metres and an overall maximum height to blade tip not exceeding 34.3 metres. The turbine would be of a typical modern design incorporating a tubular tower and three blades with a generation capacity of up to 50 kW. The existing track access from Castle View Road will be used to access the turbine site. A hard-standing base to the turbine will also be provided.

It is considered that the main issues relating to this proposal is:-

- **Impact upon the character of the countryside and landscape**
- **Impact upon residential amenities**
- **Impact on heritage assets**

Relevant History:-

13/00655/FUL - submitted on 12 September 2013 for a 50Kw wind turbine (height to hub 36 metres and height to tip 46 metres) in the same location. A report was taken to the Planning Committee on 19 December 2013 with a recommendation to approve. The decision was deferred pending additional advertising. The application was subsequently called in by the Secretary of State which led to its eventual withdrawal by the applicant

Planning Policies:-

Adopted Melton Local Plan

Policy OS2 – planning permission will not be granted for development outside the town and village envelopes except for, amongst other things, limited small scale development for employment, recreation and tourism which is not significantly detrimental to the appearance and rural character of the open countryside.

Policy C2 - planning permission will be granted for farm based diversification proposals provided:

- the activities would be ancillary to the main agricultural use and would not prejudice the future operation of the holding;
- the proposal should reuse or adapt any suitable farm building that is available. if a new building is necessary it should be sited in or adjacent to an existing group of buildings; e proposed development is compatible with its rural location in terms of scale, design and layout;
- there is no significantly adverse impact on the character and appearance of the rural landscape or conservation of the natural environment;
- access, servicing and parking would be provided at the site without detriment to the rural character of the area; and
- the traffic generated by the proposal can be accommodated on the local highway network without reducing road safety

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66 of the Act requires that special regard is made to the desirability of preserving or enhancing a listed building or its setting or any features of special architectural or historic interest which it possesses.

National Planning Policy Framework

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail. It also offers advice on the weight to be given to ‘emerging’ policy (i.e the LDF) depending on its stage of preparation, extent of unresolved (disputed) issues and compatibility with the NPPF.

The NPPF introduces three dimensions to the term Sustainable Development: Economic, Social and Environmental: It also establishes 12 core planning principles against which proposals should be judged. Relevant to this application are those to:

- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives
- support the transition to a low carbon future.....by encouraging the development of renewable energy
- recognising the intrinsic beauty of the countryside
- contribute to conserving and enhancing the natural environment

On Specific issues relevant to this application it advises:

Climate Change:

Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of

renewable and low carbon energy associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development. (Paragraph 93)

Paragraph 97 states that to increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute energy generation from renewable or low carbon sources.

Paragraph 98 states that when determining planning applications, local planning authorities should;

- not require developments to demonstrate overall need for renewable or low carbon energy
- approve the application (unless material considerations indicate otherwise) if its impacts are (or can be made) acceptable.

Conserving and Enhancing the Historic Environment;

- Recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness, and;
- Opportunities to draw on the contribution made by the historic environment to the character of a place

Conserving and enhancing the natural environment:

- Protecting and enhancing valued landscapes
- Apply great weight to protection of designated landscape and scenic areas (e.g. National Parks)
- Avoid noise giving rise to significant adverse impacts
- Minimise other impacts on health and quality of life through conditions
- Identify and protect areas of tranquillity

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para.12)

Planning Practise Guidance for Renewable & Low Carbon Energy

Guidance was issued by the Department for Communities and Local Government in July 2013 to offer advice on the planning issues associated with the development of renewable energy, and should be read alongside the guidance within the National Planning Policy Framework (NPPF – above). The guidance is a material consideration in planning decisions and should generally be followed unless there are clear reasons not to.

The document states that energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. The NPPF states that all communities have a responsibility to help increase the use and supply of green energy, but this does not mean that the need automatically overrides environmental protections and the planning concerns of local communities.

When considering impact of renewable technologies the document states that landscape character areas could form a basis for considering which technologies at which scale may be appropriate in different types of location. For consideration whilst dealing with planning applications it is important to be clear that:

- The need for renewable or low carbon energy does not automatically override environmental protections
- Cumulative impacts require particular attention, especially the increasing impact that wind turbines can have on landscape and local amenity as the number of turbines in an area increases
- Local topography is an important factor in assessing whether wind turbines could have a damaging effect on landscape, and recognise that the impact can be as great in predominantly flat landscapes as in hilly areas.
- Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting.
- Protecting local amenity is an important consideration which should be given proper weight in planning decisions.

Advice regarding **cumulative landscape** and visual impacts states that these are best considered separately. Cumulative landscape impacts are the effects of a proposed development on the fabric, character and quality of the landscape; it is concerned with the degree to which a proposed renewable energy development will become a significant or defining characteristic of the landscape. **Cumulative visual** impacts concern the degree to which the proposed renewable energy development will become a feature in particular views (or sequences of views), and the impact this has upon the people experiencing those views. Cumulative visual impacts may arise where two or more of the same type of renewable energy development will be visible from the same point, or will be visible shortly after each other along the same journey.

Additional Documentation for consideration

Pre application consultation

The publication of the National Planning Practice Guidance (NPPG) has introduced the requirement for applicants of wind energy proposals, involving two or more turbines; or over the height of 15 metres to undertake a public consultation with residents. From 17 December 2013 compulsory pre-application engagement has been introduced.

Rushcliffe and Melton Landscape Sensitivity Study

The above study was jointly commissioned with Rushcliffe Borough Council and was published in August 2014. It looks closely at the Boroughs and how they will be affected by wind turbine proposals. The Vale of Belvoir study area (LCU1) is relevant to this application.

7.14 Within this particular area care will need to be taken to ensure (amongst other things):

- The historic villages with distinctive church spires remain as landmark features of the Vale and that turbines do not compete with these in key views
- Development does not detract from the quality and character of views of the vale as seen from Belvoir Castle

Consultations:

Consultation Reply	Assessment of Head of Regulatory Services
<p>Bottesford Parish Council Parish Council wish to object. Whilst the turbine has been reduced in height to match that of a pylon, the wind turbine remains a large, solid, moving structure in the landscape that will visually impact on the heritage assets of St Mary’s Church and Belvoir Castle.</p> <p>In addition it has been recently reported in the press that there is no longer a business case for on-shore wind turbines as quotas have been met.</p>	<p>The turbine will have a hub height of 24.7 metres with the base to tip height of 34.3 metres. There is no argument that the turbine would not be visible, nor introduce a new feature into the landscape. However, this on its own is not considered a reasonable ground for refusal and it is the harm on the landscape that needs to be assessed. This is addressed in more detail below.</p>
<p>Barkestone, Plungar and Redmile Parish Council – The Parish Council wish to object as this is a relatively large turbine in an area of landscape sensitivity.</p>	<p>Noted – as above.</p>
<p>Stathern Parish Council- The Parish Council wish to object particularly in relation to visibility across the Vale and potential disruption to wildlife.</p> <p>Belvoir Castle is a significant tourist attraction and affords beautiful views across the Vale. One wind turbine permitted could easily lead to others.</p> <p>The Parish Council are particularly concerned about wildlife. There is an abundance of wildlife in the area which would be disturbed by the construction and impacted in future.</p>	<p>Noted – as above.</p> <p>This is considered in more detail under Ecology comments below</p>

<p>Clawson Hose and Harby Parish Council – The Parish Council has no objections to this application</p>	Noted
<p>Belvoir Parish Council – No comments received to date</p>	Noted
<p>South Kesteven District Council – The proposal is some 1.6 km from the district boundary at its nearest point so is unlikely to significantly impact on the landscape character of this part of South Kesteven. However this part of the Vale of Belvoir is particularly rich in heritage assets and MBC should be satisfied that the impact on nearby heritage assets in South Kesteven are fully taken into account. These include that part of Belvoir Castle registered park and garden which lies in South Kesteven, the conservation area and various listed buildings (including the church) in Woolsthorpe by Belvoir and the conservation area in Allington</p> <p>In terms of cumulative effect there are six schemes in South Kesteven that are applicable</p>	<p>That part of the registered Belvoir Castle Historic Park and Garden is approximately 5 kilometres to the south west of the proposed turbine site.</p> <p>The village of Woolsthorpe by Belvoir is approximately 4.6 kilometres to the south west of the proposed turbine site.</p> <p>The village of Allington is approximately 5.0 kilometres to the north east of the proposed turbine site.</p> <p>Given that the turbine is one of the smaller models and in view of the distances involved it is considered that there will be either no impact whatsoever or at most negligible impact on heritage assets within South Kesteven</p> <p>Cumulative impact is considered in more detail below</p>
<p>Newark and Sherwood District Council – No objection The proposed turbine is located approximately 3.5 km from the boundary with Newark and Sherwood and approximately 5.5 km from Staunton in the Vale and Kilvington which contain a number of listed buildings including three churches. The turbine is also located approximately 5 km from the nearest settlement of Alverton which does not have any listed buildings. None of these settlements have designated conservation areas but there is a Scheduled Ancient Monument – the Kilvington medieval settlement which is located between the villages of Kilvington and Staunton.</p> <p>Having considered the height of the turbine and the topography it is considered that the turbine would not have a significant impact on the character of the landscape when viewed from within the district.</p> <p>The Council therefore wish to raise <u>no objection</u> to the proposal</p>	Noted
<p>Rushcliffe Borough Council – No comments received to date</p>	Noted
<p>LCC Archaeology – No comments received to date</p>	Noted
<p>LCC Rights of Way –No objection Public footpath F74 runs closest to the proposed development but is not directly affected by the site and there are no concerns with the proposed proximity of the turbine to any public rights of way</p> <p><u>No objection</u> to the proposal provided the following details are complied with:</p> <ul style="list-style-type: none"> The reinforced surface treatment of the track – care must be taken to avoid a ‘step’ up and over the point where the footpath crosses the track. The approaches to the track should be graded back to field level on either side; 	<p>Noted.</p> <p>Notes to applicant to be applied should consent be granted</p>

