

**DARLINGTON BOROUGH COUNCIL**  
**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 24 October 2012**

**Page 1**

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<b>APPLICATION REF. NO:</b>	<b>11/00128/FUL</b>
<b>STATUTORY DECISION DATE:</b>	<b>28/06/11</b>
<b>WARD/PARISH:</b>	<b>Sadberge and Whessoe</b>
<b>LOCATION:</b>	<b>Newbiggin, near Sadberge, Darlington</b>
<b>DESCRIPTION:</b>	<b>Erection of 3 wind turbines, one anemometer mast plus associated access tracks, crane pad and control building.</b>
<b>APPLICANT:</b>	<b>Pure Renewable Energy</b>

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**THE APPLICATION**

This planning application relates to the erection of three wind turbines in a rural location to the north of Darlington, in an area between the villages of Sadberge and Bishopton.

In summary, the proposal entails:

- Three wind turbine generators with a maximum height of 110 metres.
- A control building measuring 60 square metres (4m high) including electricity sub-station
- Construction compound area of some 900 square metres
- Construction of a new access onto Darlington Back Lane
- Construction of 2 km of new access tracks
- Construction of crane pads adjacent to each turbine
- Underground electrical cabling
- One “lattice type” anemometer mast with a maximum height of 70m

In detail the proposals will contain the following elements :

### **Turbines**

Each of the 3 turbines proposed for the site will begin generating power at wind speeds of around 3-5 metres per second (m/s) and would shut down at wind speeds around 25 m/s

### **Wind Monitoring Mast**

A new anemometer mast is required to monitor the performance of the wind turbines by gathering data on wind speeds and direction. The mast will be of a free standing steel lattice design and will be a maximum of 70 metres in height.

### **Access Tracks**

To access and service the wind turbines, approximately 2 km of new access tracks will be constructed to link the turbines to the public road network. The tracks will typically be five metres wide and constructed from crushed stone.

### **Compound & Traffic**

A temporary compound will be needed during the construction phase for the storage of plant and materials. Traffic travelling to and from the site will use an agreed route. The preferred access route for turbine delivery is from the A66 south of the site, then via Sadberge and onto Darlington Back Lane for the latter part of the journey. General HGV construction traffic will run via Stockton.

### **Cabling & the Grid Connection**

Underground cables linking the turbines will generally be laid alongside the access tracks. A control building will be built in a compound area from which the electricity generated by the turbines will be fed into the local grid.

## **SITE DESCRIPTION**

The application site consists of approximately 14.56 hectares of arable and grassland to the east of the settlement of West Newbiggin some 665 metres away. Bishopton lies about 1.7 km to the north Little Stainton approximately 1.5 km to the North West and Sadberge lies some 2 km to the South West.

There are also a number of individual dwellings or groups of dwellings surrounding the site; their distance from the development varies between 490 metres to 1000 metres.

The site is not subject to any landscape, ecological or cultural heritage designations which is one of the reasons the applicants have chosen this location. The site is approximately 50 metres AOD. An electrical transmission line bisects the site, as does a public footpath – both running east to west.

The features of the site area will be highlighted in more detail later in this report when the various impacts of the development are considered individually.

## **PLANNING HISTORY**

There have been no previous planning applications relating to this site.

## **PLANNING POLICY BACKGROUND**

There are a number of planning policies that are relevant to wind turbine development and these are highlighted below where they relate to the Newbiggin proposals.

### National Guidance.

The National Planning Policy Framework states in paragraph 97 that to help increase the use and supply of renewable energy and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. Paragraph 98 states that 'when determining planning applications, local planning authorities should: ...approve the application if its impacts are (or can be made) acceptable.'

### Regional Guidance

The Coalition Government has indicated its intention to abolish Regional Planning Policy in the form of Regional Spatial Strategies. At the time of writing the courts have ruled that the Government has not carried out the necessary changes in legislation for the RSS to cease to take force and at present the intent to abolish is not considered a material consideration. Even when RSS is abolished it is understood that the evidence base which was collected in producing the RSS will still be capable of being material to planning decisions. This was confirmed in a letter from the Government's Chief Planner to all local authorities in July 2010.

The Regional Spatial Strategy for the North East was finalised in 2008 following an Examination in Public in 2006. The evidence base for the RSS policies included the North East Renewable Energy Strategy.

RSS Policy 40 - Planning for Renewables states that strategies, plans and programmes should support and encourage renewable energy proposals. The policy also sets out the criteria that should be considered when assessing proposals including the visual impact in relation to the character and sensitivity of the surrounding landscape and the cumulative impact of the development in relation to similar developments.

