

FULL COUNCIL

15TH OCTOBER 2014

REPORT OF HEAD OF REGULATORY SERVICES

**LANDSCAPE CAPACITY AND SENSITIVITY STUDY:
WIND ENERGY**

1.0 PURPOSE OF REPORT

1.1 To present Council with the draft Landscape Capacity and Sensitivity Study (LCSS) for Wind Energy, providing the background to the study and an explanation of its potential use in informing development proposals and in developing policies through the Melton Local Plan.

1.2 the Study was also considered by REEA Committee on 3rd September 2014 who resolved that:

1) the draft Landscape Capacity and Sensitivity Study be approved, with authority delegated to the Head of Regulatory Services to make minor amendments and subsequently accept as a complete document, for use as part of the Local Plan evidence base and in assisting the assessment of any planning applications for wind energy development in the Borough.

2) the Head of Regulatory Services prepares a 'position statement' highlighting the Landscape Capacity and Sensitivity Study as technical evidence and state that the Borough Council will use it to inform its assessment of wind energy proposals.

1.3 The 'minor amendments referred to at 1) above were received shortly after the meeting and the document was finalised and published on 12th September 2014. It is already featuring in applications and appeals for Wind Turbines.

2.0 RECOMMENDATIONS

2.1 It is recommended that Council:

- a) **Notes the steps described above;**
- b) **Adopts the Study for use as part of the Local Plan evidence base for assisting the production of Development Plan policy for wind energy in the Borough and;**
- c) **Adopts the position statement comprised in Appendix 2 to this report.**

3.0 KEY ISSUES/BACKGROUND

3.1 There are significant local concerns about the impact of wind turbines on the landscape and on residential amenity.

3.2 The National Planning Policy Framework (NPPF) places a presumption in favour of sustainable development in general and encourages local authorities to support the delivery of renewable and low carbon energy associated infrastructure.

3.3 Reflecting this position and the need for action whilst the Local Plan is being prepared, REEA Committee resolved on the 4th September 2013 that a Landscape Capacity and Sensitivity Study (LCSS) for the Borough would be prepared on the understanding that this could be used as technical evidence to support the preparation of the Local Plan and assist with assessing the impact of proposals as part of the planning application process. On the 8th January 2014 REEA resolved that for purposes of efficiency and

cross boundary impacts and opportunities a joint LCSS would be prepared in partnership with Rushcliffe Borough Council.

- 3.4 Land Use Consultancy (LUC) where commissioned to undertake this work. The draft Melton and Rushcliffe Landscape Capacity Study: Wind Energy Development is appended to this report (appendix 1).
- 3.5 The LCSS assesses the potential impacts on any landmark landscape features. It also includes an assessment of visual sensitivity of the Borough considering views from important view points and sensitive routes. Maps are included which show the landscape and visual sensitivity and capacity of each of the Boroughs landscape character areas and looks at their ability to accommodate different scales of wind development.
- 3.6 The LSS will be used as evidence to support decision making. The tool will be used in informing and justifying the Council's decisions on renewable wind energy proposals with regard to landscape impact, capacity and sensitivity. The evidence will also be used to prepare renewable energy policies as part of the new Melton Local Plan.
- 3.7 Landscape capacity and sensitivity is perhaps the most high profile and challenging, but one of a number of issues that feed into the assessment of the appropriateness of wind energy developments. Other issues include, noise, electromagnetic interference, aviation implications and ecology impacts and several others.

4.0 POLICY AND CORPORATE IMPLICATIONS

- 4.1 The LCSS will provide evidence and be used as a material consideration when determining planning applications for renewable wind energy. The document also provides policy recommendations to develop a renewable wind energy policy as part of the new Melton Local Plan. This will include use by the Reference Groups in order to inform their debate and advice on policy direction in this area.

5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

- 5.1 There are no financial implications arising from this report and the receipt of this study. The study has been funded from the funds allocated in January 2014 and efficiencies have been made by preparing the study jointly with Rushcliffe Borough Council.

6.0 LEGAL IMPLICATIONS/POWERS

- 6.1 The document is now a material consideration in determining planning applications for relevant development. The document provides detailed evidence to support and inform assessment of proposals. The policy context for such proposals is set principally by the NPPF and NPPG which contains policies on accommodating low carbon energy, 'valued landscapes', etc.

8.0 COMMUNITY SAFETY

- 8.1 There are no direct community safety implications as a direct result of this report.

9.0 EQUALITIES

- 9.1 There are no direct Equalities implications as a direct result of this report.

10.0 RISKS

10.1 Without the evidence contained within the LCSS, the Council would be reliant on ad-hoc and more subjective assessment of proposals under the criteria set out in the NPPF. Therefore approving and using this evidence goes some way to reduce risk, but creates new risks with regard to how much weight would be given to the work.

Very High A				
High B				
Significant C		2		
Low D				
Very Low E				
Almost Impossible F	1			
	IV Neg- ligible	III Marg- inal	II Critical	I Catast- rophic

Risk No.	Description
1	Guidance does not assist in assessing wind power proposals or inform Local Plan
2	Guidance is given limited weight by Inspectors as part of any planning appeals

11.0 CLIMATE CHANGE

11.1 The 2009 Energy Directive sets a target for the UK to derive 20% of energy from renewable energy sources by 2020. The technical evidence will be used as a material consideration in determining planning applications for the development of wind turbines, in order to get the correct balance of delivering renewable energy and the impacts on the landscape, nearby residential properties and other issues as identified in this report.

11.2 This work will assist the Borough in understanding the most appropriate locations for wind energy developments helping it make its contribution to mitigating climate change through this source of renewable energy where it is feasible.

12.0 CONSULTATION

12.1 Consultation was undertaken in Parish Council in August 2013 on the most sensitive landscape and views in their areas. Members (Melton and Rushcliffe) also participated in a session 11 June 2014, to feed in their views on sensitive views and landscapes and understand the methodology for the work. LUC are presenting the findings of the work to all Members (Melton and Rushcliffe) on the 10 September 2014.

12.2 As stated in the report, the LSCS will form part of the technical evidence base for the Local Plan. Subject to Council approval consultation will commence on the Melton Local Plan Issues and Options in September 2014. The issues and options facing the Borough around wind energy development and the landscape will feature as part of this consultation. Moving forwards there will be further opportunities to engage in the development of draft policies through the Local Plan with the Preferred Options/ a Draft Plan scheduled for consultation in the May 2015.

13.0 WARDS AFFECTED

13.1 All wards are affected

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Date: 6th October 2014
Appendix 1: Landscape Capacity and Sensitivity Study
http://www.melton.gov.uk/downloads/download/466/melton_and_rushcliffe_landscape_sensitivity_study_wind_energy_development

Appendix 2: Melton BC position statement on the Melton and Ruscliffe Landscape Capacity and Sensitivity Study