<ul style="list-style-type: none"> • Warning signs for the drivers of construction vehicles – these should take the form of ‘SLOW give way to walkers or similar and be positioned clearly on either approach to the footpath on the grounds of public safety; • Monitoring – Suggest that the footpath be monitored whenever construction traffic uses the track on the grounds of public safety; • Fencing – No new gates/stiles or other barriers should be placed across the footpath without prior consent from the Highway Authority. Consent will only be granted for controlling ingress or egress of livestock 	
<p>LCC Highways Authority – the proposal will lead to an increase in traffic movements at the junction of Castle View Road with the A52 Trunk Road during construction. Recommend that the Highway Agency is consulted for their views.</p> <p>The applicant has not provided any details of the proposed access nor tracking of vehicles to demonstrate that the proposed access will be suitable. Therefore a condition should be imposed requiring such details to be submitted before development commences.</p> <p>Castle View Road is a narrow country lane and not suitable to cater for construction traffic over most of its length. However provided all vehicles enter and leave via the A52 this should not cause any major issues, to ensure this a routeing agreement should be entered into to this effect.</p>	<p>Noted. – Conditions recommended should consent be granted</p>
<p>Highways Agency – Directs that conditions be attached to any planning permission which may be granted</p>	<p>Noted. – Conditions recommended should consent be granted</p>
<p>LCC Ecology – No objection</p> <p>Pleased to see that the exact location of the turbine allows a 50 metre buffer between the turbine and nearby ecological features, such as hedgerows and trees. This is in accordance with Natural England Technical Information Note TIN051 Bats and onshore wind turbines. The details of the turbine submitted with the application indicate that the base of the turbine will need to be at least 56 meters from the hedgerows in order to satisfy this criteria (assuming hub height is 36m, blade length is 10m and nearby trees are 15m). The actual separation distance between the proposed turbines and the hedgerows meet this criteria. However, we would recommend that it ensured that any micro-siting retains this distance.</p> <p>The proposed turbine location is not in the vicinity of any sites protected for their bird assemblages or populations and, for 1 medium sized turbine in this location, a bird survey is not required.</p> <p>The ecology report submitted in support of the application (Wild Frontier Ecology, August 2013) provides recommendations to minimise the disturbance of the construction works on any other protected species</p>	<p>Noted - the turbine is located sufficient distance away from nearby hedgerows and trees in accordance with protocols.</p> <p>Note to applicant regarding report recommendations to be attached should consent be granted</p> <p>No objections have been received by the Ecologist or Natural England in regards to the installation of the wind turbine.</p>

<p>that may be in the vicinity (although the walkover survey indicates that the likelihood of their presence is low) and we would request that the applicants attention is drawn to these recommendations, should planning permission be granted.</p>	
<p>Defence Infrastructure Organisation – No objection The principal safeguarding concern of the MOD with respect to the development of wind turbines relates to their potential to create a physical obstruction to air traffic movements and cause interference to Air Traffic Control and Air Defence radar installations.</p> <p>Defence Infrastructure Organisation Safeguarding wishes to be consulted and notified of the progression of planning applications and submissions relating to this proposal to verify that it will not adversely affect defence interests.</p> <p>If planning permission is granted we would like to be advised of the following;</p> <ul style="list-style-type: none"> · the date construction starts and ends; · the maximum height of construction equipment; · the latitude and longitude of every turbine. <p>This information is vital as it will be plotted on flying charts to make sure that military aircraft avoid this area.</p> <p>If the application is altered in any way MOD must be consulted again as even the slightest change could unacceptably affect them..</p>	<p>Noted –</p> <p>A condition can be imposed should permission be granted with regard to the advice of the MOD.</p>
<p>National Air Traffic Services (NATS) – No safeguarding objection The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p> <p>If any changes are proposed to the information supplied to NERL in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.</p>	<p>Noted</p>
<p>East Midlands Airport – No Safeguarding Objection The proposed development has been examined from an aerodrome safeguarding aspect and does not conflict with safeguarding criteria. Condition to be applied regarding commencement</p>	<p>Noted</p> <p>Condition recommended should consent be granted</p>
<p>Civil Aviation Authority- No objections The CAA does not routinely support or object to any planning proposal. The CAA provides regulatory policy and guidance to those involved in the planning process and provides impartial advice to facilitate the planning process.</p> <p>Offers some generic comments with regards to the proposed development:</p>	<p>Noted. - A condition can be imposed should permission be granted.</p>

<ul style="list-style-type: none"> • The potential impact that wind turbines have on the communications, navigation and surveillance infrastructure and also the fact that turbines can cause a physical obstruction to aviation stakeholders should all be taken into account. • Any structure of 150 metres or more must be lit in accordance with the Air Navigation Order and should be appropriately marked. Although if an aviation stakeholder (including the MOD) made a request for lighting it is highly likely that the CAA would support such a request, particularly if the request falls under Section 47 of the Aviation Act. • If the proposed development is approved, there is a need to inform the Defence Geographic Centre icgdgc-aero@mod.uk of the locations, heights and lighting status of the turbines and meteorological masts, the estimated and actual dates of construction and the maximum height of any construction equipment to be used, prior to the start of construction, to allow for the appropriate inclusion on Aviation Charts, for safety purposes. 	
<p>Natural England – No objection Based upon the information provided, Natural England advises that the proposal is unlikely to affect any statutorily protected sites or landscapes.</p> <p>It is noted that a survey for European Protected Species has been undertaken in support of this proposal. Natural England does not object to the proposed development. On the basis of the information available to us, our advice is that the proposed development would be unlikely to affect any European Protected Species.</p>	<p>Noted – No objections have been received by the Ecologist or Natural England in regards to the installation of the wind turbine.</p>
<p>English Heritage – Taking into account the particular sensitivity of the historic landscape surrounding the application site and notwithstanding the reduced height of the turbine, sited within a gently undulating, treed landscape, English Heritage consider that it is likely to affect the setting and significance of a number of designated heritage assets as indicated in the submitted ZTV maps. In EH opinion the proposals will result in harm to designated heritage assets.</p> <p>Recommend that the application should be determined in accordance with national and local policy guidance and on the basis of the Council’s specialist conservation advice.</p>	<p>Noted – The previous application (Ref 13/00655/FUL) was for a wind turbine in the same location but with a hub height of 36 metres and a tip height of 46 metres.</p> <p>The English Heritage response to that application was as follows: <i>English Heritage suggest that on the basis of information submitted to date it is minded to consider that the proposals would potentially result in less than substantial harm to designated heritage assets. However they do not consider that sufficient evidence has been provided in the supporting material for that position to be confirmed. Following this advice a Heritage assessment was requested and subsequently provided.</i></p> <p>There is therefore an anomaly in English Heritage advice whereby it considered that a larger turbine would result in less than substantial harm whilst a smaller one would result in harm (unspecified in its severity).</p> <p>When asked to clarify its position additional information</p>