The Local Development Plan – the adopted Core Strategy CS3 and CS 16

Local Wind Farm Development Guidance:

Landscape Appraisal for Onshore Wind Development (GONE 2003).

Landscape Capacity Study for the East Durham Limestone area and the Tees Plain (North East Assembly and ARUP 2008 plus addendum). With regard to these reports it must be stressed that these documents are not Supplementary Planning Guidance and do not have great weight in planning terms when considering the acceptability or otherwise of wind turbine developments. At the time however Durham District Councils and Darlington and Stockton considered that with a large number of wind turbine developments being proposed in the region, some kind of technical appraisal should be made of the capacity of the landscape to accept such developments without harming its character to an unacceptable degree.

## RESULTS OF CONSULTATION AND PUBLICITY

This planning application has attracted a large amount of interest from members of the public and other third parties consulted by the Local Planning Authority.

There have been many letters of objection to the proposals and these have taken the form of individual letters and pre written letters available online to print off and sign. There are a number of different versions of the pre written letters highlighting different issues.

### Objections

48 individual letters and E Mails objecting to the proposal have been submitted raising the following issues:

- Fewer turbines this time but much higher so the visual impact remains
- Property values will fall.
- Recent Lambs Hill approval adds to cumulative effect.
- Should be located alongside motorways.
- Arup report indicates impact on Sadberge would be “severe”.
- Arup report suggests 5km separation between wind farms – this and others nearby will be closer
- Two lakes nearby attract wild fowl etc and will be affected by the development.
- Similar problems with the two other lakes nearby.
- Impact on numerous birds which fly between these water resources.
- There are alternative renewable generation options which are less visually intrusive.
- Numerous proposals in the locality should be considered strategically not on a piecemeal basis.
- Roads to the site not suitable for large scale development.
- Cumulative effect of this and nearby proposals will exceed Arup’s recommendations.
- Wind turbines are not efficient
- Loss of character to Bishopton Conservation Area and Ancient Monument from numerous schemes proposed
- Noise impact both audible and low frequency will affect nearby properties.
- Visual impact will be considerable – lower the height.
- Possible interference with TV and mobile phones.
- Impact on Sadberge – noise and visual – will be considerable.
- Danger to aircraft using nearby airport.
- Aerodynamic Modulation noise possibly affecting nearby properties – noise report does not address this problem.
- Loss of residential enjoyment due to “wind farm landscape” being created nearby. Gardens will become unusable.
- Detrimental impact on health from sleep deprivation and shadow flicker.
- Impact on bats and other wildlife.
- Subsidies for wind power make other renewable options less attractive.
- Benefits of proposals should be ploughed back into local community.
- There will be an unacceptable increase in traffic on local roads.
- Wind turbines are inefficient – often not operating for extended periods.

- Offshore options are less harmful to the landscape.
- All local villages will be affected by the cumulative impact of this and other proposals.
- Ice may fall off blades in winter causing danger to the public.
- Loss of agricultural land.
- Wind farm should be located in less sensitive industrial areas.
- Why should these developments get approved in rural areas when other industrial proposals do not?
- Nuclear power should be supported more.
- Walkers and horse riders will be affected by the visual impact of the wind turbines.
- Detrimental impact on local rural businesses such as tourism and walking etc.
- Durham already saturated with wind farms – especially with “The Isles” proposal now being pursued.
- Village of Little Stainton will suffer from the cumulative effect of 3 – 4 wind farms.

There were four different types of pre written letters of objection submitted. A total of 66 of these letters were received and the issues raised therein reflect those listed above.

The local ward Member has stated his support for the objectors.

The local Member of Parliament objects to the proposal on grounds of visual impact on the local countryside and the ongoing cumulative impact of this and other approved and proposed wind farms nearby.

#### Letters of support.

Two individual letters of support have been submitted - the reasons given for supporting the proposed development were:

- They are visually attractive structures
- Turbines are a good way for farms to diversify
- They produce clean energy locally.

A number of **Parish Councils** were consulted and the following objected to the proposed development:

- East and West Newbiggin
- Bishopton
- Great Stainton
- Little Stainton
- Sadberge
- Morden
- Stillington and Whitton

Reasons for objecting to the proposal are summarised as follows :

- Cumulative impact of so many proposals nearby recently approved and built
- Proposal closer to approved wind farms nearby than ARUP report suggests – 5 km.
- Noise and disturbance from construction traffic.