	<p>was received as follows;</p> <p><i>The new application was considered afresh from the previous application on the basis of new and more detailed information. It is accepted that the lower the height of the turbine, the less the impact is likely to be. It was however concluded that despite the reduction in height, the proposed turbine would still result in some impact on setting/harm to significance, although the impact is <u>not judged to amount to substantial harm in either instance.</u></i></p> <p><i>The NPPF is explicit on the need for clear and convincing justification for any level of harm and the need to ‘weigh up’ the public benefit associated with the proposal against the level of harm. This weighing up exercise is a matter for the decision maker to undertake when determining the application and the LPA should consider if sufficient information/evidence is available to inform its assessment and subsequent decision, including local knowledge of the area and specialist advice so that the application can be determined in accordance with national and local planning policy guidance.</i></p> <p>The applicant has provided a Heritage Assessment to accompany the application, dated August 2014. The assessment provides analysis of the potential impact of the turbine on important heritage assets within the vicinity of the application site, identifying key features and detailing potential impacts.</p> <p>The study area focuses on heritage assets within 2 km radius from the development site and within that area - 34 listed buildings, 5 Scheduled Monuments and 2 Conservation Areas have been identified to provide a robust assessment</p> <p>The applicant’s assessment concludes that no impacts of major significance on heritage assets have been identified.</p> <p>As a sensitive receptor and due to its importance within the local landscape, the Assessment also includes a section of Belvoir Castle conservation area, albeit beyond the study site, some 3.6 kilometres from the proposal site. Belvoir Castle is a grade I listed building and occupies a prominent position on top of the escarpment with extensive views over the Vale of Belvoir. There is no doubt that, although reduced in height, the turbine may be visible from certain parts of the Castle and associated grounds.</p> <p>In terms of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 there is no suggestion that this proposal would impact upon the fabric of any designated heritage asset. There are, however, a number of heritage assets whose setting would be affected to a degree.</p>
<p>Council for the Protection of Rural England – No Comments received</p>	<p>Noted</p>
<p>The Ramblers Association – No Comments Received</p>	<p>Noted</p>
<p>MBC Environmental Health –</p>	<p>The turbine is to be located within a parcel of land</p>

<p>The Environmental Health Officer has previously taken noise level readings from various locations on various days in the vicinity of the turbine site, in relation to the previous application (13/00655/FUL) and concluded that:</p> <p>In accordance with the ETSU-R-97 Report, in the event of the application being successful, it is recommended that noise arising from the turbine is limited to LA90 35dB(10mins) and that the turbine will not produce any mechanical or irregular noise sufficient to attract attention at the boundary of, California, Castle View Road, Easthorpe, the nearest residential property</p> <p>In addition, relating to this current application comments are as follows:</p> <p>Since the previous application was submitted the authority has had further involvement with this model of turbine (E-3120). Whilst not regarded as a statutory nuisance there are still noise issues with this model.</p> <p>It is acknowledged that:</p> <ul style="list-style-type: none"> • the closest resident has not objected to this application; • there is background noise from the A52 which may well screen noise from the turbine for large parts of the day; • the turbine will be able to meet the minimum noise limits set out in ETSU –R-97 Report on the Assessment and rating of Wind Farms, basically LA90 35dB(A) during the day and LA90 43dB(A). <p>However: The occupancy of the closest residential property could change; There will be times when interludes in traffic, particularly at night when background noise will drop and, based on experience elsewhere in the Borough, occupants of the nearest residential property are likely to be able to hear gear box noise in the garden despite the turbine being able to meet the noise limits set out in ETSU-R-97.</p> <p>Whilst the Environmental Health Officer has no objection in principal to the erection of a wind turbine in this location concerns have been expressed at the particular model proposed.</p>	<p>associated with the farm. The nearest residential dwelling (California) lies approximately 339m to the north east.</p> <p>The NPPF includes footnote 17 which states that in determining applications for wind developments the Local Planning Authority should follow the approach set out in the National Policy Statement for Renewable Energy Infrastructure. This guidance states in very clear terms that ETSU R 97 “should be used” and states also that the Government is satisfied it is “a sound basis for planning decisions”.</p> <p>It is considered that given the NPPF is recent and up to date National Policy which endorses the use of ETSU R 97, and the clarity of the position within the National Policy Statement, that the recommendation of the Environmental Health officer is appropriate and a condition to that effect be attached should consent be given.</p> <p>Concerns regarding the wind turbine model are noted</p>
<p>Arqiva – No Objections based upon information provided</p>	<p>Noted</p>
<p>BT Openreach – No Objections This proposal has been studied in relation to EMC and BT point to point microwave links. It is concluded that the proposal should not cause interference to BT’s current and presently planned radio networks.</p>	<p>Noted</p>
<p>JRC (Joint Radio Company) – Do not foresee any problems as proposal currently stands</p>	<p>No response to date</p>
<p>Ofcom Advisory –</p>	<p>No comments received</p>
<p>Airwavesolutions –</p>	<p>No comments received</p>

Mono Consultants –	No comments received
Vodafone -	No comments received
Everyone Everywhere Ltd (Orange) –	No comments received
Anglian Water –	No comments received

Representations:

Six site notices were posted and the immediate neighbouring properties consulted. As a result 55 letters of objection have been received from 44 households. Local interest group BLOT have also objected.

Whilst not specifically objecting a local resident has prepared and submitted an Assessment of the Visual Impact of the turbine.

One letter of support has also been received

Representation	Assessment of Head of Regulatory Services
<p>Visual Impact on Landscape and Heritage assets A total of 65 comments generally relating to the visual effect of the turbine on the landscape, historic environment and heritage assets in the vicinity.</p>	<p>The English Heritage guidance document entitled ‘Wind Energy and the Historic Environment’ advocates a sustainable approach to renewable energy generation which requires a balance to be drawn between the benefits it delivers and the environmental costs it incurs. Therefore whilst recognising the need to invest in renewable energy it recognises the potential implications for the historic environment.</p> <p>The guidance adds that high quality design is the key to minimising the adverse effect of projects such as the siting of wind turbines in the landscape and suggests that considerable weight should be given to ensuring the reversibility of renewable energy projects and their associated infrastructure.</p> <p>Due consideration must be given to the impacts of the proposed development on the historic environment (archaeological remains, historic structures and buildings, designed landscapes, designated sites/areas), the setting of historic sites and the visual amenity of the wider landscape that may detract from its historic character, tranquillity and remoteness. This can be further broken down into the elements of visual dominance, scale, inter-visibility, vistas and sight lines.</p> <p>Historic Landscape The recently completed Leicestershire Historic Landscape Characterisation places the wind turbine site within the area known as Fields and Enclosed Land, a classification which dominates rural Leicestershire. The countryside around Easthorpe is typical of this classification where there has been little change in landform, apart from some hedgerow loss, since the eighteenth or nineteenth centuries. The Leicester, Leicestershire and Rutland Landscape and Woodland Strategy (2001 Revised 2006) places the wind turbine in the area known as Vale of Belvoir. This character area is the southern part of an exposed, almost flat, plain which stretches from the foot of the Belvoir Scarp north and north-eastwards into Nottinghamshire and Lincolnshire.</p> <p>The Landscape Character Assessment of Melton Borough (2006) prepared by ADAS, places the wind turbine in Area LCA1 Vale of Belvoir described as ‘An expansive gentle vale landscape with a strong pattern of medium scale</p>

rectangular shaped pastoral and arable fields with managed hedgerows and the Grantham canal, punctuated by nucleated villages with prominent church spires.’

This area covers the Leicestershire part of the much larger Vale of Belvoir, in the northwest of the Borough. It contains the Grantham Canal and a string of small-nucleated villages within a strongly rectangular landscape pattern of arable and pastoral fields. This is a neat, intensively farmed, domesticated and well-managed farmland area where the landscape is gentle and subtle, and the dominant and most attractive element is the traditional villages with fine stone houses and churches.

The location of the proposed turbine is reflective of the distinctive characteristics. The landform indeed consists of medium scale arable fields with nucleated villages.

The turbine will have a hub height of 24.7 metres with the base to tip height of approximately 34.3 metres. There is no argument that the turbine would not be visible, nor introduce a new feature into the landscape. However, this on its own is not considered a reasonable ground for refusal and it is the **harm on the landscape** that will need to be assessed. The NPPF is clear in its guidance that Local Planning Authorities should approve planning permission unless “any adverse impacts of doing so would **significantly and demonstrably** outweigh the benefits” (emphasis added). Therefore, when considering the impact on the surrounding landscape of the proposal this needs to be the key consideration.

The NPPF then sets out guidance in relation to conserving and enhancing the natural environment. Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by; ‘protecting and enhancing valued landscapes, geological conservation interests and soils’. Paragraph 115 states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

In determining the planning application the Local Planning Authority are advised that they should take account of the desirability of sustaining and enhancing the significance of heritage assets (paragraph 131, NPPF), in this particular case – their setting. The NPPF also states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to its conservation, and the more important the asset, the greater the weight should be (Paragraph 132, NPPF).

In assessing the impact on the landscape it is considered that the proposal would be one feature within a small part of the available panorama and would not be dominant. Crucially, it will not impact upon any designated landscapes and as such the impact falls short of that which the NPPF advises requires greatest protection.

28 comments in relation to vistas - The location of the turbine between Belvoir Castle and St Mary's Church (Bottesford) will ruin the outlook between villages and across the Vale.

However in assessing the impact of the turbine in regard to the Landscape Sensitivity Study published in 2014 the Study specifically identifies Belvoir Castle as a 'primary landmark' and notes its association with other features. It states that it would be desirable to maintain uninterrupted views of the spire of St Mary's from the Castle. However it is clear that the turbine will be situated within the line of sight from Belvoir Castle towards St Mary's Church in Bottesford, which is contrary to that recommendation.

Furthermore the Study adds that schemes should be well designed and balanced to avoid visual clutter with existing development, including pylon lines. The proposed turbine will be situated in relatively close proximity to two existing electricity pylons again contrary to that recommendation.

It is considered therefore that the proposal would be contrary to the Landscape Sensitivity Study commissioned jointly by Melton Borough Council and Rushcliffe Borough Council that examines the impact of wind turbines on the landscape.

The proposed turbine will be located approximately 3.6 km from Belvoir Castle. It is likely that the turbine will be visible from certain parts of the Castle and some limited locations within the grounds and will be within the line of sight from the Castle towards the Spire of St Mary's Church, Bottesford.

The Castle is one of the most prominent features in the area and its wider setting, together with the historical links between St Mary's Church, could be compromised by the proposed development.

Wind turbines by their nature are tall and slender in appearance. In that regard some may consider them as graceful structures that may add a certain character to a landscape rather than detract from it. The balance that needs to be drawn is between the necessity for measures to meet the challenge of climate change and the importance of conserving the significance of heritage assets including listed buildings, conservation areas and the wider historic landscape. In this instance the proposed location of the wind turbine is in an area classified in historic landscape terms as Fields and Enclosed Land. The landscape in the immediate area has apparently undergone minimal changes throughout the years. The area as a whole displays subtle variations which include unchanged remote and pastoral landscapes.

Clearly there must be concerns that the introduction of a wind turbine within the local landscape will present an 'alien' feature in the landscape and potentially mar the settings of some of the heritage assets within the vicinity.

The Landscape Sensitivity Study states that it would be desirable to maintain uninterrupted views of the spire of St Mary's from the Castle and it is clear that the turbine will be situated within the line of sight from Belvoir Castle towards St Mary's Church in Bottesford, which is

	<p>contrary to that recommendation.</p> <p>This application requires a balanced judgment as to the impacts on designated heritage assets, landscape and the benefits of the proposed development. The turbine has been reduced in size since the previous application. Nevertheless the reduction in height whilst going some way towards mitigating against its visual impact is still considered to have a harmful affect upon the historic landscape. The energy production is considered to weigh in favour of installation in this location but due to factors discussed above it is recommended that the application is refused because of its significant harmful impacts upon the historic landscape.</p>
<p>Documents</p> <p>Rushcliffe and Melton Landscape Sensitivity Study Document</p> <p>The recent Landscape Sensitivity Study gives guidelines for judging the impacts of wind turbine applications on the landscape. Of particular relevance to this application are:</p> <ul style="list-style-type: none"> • Historic villages with church spires should remain as landmark features of the Vale and turbines should not compete with those in key views; • Tranquil and rural nature of the area should be maintained; • Development should not detract from the quality and character of views from Belvoir Castle • It is desirable to maintain uninterrupted views of Bottesford Church from Belvoir Castle; • Ensure that turbines do not compete with or create clutter when seen together with other man made landscape elements such as pylons; <p>Key views are:</p> <ul style="list-style-type: none"> • Views towards Belvoir Castle and the Belvoir scarp where the Castle forms an important landmark feature; • The rural patchwork character of views from the Castle across the Vale; the predominantly small, human scale of features across the Vale, in particular small historic villages, church spires etc <p>Belvoir Castle is identified as a primary landmark of borough-wide importance. The views linking the Castle and Church have particular cultural and historical significance. The proposed turbine would be almost directly in line with the spire of St Mary’s Bottesford when viewed from Belvoir Castle and would therefore not maintain uninterrupted views as recommended by the Sensitivity Study</p> <p>Harm to a designated site, such as Belvoir Castle, its parks and gardens and Bottesford Church includes harm to the setting of those assets.</p> <p>Entrust application makes no reference to the Melton</p>	<p>Melton Borough Council commissioned a study, in conjunction with Rushcliffe Borough Council that looked at the impact of wind turbines on the landscape.</p> <p>The study sets out generic guidance on the siting of wind energy developments and goes into greater detail in relation to defined Landscape Character Units.</p> <p>Of relevance to this application in terms of siting the Study states that the following guidance should be followed for siting wind energy development, whether it comprises one small turbine or multiple large turbines:</p> <ul style="list-style-type: none"> • It is generally preferable to see a substantial part of a turbine rather than partial blades so that the object can be understood in its landscape context – this may be a particular consideration for views from sensitive viewpoints or those frequented by a larger number of viewers; • Significant adverse effects from important viewpoints (including recognised iconic views*), popular tourist and scenic routes, and settlements should be avoided where possible or minimised by careful siting and design; • Protect the character of conservation areas including views or features of the surrounding landscape which contribute to their setting (as mentioned in conservation area appraisals); • Protect the setting to listed buildings (particularly where the character of the landscape is an important part of a listed buildings special interest), and protect the character of Registered Historic Parks and Gardens including views to and from, particularly designed views and historic visual connections. <p>*Views of Borough – wide importance Views from Belvoir Castle – Belvoir was built to command views of the surrounding countryside. Today the views from publicly accessible areas are restricted by mature trees surrounding the Castle. However the main façade of the Castle faces north east and long views are available to the east and northeast from the terrace. In addition, wide views across the Vale are available from the minor road which passes to the west of the Castle, where a car park and main</p>

Sensitivity Study and under estimates the impact of the turbine on views to and from Belvoir Castle

The Sensitivity Study concludes, in general terms that the proposal might have a medium sensitivity to a turbine of this height. This proposal would detract unacceptably from the local landscape characteristics representing an unsightly feature within the low lying Vale.

The application therefore conflicts with the document

A local resident has prepared a comprehensive Visual Assessment Document. The document includes reference to the Sensitivity Study amongst other documents. Whilst this is not an objection per se it reaches similar conclusions to those detailed above but sums up with this statement:

‘Overall, it is concluded that substantial harm would be caused to the character and appearance of the surrounding landscape and setting of designated heritage assets. It is unlikely that the modest environmental and economic benefits of the scheme would be sufficient to outweigh this harm’

entrance are located. From here the view over the Vale is characterised by a rural patchwork of fields bordered by hedgerows and punctuated by woodlands and historic villages. It is desirable to preserve the expansive and rural patchwork character of this view. There are also close historic links between Belvoir castle and St Mary’s Church, Bottesford and it is desirable to maintain uninterrupted views of the spire of St Mary’s from the Castle

Within the Vale of Belvoir Landscape Character Unit (LCU1) the Study identifies key characteristics of the Vale of Belvoir and important landmarks and views.

Belvoir Castle is identified as a Borough-wide primary landmark and Bottesford Church spire as a secondary landmark.

In relation to skylines the Study reports that ... *‘This area has a simple and gentle landform which results in a low lying skyline which is generally not prominent. However there are a number of landmark features including church spires. Lines of pylons run through this area and are seen on the skyline in views. Although the skyline is low lying, the incidence of church spires increases sensitivity. Overall skyline sensitivity is considered to be a medium.’*

In terms of perceptual qualities the Study states... *‘Although there is a presence of human activity and disturbance, in the form of pylons, roads, settlements and intensively managed farmland in localised areas, the area retains a perceived naturalness and a rurality, particularly in relation to the traditional villages and hamlets. Again this is considered to be a medium.’*

In terms of landscape sensitivity to the principal of wind energy the Study states... *‘The gently undulating landform and large, wide skylines reduce sensitivity to the principle of wind energy development while the many human scale elements, church spires, attractive rural landscapes with traditional vernacular villages and hamlets, and inter-visibility with surrounding landscapes including the scarp increase sensitivity (particularly to larger turbines). The area exhibits local variation between the centre of the Vale and the more strongly undulating edges to the west and south which affects sensitivity to wind energy of different heights.’*

In terms of landscape sensitivity to different turbine heights the Study identifies a medium sensitivity to turbine heights of between 25 m and 50 m

The landscape sensitivity assessment indicates that this landscape would be particularly sensitive to turbines over 50 m to tip and highly sensitive to turbines over 75 m in height.