- Abnormal loads should not be routed through Sadberge as there will be unacceptable disturbance over a long period of 8 – 9 weeks.
- Structures are out of scale with the rural surroundings within which they are located
- Visually dominating and out of context with the countryside.
- Airport safety will be compromised
- Will be a hazard to birds using nearby lakes.
- No assurances have been given that noise nuisance will not occur as a result of the turbines' operation.
- A proper development policy should be created for the next round of applications in this area relating to the 2020 renewable energy targets.
- Too close to other approved wind farms.
- Too close to West Newbiggin
- TV and phone reception will be affected.
- Impact upon Bishopton Conservation Area.
- Some residents will be surrounded by wind farms.

In addition the Seven Parishes Action Group objects to the proposals. This group represents East and West Newbiggin, Bishopton, Great Stainton, Little Stainton, Sadberge, Great Burdon and Redmarshall. Their concerns reflect those of the individual Parish Councils above.

#### Other Consultees.

#### **Durham Tees Valley Airport –**

Objections have been raised; the airport has issued the following statement :

“ ..... our calculations show that ..... one of the turbines will penetrate Durham Tees Valley Airport's safeguarded surfaces ..... and would therefore pose a safety risk to aircraft operations at the airport.”

“ ..... it would also appear that the heights and locations of the three proposed turbines would impact on the airport radar systems and the safe operation of aircraft within the vicinity of the aerodrome.”

**Natural England** – Initial concerns were expressed at the proposed loss of hedgerows to ensure none were closer than the 50 metre standoff distance required to safeguard local bat populations from impacts. However proposed replanting of additional hedgerows nearby is seen as acceptable mitigation.

Other protected species such as badgers, reptiles, Great Crested Newts, Otters and certain bird species are considered not to be adversely affected by the proposed wind turbines. In particular birdlife and their flight paths were most significant to the north of the turbine site close to the bodies of water in that particular area. There remains some uncertainty regarding the scale of impacts on wader bird displacement from wet meadows around turbine number 2.

#### **Council Parks and Development Manager – comments as follows –**

*From a green Infrastructure (Draft) and Rights of Way Improvement Plan point of view, the application is not making a contribution to either of these strategic Council documents.*

*The principal behind the GI is that opportunities should be identified whereby the ' biodiversity value of the area is maximised, new green corridors are created and water courses and field margins enhance connectivity'. Also stipulated is the need to enhance/ restore the landscape value of arable areas, hedgerows and hedgerow trees restored and habitats enhanced. The development as proposed does not address these issues.*

**CPRE** – Objects for the following reasons:

- Proposal is close to two other approved sites at Moor House and Lambs Hill and will cause cumulative impacts.
- This area is a tranquil oasis away from major roads in the area and should not be negatively impacted by a wind farm development.

**Northumbrian Water** – If approval is given, discussions must take place with the applicants regarding the location of a water main within the site.

**Ministry of Defence** – No objections.

**Ramblers Association** – Concerns regarding the proposed temporary closure of a nearby footpath during construction and maintenance of the turbines, otherwise no objections.

**Northern Gas** – No objections.

**Stockton – on - Tees Borough Council** – The proposed increase in HGV movements along to Yarm Back Lane will necessitate widening works at certain junctions – payable by the developer.

There will be significant impacts on nearby residents in Stockton Borough. The development does not achieve the 5km standoff distance from other approved wind farms as suggested in the ARUP report and it exceeds the suggested maximum number of turbines suggested as being acceptable for the ARUP Zone 24.

Concerns expressed regarding the cumulative impact of this proposal in association with others proposed and approved nearby.

**English Heritage** – No objections but concerns expressed regarding the cumulative effect of the numerous similar proposals emerging in the locality.

**Highway Engineer** – No objections to the proposed routes for the abnormal loads and HGV construction traffic.

**Highways Agency** – No objections providing a condition is imposed relating to the agreed abnormal loads route.

**The BBC** – they were consulted in relation to possible impacts on television reception. No objections were raised to this proposal; a condition is proposed to ensure any reception problems are mitigated.

**Environment Agency** – No objections subject to a surface water drainage condition.

**Durham County Archaeologist** – No comments received

**Environmental Health Officer** – Is content to impose conditions relating to potential noise generating issues as submitted by the applicants in line with ETSU. This includes amplitude modulation issues.

**One North East** – No objections but aware of objections from the local airport and would expect a solution to this issue before any approval is given for the development.

**Council Countryside Access Officer** – Any footpath closure would need a formal Order well in advance of closure.

**Durham County Council Landscape Section** - They were consulted again as they have much experience in studying the impacts of numerous wind turbine proposals in County Durham and beyond and for this reason extracts of their comments are included below in some detail to assist Members in their deliberations over this application.