In addition to the generic guidance with regard to siting within this particular Landscape Character Unit particular care will need to be taken to ensure, amongst other things that;

	<ul style="list-style-type: none"> • The historic villages with distinctive church spires remain as landmark features of the Vale and that turbines do not compete with these in key views; • The tranquil and strongly rural nature of the area is maintained overall; • The attractive views along winding narrow lanes and towards the small villages and church spires are retained; • Development does not detract from the quality and character of views of the vale as seen from Belvoir Castle; • Choice of location and size/scale of development does not diminish the perceived scale of Belvoir Castle and the escarpment on which it sits; • Schemes should be well designed and balanced to avoid visual clutter with existing development, including pylon lines – this is particularly important in the context of the open landscape and extensive views; • The overall aim should be to make sure that wind energy developments do not become a key characteristic of the landscape or have a defining influence of the landscape of the Vale of Belvoir (ie; developments be occasional features within the landscape and would not result in a significant cumulative impact on the landscape unit or result in a change in landscape character of the unit. <p>The Sensitivity Study has been commissioned to assess the impact of turbine proposals on the Borough’s landscape. It states that it would be desirable to maintain uninterrupted views of the spire of St Mary’s from Belvoir Castle and that schemes should be well designed and balanced to avoid visual clutter with existing development, including pylon lines.</p> <p>It is likely that the turbine will be visible from certain parts of the Castle and some limited locations within the grounds and may well be within the line of sight from the Castle towards the Spire of St Mary’s Church, Bottesford. Furthermore the turbine has been sited relatively close to two existing electricity pylons.</p> <p>Clearly there are concerns that the introduction of a wind turbine within the local landscape will present an ‘alien’ feature in the landscape and potentially mar the settings of some of the heritage assets within the area.</p> <p>In assessing the impact of the turbine in regard to the Sensitivity Study the Study states that it would be desirable to maintain uninterrupted views of the spire of St Mary’s from the Castle. However it is clear that the turbine will be situated within the line of sight from Belvoir Castle towards St Mary’s Church in Bottesford, which is contrary to that recommendation.</p> <p>Furthermore the Study adds that schemes should be well designed and balanced to avoid visual clutter with existing development, including pylon lines. The proposed turbine will however be situated in relatively close proximity to two</p>
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<p>LVIA Document</p> <p>Inaccurate and Inadequate for an application in this location</p> <p>Document deeply flawed and deceptive</p> <p>The applicants LVIA concludes that the impacts from the proposed turbine will be either slight or negligible in all cases. It is believed that this is an under estimate of the actual impact in the context of the Sensitivity Study</p> <p>Reference to the sparse population of the locality is not good reason to diminish the visual impacts of the proposal. The attractive, rural character of the area is largely derived from settlement patterns and land uses.</p> <p>Photographic justification totally misleading</p> <p>Heritage Assessment Document</p> <p>Inaccurate and Inadequate for an application in this location</p>	<p>existing electricity pylons again contrary to that recommendation.</p> <p>It is considered therefore that the proposal would be contrary to the Sensitivity Study commissioned jointly by Melton Borough Council and Rushcliffe Borough Council that examines the impact of wind turbines on the landscape.</p> <p>The photomontages submitted are only one method of assessing visual impact. A Planning Inspector when considering five turbines (APP/R1038/A/09/2107667 and APP/P1045/A/09/210837) acknowledged that photomontages and ZTV' are useful tools but stated that they cannot replace the human eye and personal judgement. Impact upon the landscape is a subjective matter and one that the officer considers to be acceptable in this instance taking into account the Borough's Landscape Character Assessment and as witnessed on a site visit around the location of the turbine.</p> <p>The applicant has provided a Heritage Assessment to accompany the application, dated August 2014. The assessment provides analysis of the potential impact of the turbine on important heritage assets within the vicinity of the application site, identifying key features and detailing potential impacts.</p> <p>The study area focuses on heritage assets within 2 km radius from the development site and within that area - 34 listed buildings, 5 Scheduled Monuments and 2 Conservation Areas have been identified to provide a robust assessment</p> <p>As a sensitive receptor and due to its importance within the local landscape, the Assessment also includes a section of Belvoir Castle conservation area, albeit beyond the study site, some 3.6 kilometres from the proposal site. Belvoir Castle is a grade I listed building and occupies a prominent position on top of the escarpment with extensive views over the Vale of Belvoir.</p>
<p>Pre Application Submission</p> <p>The pre-application consultation undertaken by the applicant appears inadequate in the context of the new legislation introduced by the DCLG in December 2013</p>	<p>The publication of the National Planning Practice Guidance (NPPG) has introduced the requirement for applicants of wind energy proposals, involving two or more turbines; or over the height of 15 metres to undertake a public consultation with residents. In summary applicants must :-</p> <ul style="list-style-type: none"> • publicise the proposal in such a way as the applicant reasonably considers is likely to bring it to the attention of a majority of the people who live at, or otherwise occupy, premises in the vicinity of the land; • set out how persons may contact them regarding the proposal. The applicant must give sufficient information about the proposed timetable to ensure

	<p>that people wishing to comment on the proposed development may do so in good time;</p> <ul style="list-style-type: none"> • if they decide to go ahead with making an application for planning permission, have regard to any responses received when finalising the application to be submitted; • when submitting their application explain how the local community has been consulted, what comments have been received, and how account has been taken of those comments. <p>The applicant and agent have stated that they have undertaken a very extensive and comprehensive community consultation exercise in relation to the scale and nature of the proposal. They confirm that they have fulfilled the requirements set out in Section 61W and 61X of the Town and Country Planning Act 1990 and Article 3B of the Town and Country planning (Development Management Procedure)(England) Order 2010 as follows:</p> <ul style="list-style-type: none"> • The applicant leafleted residential properties in the immediate vicinity and also Castle View Road; • Consultation letters were sent to Bottesford, Belvoir, Barkestone Plungar and Redmile Parish Councils • Two site notices were erected <p>Each form of correspondence stated that responses were invited within a three week period.</p> <p>Only Barkestone Plungar and Redmile Parish Council responded along with seven residents. All comments have been incorporated within the agents summary of findings</p> <p>The application has attracted a large number of objections and it is clear that residents have a different view to that of the applicant however it is considered that the public consultation process was valid and met the requirements set out.</p>
<p>Impact on the setting of listed buildings and heritage assets</p> <p>19 comments relating to the effect on the setting of Belvoir Castle, St Mary’s Church, Bottesford and other heritage assets in the vicinity.</p> <p>Two Public Enquiries have concluded that this area is unsuitable for wind turbines due to a wealth of heritage assets</p> <p>The larger applications, dismissed on appeal have established a strong presumption against and new development of this nature that would cause unacceptable harm to the setting of important heritage assets in this part of the Vale, in particular the wider settings of Belvoir Castle and St Mary’s Church</p> <p>The turbine by reason of its height, movement and proximity would undoubtedly have an adverse impact on the character of Muston and Easthorpe conservation areas.</p>	<p>The importance attached to the setting of heritage assets is recognised by the Governments National Planning Policy Framework (NPPF) and in guidance including the Historic Environment Planning Practice Guide (HEPPG), Wind energy and the Historic Environment (English Heritage) and The Setting of Heritage Assets (English Heritage). The recent publication Planning practice guidance for renewable energy contains the following statement ‘<i>As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of wind turbines on such assets. Depending on their scale, design and prominence a wind turbine within the setting of a heritage asset may cause substantial harm to the significance of the asset</i>’.</p> <p>In the case of potential impact on the setting of heritage assets the villages of Easthorpe, Bottesford, Normanton and Muston are considered below.</p> <p>Easthorpe - The village of Easthorpe is located</p>

The turbine would detract from the character of surrounding villages, particularly Muston and Redmile.

The turbine will be visible from Belvoir, Redmile, Barkestone le Vale and several smaller villages.

The Court of Appeal ruling on Barnwell 2014 concludes that where any harm to heritage assets arises, the decision maker should give 'considerable importance and weight' to the desirability of preserving the setting of listed buildings when carrying out a balancing exercise in planning matters. This principle should be applied, even when the harmful impacts are deemed to be 'less than substantial'

approximately 1.1 km north west of the turbine site on the north side of the A52 and is the closest settlement. The village has two listed buildings and a designated conservation area.

There are several other heritage assets within the village, all of which are considered to be sufficiently distant from the wind turbine site to ensure that their settings are not compromised by it

Bottesford - lies to the north of the proposed wind turbine site. Bottesford benefits from conservation area status, the boundary being drawn around the historic core of the village.

The grade I listed Church of St Mary the Virgin benefits from a fine spire, which at 210 feet is the highest in Leicestershire and as such a significant landmark within the Vale.

From certain viewpoints it is possible that the turbine will be visible be within the same line of sight as the Spire of St Mary's Church, Bottesford.

There are several other listed buildings within the village, all of which are considered to be sufficiently distant from the wind turbine site to ensure that their settings are not compromised by it.

Normanton -. The village, which lies to the north of the turbine site benefits from a conservation area and its boundary includes all of the built up area of the village but is somewhat widely drawn to include tracts of open countryside to the rear of the buildings on either side of Main Street The open spaces that both separate and enclose the built environment are important elements in the village scene.

The village has three listed buildings all situated on the west side of Main Street and hence sufficiently distant from the wind turbine site to ensure that their settings are not compromised by it.

Muston - is to the east of the proposed wind farm site. The village has no conservation area but does have several listed buildings. The turbine site is sufficiently distant so that those heritage assets will not be directly affected by the proposal.

In terms of Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 there is no suggestion that this proposal would impact upon the fabric of any designated heritage asset. There are though a number of heritage assets whose setting would be affected to a degree.

Of those heritage assets within the study area that have been assessed, it is considered that in many cases there will be no impact whatsoever and in others the impact will be negligible. However the turbine will be situated

	<p>within the line of sight from Belvoir Castle towards St Mary's Church in Bottesford, and would cause unacceptable harm to the setting of these important heritage assets in this part of the Vale.</p>
<p>Impact upon the Character of the Countryside Will effect wildlife particularly horses along the public highway.</p> <p>Future requests as a result of this application will disturb the countryside further.</p> <p>This is a rural agricultural landscape. Permitting a turbine will begin to create an industrial landscape which is inappropriate.</p>	<p>The turbine is at a sufficient set back distance from the footpath/bridle way and no objections has been received from LCC Rights of Way Officer. There is no evidence to demonstrate that the proposal would impact on users of the footpaths/bridleways in the area.</p> <p>Any application for subsequent turbines will be considered on its merits.</p> <p>The turbine may be visible from many higher view points across the Borough but this on its own is not a sufficient reason to refuse planning permission. Turbines by their nature are visible and an assessment is needed to balance the benefits of the energy production against any significant harmful affects to the landscape.</p> <p>This landscape has no 'special' designation. The policies contained within the Local Plan relating to 'Area of Particular Attractiveness' was not saved and the designation no longer exists. It is considered that the landscape is capable of absorbing the turbine and the benefits arising from the energy production are considered to outweigh the limited degree of harm on the landscape resulting from the proposal which is reversible.</p>
<p>Energy production Inefficient way of producing electricity - small benefit to production balanced against heritage</p> <p>Owners of turbines are earning subsidies paid for by tax payer</p> <p>Wind turbines are not green and are the result of institutions exploiting subsidies</p> <p>The economic case for turbines can only be made by using huge subsidies collected through taxation</p> <p>There will be little gain in terms of electricity production.</p> <p>The contribution to national requirements for electricity generation is negligible at less than 1 per cent and they cover large areas of landscape.</p> <p>Average production of electricity is likely to be 13Kw which is slightly more than running a simple electric shower</p> <p>Benefits in terms of energy production is small and does not warrant adverse effects</p> <p>A resident of the Vale submitted an objection raising</p>	<p>The NPPF encourages LPA's to consider renewable energy proposals in a positive light. This proposal would produce additional renewable energy which would help to meet the Governments renewable energy targets which aims to reduce the UK's carbon dioxide emissions by 60 per cent by 2050 with real progress by 2020.</p> <p>Regardless of these comments it should be noted that the NPPF clearly states that LPA should not require applicants for energy developments to demonstrate the overall need.</p>

<p>several energy related issues, including costs to tax payers, electricity suppliers customers and future energy costs. The documentation submitted also disputed the amount of energy that the proposed turbine would produce.</p> <p>In conclusion the objector stated that the application was inaccurate and had no economic of planning merit and would cause damage to the area.</p>	
<p>Impact upon Wildlife/Ecology Turbine will cause disturbance to wildlife and water fowl</p> <p>Danger to bats, raptors and birds in general</p> <p>Destruction of birds and bats is inevitable</p>	<p>The site has been assessed both by Leicestershire County Council Ecology and Natural England and meets the requirements of their policies with regards to the separation distances between turbines and hedgerows. No further ornithology surveys have been required and Natural England has also responded (above).</p> <p>It is considered that matters relating to ecology have been addressed and the proposal is considered to be acceptable.</p>
<p>Highway Issues Site is very close to the A52 and will cause distraction to passing motorists.</p> <p>There will be an increase in traffic through Bottesford</p>	<p>The Highway Agency have been consulted on this application and have not raised any objections on this matter</p> <p>The turbine is relatively small scale having an overall height of 34.3 metres and would be set back sufficiently from the highway to not have a detrimental impact upon highway safety. The Highways Authority has raised no objections and it is considered that there is insufficient justification to warrant a refusal based on highway safety.</p>
<p>Cumulative effect The turbine will set a precedent and could result in a 'forest' of turbines.</p> <p>One turbine could lead to another on same site and we could be blighted by a wind farm of innumerable turbines</p> <p>Decisions should take into account the cumulative impact of wind turbines on both the landscape and local amenity.</p> <p>This may be a single turbine but it could set a precedent for similar applications in the future.</p> <p>Granting consent would set a precedent which could make it difficult to refuse further applications</p> <p>Applications could also be submitted from other parties which could result in a littering of the landscape</p> <p>There are currently 30 applications in the region for turbines at various stages of the planning process and the cumulative impact will industrialise the landscape</p> <p>Various turbine consents together with numerous acres of solar farms are eroding the rural nature of the Vale at an alarming rate.</p> <p>Cumulative impact from existing renewable energy developments as well as consented large turbines such as those at Marston and Hawton</p>	<p>There is no evidence to suggest that further applications will follow and cumulative effect in this regard is therefore conjecture at present. However should other applications follow as a result of this application each will be treated on its own merits.</p> <p>The Council is aware of a number of similar structures in the vicinity that the proposal would interact with, either already built, with permission or under consideration. These include a 35m high turbine at Pasture Farm, Allington (installed) a 74m high turbine at Land off Green Lane, Marston (allowed on appeal, not yet built) and 3 turbines at 126.5m at Hawton (allowed on appeal, not yet built).</p> <p>Cumulative Landscape Impacts are concerned with the degree to which a proposed renewable energy development will become a significant or defining characteristic of the landscape. It is considered that the cumulative landscape impact of this proposal when considered with those turbines which have already been permitted and are operational are sufficiently distant and separated by landscape features that they will not be viewed together so as to have a combined impact on the countryside and sufficiently apart in terms of distance to offer 'respite' from their sight when travelling.</p> <p>It is therefore not considered that cumulative impacts would arise due to the separation distances between</p>

<p>With the recent appeal decision to allow three 126 m turbines at Hawton it is more important than ever to preserve the heart of the Vale of Belvoir</p>	<p>them.</p>
<p>Impact on residential amenity Turbine will be situated too close to residential homes in Easthorpe</p> <p>The turbine will increase the negative impact on numerous residential properties</p> <p>Quality of life will be affected and the living conditions of nearby residents in relation to noise, health and shadow flicker</p> <p>The turbine will create a negative impact on the local economy affecting house prices</p> <p>Harm caused to residential amenity of multiple homes within Bottesford, Muston and Easthorpe</p> <p>Proposal will cause significant impairment to residential amenity</p> <p>Impact on quality of life</p> <p>Many homes affected by visual impediment particularly in winter months</p> <p>How can new people be attracted to the area with such eyesores which are out of keeping</p>	<p>The proposed development is in open countryside where few dwellings exist. The closest dwelling is California, an isolated detached house on Castle View Road approximately 250 metres to the north east of the turbine site. The turbine will naturally be visible from this property but given the separation distance, oblique views and existing pylons and overhead power lines in the same line of view as the proposed turbine this is not considered to be a reason for refusal. In addition the occupant of California House has raised no objection to the application.</p> <p>To the south west, is another isolated dwelling, Kennel House which is also approximately 250 metres away. Similarly given the separation distance, natural tree cover partially screening the proposed turbine and existing pylons and overhead power lines in the same line of view as the proposed turbine this is not considered to be a reason for refusal. In addition the occupant of kennel House has raised no objection to the application.</p> <p>The village of Easthorpe is located approximately 1.1 km north west of the turbine site on the north side of the A52 and again, whilst it will be visible from some of the dwellings in Easthorpe, it is considered that due to the intervening distance it would not reduce amenities to unacceptable levels.</p> <p>The proposal is not considered to have a direct adverse impact on the residential amenities of private dwellings in Easthorpe or other properties in the vicinity.</p>
<p>Impact on recreational amenity Harm caused by impact on recreational amenity</p> <p>Walkers, dog walkers and cyclists will be affected by turbine so close to canal and footpaths</p> <p>The setting of the canal will be spoilt for walkers and fishermen</p> <p>Harm to recreational amenity users of adjacent roads, footpaths, bridleways and the Grantham Canal</p> <p>The wider area is valued and appreciated by numerous recreational users</p>	<p>There is no current evidence to show that the development of wind turbines would have an adverse impact on recreational activities.</p> <p>There is also a lack of evidence as to whether wind turbines attract or reduce the number of visitors to an area and therefore it is considered unreasonable to refuse planning permission on these grounds.</p>
<p>Tourism The turbine will have a negative impact on the tourism industry in the Vale</p>	<p>There is no current evidence to show that the development of wind turbines would have an adverse impact on tourism activities.</p> <p>There is also a lack of evidence as to whether wind turbines attract or reduce the number of visitors to an area and therefore it is considered unreasonable to refuse planning permission on these grounds.</p>

<p>Localism Bill The Government has indicated that developments should not be permitted if the local community is opposed to a scheme</p> <p>Flies in the face of local community</p>	<p>There has been a comprehensive consultation on this application and as a result a number of objections have been received from members of the local community. However the majority of the local community have not raised any objection.</p> <p>The usual planning criterion have been thoroughly considered as have the comments of statutory consultees.</p>
<p>Health</p> <p>Noise No photographic evidence to back up siting of noise monitors – therefore applicants noise submission is unreliable</p> <p>Recent studies seem to suggest that both humans and animals are affected by levels of noise previously believed to have no effect but now confirmed to have a negative and in some cases permanent impact. Although the impacts on residents may be limited by distance in this instance there may be an impact on the dogs at the nearby kennels.</p> <p>UK Noise Association recommends turbines are not sited within 1 mile of houses.</p> <p>It will create a constant audible noise</p> <p>Perceptions of noise will be greater at night causing sleep disturbance and related medical conditions</p> <p>Additional noise problems to add to already unacceptable levels from A52</p> <p>Shadow Flicker</p> <p>Two general comments in relation to shadow flicker</p> <p>Will affect residents with 900 m of turbine</p> <p>There are medical conditions associated with shadow flicker</p>	<p>Turbine applications are required to be supported with noise assessment and this has been provided. The Councils Environmental Health Officer has been consulted on noise issues and recommended that a condition be attached to any permission (see response on p10 above)</p> <p>The owners of the kennels have not raised any concerns and are in fact supportive of the application</p> <p>Shadow flicker occurs when the sun travels behind the turbine blades and causes moving shadows to be cast over large areas. This may create a strobe or pulsing effect. It is possible that this may be an issue for California House but there is no evidence that this adversely affects health sufficient to justify the refusal of planning permission. The owner occupier has not made any representation on this issue.</p>
<p>Planning Policy</p> <p>The application is contrary to Council Policy</p>	<p>The application is considered to be contrary to Local Plan Policy OS2. However, the application needs to be considered in terms of the Development Plan as a whole and the NPPF (see above in respect of the relationship between policy documents). The issue of compliance with Policy OS2 is required to be balanced against the need for Local Planning Authorities to support the delivery of renewable energy.</p>
<p>Belvoir Locals Oppose Turbines – OBJECT on the following grounds:-</p> <p>Heritage Assets of highest grade; The Historic landscape and The relationship between heritage assets</p>	<p>Please see commentary on various issues above – additional observations made below.</p>

BLOT are primarily concerned for the grade I listed Belvoir Castle and St Mary the Virgin Church in Bottesford and pose several questions in relation to harm to these heritage assets:

- Are these buildings rare ?
- Are these buildings important ?
- Is the proposed development within the setting of Belvoir Castle?
- Is the proposed development within the setting of St Mary the Virgin Church, Bottesford?
- Is there a significant connection between St Mary's and Belvoir Castle?
- Can the heritage relationship be appreciated?
- What harm is caused by the proposal?

MBC Heritage witness at Palmers Hollow Inquiry has stated that the historic setting of Belvoir Castle extends to at least Staunton hall and St Mary's Church

The NPPF, PPG and English Heritage Good Practice Guide on setting and decision taking agree with BLOT's assessment of the proposed turbine site being within the setting of both heritage assets.

The applicant's heritage assessment is in conflict with the above guidance which undermines it. It has not included an assessment of the view of Belvoir Castle from Beacon Hill where both Castle and Church can be viewed together.

From Beacon Hill viewing towards Belvoir Castle the turbine will harm the setting of St Mary's Bottesford, Belvoir Castle and the valuable heritage view which includes the spires of St Peter and St Paul, Barkstone – le – Vale (Grade II*) and St John the Baptist, Muston (Grade II*)

BLOT consider that all heritage assets within the Vale are inter-related and should be viewed as such. Therefore BLOT conclude that this proposal results in substantial harm to the setting of at least two grade I buildings and less than substantial harm to many others which should result in a presumption against development being granted.

Belvoir Castle and The Vale is a unique heritage asset which is precious and must be protected

Residential amenity

- Risk of noise impacts on California House and Kennel House ;
- Kennel House is noise sensitive from both human and animal standpoints. There is anecdotal evidence of turbines affecting animals

The issue of harm to heritage assets such as Belvoir Castle and the Vale Churches and the associated historic landscape has been dealt with above. Staunton Hall is some 6 kilometres to the north.

It is acknowledged that there are many heritage assets in the Vale. There are relatively few grade I listed buildings in the Borough and as such these are considered to be very significant heritage assets.

Melton Borough Council jointly commissioned a study, The Rushcliffe and Melton Landscape Sensitivity Study in conjunction with Rushcliffe Borough Council that looked at the impact of wind turbines on the landscape. This has been examined in detail above.

This appeal related to a windfarm proposal that comprised multiple turbines that are far taller, the effects of which cannot be reasonably compared to this application for a single, relatively modest wind turbine. However, it is acknowledged that the Inspector concluded that a further and important aspect of the history and setting of Belvoir Castle is its relationship with St Mary's Church in Bottesford (Grade I Listed) which stands slightly to the west of north at a distance of about 6km with a 28.2m tower topped by a 34.8m spire. The Council's heritage witness was particularly concerned at the association between views of the turbines and those towards St Mary's and the Inspector accepted that this association would cause some harm to the historic quality of views from the Castle.

Belvoir Castle is beyond the baseline but was included as a sensitive location at MBC request to ensure a robust assessment was made.

In terms of Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 there is no suggestion that this proposal would impact upon the fabric of any designated heritage asset. There are though a number of heritage assets whose setting would be affected to a degree.

The turbine will be situated within the line of sight from Belvoir Castle towards St Mary's Church in Bottesford, and would cause unacceptable harm to the setting of important heritage assets in this part of the Vale, in particular the wider settings of Belvoir Castle and St Mary's Church.

Neither owner/occupier has objected. In fact the occupant of the kennels has supported the application.

Turbine applications are required to be supported with noise assessment and this has been provided. The Councils

<ul style="list-style-type: none"> • California House specifically is downwind • Assessment of noise issues by applicant considered insufficient to cover lower frequency ranges. The whole character of wind turbine noise needs to be considered • Potential complication is excessive noise from the A52 causing a problem assessing actual background noise from the turbine. The turbine can be more noisy at night when traffic noise reduces • Shadow flicker issues, California House particularly susceptible to the effects. <p>Recreation assets. and Tourism</p> <ul style="list-style-type: none"> • Proposed turbine is located in a position where it will be clearly seen from Jubilee Way, Belvoir Castle, Beacon Hill, together with users of public rights of way and the Grantham Canal.; • The rotation of blades draws the eye and detracts from the quality of the countryside; • Introducing an industrial wind turbine will contrast against the landscape and have a harmful impact on tourists and residents. <p>Landscape and LVIA Assessment Vale of Belvoir provides beautiful views supported by 2 appeal decisions.</p> <p>BLOT claim that the applicants LVIA is not robust for the following reasons:</p> <ul style="list-style-type: none"> • The quoted height to tip of the turbine is less than shown in the technical drawing; • The assessment adopts a piecemeal approach to landscape character rather than combining all the factors; • The assessment states that ZTV's have been based on a 15 km radius which is factually incorrect; • Conservation Areas are given a medium sensitivity whilst BLOT considers each should be treated on its merits, ie: Bottesford should be high as it contains a grade I listed building; • The assessment claims that there will be no adverse impact when viewed from Belvoir Castle whereas BLOT would argue there will be a degree of adverse impact; • The assessment includes Grantham in the wider landscape in an attempt to characterise the area as 	<p>Environmental Health Officer has been consulted on noise issues and recommended that a condition be attached to any permission (see above p10)</p> <p>Shadow flicker occurs when the sun travels behind the turbine blades and causes moving shadows to be cast over large areas. This may create a strobe or pulsing effect. It is possible that this may be an issue for California House but there is no evidence that this adversely affects health sufficient to justify the refusal of planning permission. The owner occupier has not made any representation on this issue.</p> <p>These issues have been dealt with above (Impact on recreational amenity p23)</p> <p>Please see commentary on this report above</p> <p>The report claims the tip height to be 34.2 m whilst the drawing shows 34.38 m</p> <p>The comments on the LVIA are noted however, this document forms only part of the assessment of the application</p>
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<p>more urban than it in fact is;</p> <ul style="list-style-type: none"> • The assessment quotes the pylon line to be 29m which is factually incorrect; • The significant amenity of the Grantham Canal is overlooked and not included within the assessment; • The inclusion in the assessment of Sutton on Trent conservation area is superfluous as it is not within the area suggesting copying and pasting making the LVIA less credible; • Belvoir Castle and St Mary’s Church are omitted from the section of the assessment relating to immediate setting; • The summary of effects is described as moderate/slight which is an attempt to downplay effects; • The chosen colour of the turbine – light grey – would contrast with the local landform; • There is no reference to movement or the size of the rotor in the assessment; • The LVIA judgements are skewed in favour of development <p>Transmission Line The applicant states that the transmission line is at 29 metres. This is misleading as the height is actually 26m and the conductors are significantly lower</p> <p>The components of the turbine will have a far greater visual mass than pylons</p> <p>The lattice structure of a pylon does not provide visual mitigation screening. The proximity of pylons will create more discordant observations.</p> <p>The inclusion of a turbine in this position will multiply the visual harm as movement will draw the eye to static structures</p> <p>Melton and Rushcliffe Landscape Sensitivity Study LCU1 mentions the smaller hills within the Vale such as Toston Hill and Beacon Hill and states that views from Beacon Hill are particularly scenic. The introduction of a turbine into that view can only be regarded as significantly harmful;</p> <p>In relation to 7.14 of the report all the points mentioned will be in conflict with the proposed site of the turbine;</p> <p>The application is in conflict with 7.16 as it does not avoid visual clutter with the pylons and lines</p> <p>The application is in conflict with 7.17 which states that the overall aim should be to make sure that wind energy developments do not become a key characteristic of the landscape or have a defining influence on the overall experience of the landscape of the Vale of Belvoir</p> <p>Visualisations</p>	<p>The colour issue can be dealt with under a condition attached to any planning permission</p> <p>Please see commentary on this report above (p14-17)</p>
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<p>The application wrongly claims that the visualisations are in line with current best practice. Since the previously withdrawn application had serious errors in visualisations BLOT would have expected fully compliant photomontages</p> <p>Viewpoints include unnecessary foreground objects</p> <p>The viewing height is 1.75 m which is not explained</p> <p>Images cannot be verified due to lack of camera information</p> <p>Horizontal angle is stated to be 90 degrees which is different to a 50mm lens which is not explained by the applicant</p> <p>There is no statement of image size</p> <p>No views are provided from the area to the south and west of the turbine</p> <p>There is a discrepancy within the viewpoint numbering system, heights and dimensions as well as errors on important views</p> <p>All views with the exception of one mask one blade within the tower of the turbine thus reducing visual impact</p> <p>No views show the blade at tip height due to the Y blade configuration</p> <p>Discrepancy in distances between viewpoint and turbine</p> <p>Cumulative Impact The Vale of Belvoir is under significant impact from numerous wind turbine applications as well as solar farm applications</p> <p>The cumulative study is inaccurate which means no weight can be given to its content</p> <p>Within the 15km radius study area there are 30 wind turbines to consider not 3 as detailed Recent appeal decisions at Marston and Hawton have increased the cumulative impact when considered with the existing and proposed turbine</p> <p>There are other considerations also in regard to combined effect with larger turbines</p> <p>The applicants have not considered the 6 large turbines at nearby Thackstons Well</p> <p>The applicant has made an error in their cumulative impact assessment which gives a misrepresentation of the numbers of turbines that would interact with this site</p> <p>Claimed benefits The applicants claim an annual output of 163,00kWh will</p>	<p>The photomontages submitted are only one method of assessing visual impact. A Planning Inspector when considering five turbines (APP/R1038/A/09/2107667 and APP/P1045/A/09/210837) acknowledged that photomontages and ZTV' are useful tools but stated that they cannot replace the human eye and personal judgement.</p> <p>Please see commentary on cumulative impact above (p21-22)</p>
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<p>be generated by this proposal which is a substantial reduction of 77,000kWh on the figures quoted in the withdrawn application</p> <p>It appears that no wind speed measurements have been taken and therefore the only data is from Governments NAOBL data (5.5 m/s) which is different to that quoted in the design and access statement (5.8 m/s). Although this may appear insignificant, based on the manufacturers data this will reduce the annul energy production to 142,200 kWh. This is some 20,000 kWh less than the applicants claimed figures.</p> <p>The applicant states that wind turbines be located in areas which are free from obstruction which would affect wind flow. The predominant wind direction in the UK is in the south west quadrant. Up wind of the turbine in the south west quadrant is both woodland and a pylon. The obstruction will reduce the benefits and no doubt reduce the capacity for electricity generation below the 142,200 kWh level.</p> <p>BLOT dispute the quoted figures of electricity production per household and details of what benefits there would be to these households</p> <p>Furthermore BLOT dispute the energy cost benefits to customers stating that the application will be expensive and costly for electricity consumers and will not provide positive socio-economic benefits.</p>	<p>The NPPF encourages LPA's to consider renewable energy proposals in a positive light. This proposal would produce additional renewable energy which would help to meet the Governments renewable energy targets which aims to reduce the UK's carbon dioxide emissions by 60 per cent by 2050 with real progress by 2020.</p> <p>Regardless of these comments it should be noted that the NPPF clearly states that LPA should not require applicants for energy developments to demonstrate the overall need.</p>
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Letter of Support

Representation	Assessment of Head of Regulatory Services
<p>An immediate neighbour to the proposed turbine comments as follows:</p> <ul style="list-style-type: none"> • The size of the turbine (25 m to hub) is smaller than the existing pylons; • It is screened by a woodland; • No noise issues as there is constant noise from the A52 by-pass; • Views of turbine along canal walk limited by cutting and woodland screening; • The existing landscape already contains a railway, the by-pass, industrial development, power station and pylons; • The setting of heritage assets will not be affected by something smaller than a pylon; • Any additional proposal for turbines will need to be addressed by the planning system. 	<p>Noted</p>

Other material considerations (not raised through consultation or representation)

Consideration	Assessment of Head of Regulatory Services
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<p>Planning Policy Considerations:</p> <ul style="list-style-type: none"> • The application is contrary to OS2 of the Melton Local Plan. • There is a balance which needs to be met between the sympathetic siting of renewable energy projects and the extent of the environmental, social and economic impacts. However, the negative impacts on the local community and the environment completely outweigh any benefits which may be achieved from the proposed development. 	<p>In common with all planning applications, the Authority are bound in law to determine the application under s38(6) of the Act, i.e. in accordance with the development plan unless material considerations indicate otherwise. The Development Plan comprises the Melton Local plan</p> <p>The application is considered to be contrary to Local Plan Policy OS2. However, the application needs to be considered in terms of the Development Plan as a whole and the NPPF (see above in respect of the relationship between policy documents). The issue of compliance with Policy OS2 is required to be balanced against the need for Local Planning Authorities to support the delivery of renewable energy.</p>
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Conclusion

The application proposes the erection of a medium scale turbine at a height of 24.7 m to hub and 34.3m to tip. The proposal is considered to be supported in terms of principle by national policy in the NPPF as contributing to the wider aims of encouraging renewable energy and de carbonising the economy.

However, it is considered that harmful impacts will arise from such an installation which cannot be made acceptable. In terms of the landscape, guidance in the NPPF puts the emphasis on protecting international and nationally designated sites such as National Parks but this does not mean that all other locations should accommodate such development. Consideration has been given to the supporting information and it is not considered that this location is capable of accommodating a proposal of this nature.

It is considered that whilst there is the need for a balance between the interests of renewable forms of energy and landscape and heritage issues in this instance the proposal results in harm to the setting and relationships of Belvoir Castle and St Mary's Church in Bottesford. The Vale is unusually rich in a number of historic assets and especially so in the historic significance of visual relationships between them and their surrounding landscapes. It is therefore considered that given the siting of the turbine, harm to the historic qualities of the landscape would result of such significant and unacceptable impact as to outweigh the electricity generation benefits of this scheme.

Concerns raised regarding the impact on residential amenity from noise are considered to be demonstrable, but of limited severity. A series of other concerns (e.g. impacts on wildlife, tourism, aviation, flicker etc) are not substantiated.

It is acknowledged that the previous application on this site for a turbine with a hub height of 36 metres and a height to tip of 46 metres was recommended for approval in December 2013. However, since that time the Melton and Rushcliffe Landscape Sensitivity Study (August 2014) has been published which sets out guidance on the siting of wind energy developments and forms an important consideration in the assessment of planning applications for wind energy development in the Borough.

In assessing the impact of the turbine in regard to the Sensitivity Study it states that it would be desirable to maintain uninterrupted views of the spire of St Mary's from the Castle. However it is clear that the turbine will be situated within the line of sight from Belvoir Castle towards St Mary's Church in Bottesford, which is contrary to that recommendation. Furthermore the Study adds that schemes should be well designed and balanced to avoid visual clutter with existing development, including pylon lines. The proposed turbine will be situated in relatively close proximity to two existing electricity pylons again contrary to that recommendation.

The proposal is therefore considered to be contrary to the local plan policy OS2, the NPPF and the Melton and Rushcliffe Sensitivity Study and the benefits derived from the energy production do not outweigh other policy considerations. Accordingly the proposal is recommended for refusal.

RECOMMENDATION: Refuse

1. The proposed wind turbine will introduce a new element into the landscape which although of modest proportion will be directly in the line of sight between Belvoir Castle and the spire of St Mary's Church,

Bottesford. It will therefore have an adverse impact on the setting and visual amenity of these important heritage assets. Accordingly the proposal is contrary to OS2 of the adopted Melton Local Plan, the guidance offered in the NPPF and the Melton and Rushcliffe Landscape Sensitivity Study. These impacts are not considered to be outweighed by the benefits of the proposal in terms of the generation of renewable energy.

Officer to contact : Mr R Spooner

Date: 9.2.15