In considering the advice below, Members should be aware that the scenarios within the ARUP reports which related to the cumulative effects of various combinations of existing and proposed wind farms in the locality have been overtaken by events such as the approval of Lambs Hill, the refusal and dismissal on appeal of Foxtan Lane and the revised proposal for 24 turbines at The Isles just north of Darlington Borough. In view of this therefore there is no reference to these scenarios below.

### **GENERAL LOCATION**

*The proposals lie within an area identified in the North East of England Plan: Regional Spatial Strategy to 2021 as a 'broad area of least constraint for medium scale wind energy development'. The area is identified as the Tees Plain in Policy 41, and by a W symbol on the Key Diagram (Inset N).*

### **LANDSCAPE CAPACITY: PLANNING BACKGROUND**

*RSS identifies the area as having potential for medium scale development, which it broadly identifies as being 'up to 20-25 turbines'. The Tees Plain area contains 38 operational or consented turbines in 5 separate developments (High Volts, Butterwick, Walkway, Red Gap Moor, Seamer, Lamb's Hill and Moorhouse) and is therefore well over the scale of development envisaged in RSS.*

*The figure given in RSS was not based on an assessment of the capacity of the landscape of these broad areas. RSS makes reference elsewhere to the need for the location and design of proposals to be informed by landscape character and sensitivity assessments, particularly the Landscape Appraisal for Onshore Wind Development (GONE 2003). It also makes reference to development capacity studies being undertaken and identifies LDFs, and the assessment of planning proposals, as being the 'appropriate level' at which to deal with the issue of the capacity of individual 'broad areas of least constraint'.*

### **Wind Farm Development and Landscape Capacity Studies: East Durham Limestone and Tees Plain (NEA / ARUP 2008) and Addendum (ANEC / ARUP October 2009)**

*The landscape capacity study subdivides the area into landscape zones which it assesses in terms of sensitivity and appropriate wind farm typology. The proposals would lie in Zone 24 which is*



*assessed as being of medium sensitivity and suited to a Small – Medium -small (4-6 turbines) wind farm typology (Table 2). In terms of capacity, Zone 24 is identified as having a capacity of 'None/limited' and says of it that:*

*“There are no existing turbines within the zone. In principle the landscape could have the capacity to accommodate more than one medium small – small scale development (i.e. 4-6 turbines per development). However, the constraints map indicates that is very little unconstrained land within this zone. (Table 8, Page 59).”*

*The site therefore lies within an area identified as having some suitability for development but limited capacity. The typology proposed (3 turbines) is smaller than that assessed as being the largest appropriate (4-6 turbines). The study also identifies a 'Least Impact Area' which the proposals would lie within.*

*(Officer note – the approved Lambs Hill proposal is for four turbines; this together with Newbiggins' three turbines would take the total for zone 24 to more than the recommended six maximum).*

### **IMPACTS ON LANDSCAPE CHARACTER**

*The applicant's Zone of Theoretical Visibility study (Figures 6.4 to 6.6) shows that the proposals would be widely visible across the Tees Lowlands other than locally in the shallow incised valleys of the River Tees and minor watercourses, and in the low lying Bradbury, Preston and Morden Carrs to the north. Across this area generally the relatively open nature of the countryside and the flat or gently undulating terrain means that the turbines would be widely visible and typically as skyline features although occasionally seen against, or rising above, the backdrop of the Cleveland Hills which is an important and attractive feature of views southwards across the Tees Plain.*

*The scale of the impact in the shallow views typical of this landscape is influenced heavily by distance - the presence of hedges, trees, woodlands and undulating topography becoming increasingly influential with distance in screening or assimilating turbines. In general the turbines would have low impacts at distances beyond around 5 or 6km from the site, with high impacts occurring within around 2km or so.*

*Within around 2 km of the site impacts would generally be high. The turbines would be prominent or dominant features in typical views. This is generally true for development of this nature in a rural landscape wherever it occurs. With the exception of the localised screening effects of hedges and trees the turbines would be fairly consistently visible. The local landscape has some characteristics that make it less sensitive to, or provide a rationale for, wind development such as the broad scale and simplicity of the landform, the broad scale of the land-cover in some views, and the presence of overhead services. The proposed turbines would clearly dominate the local landscape in many views although as a small cluster I wouldn't consider them on their own to be out of scale or out of keeping with its character.*

*In views from this locality the existing turbines of Butterwick / Walkway are often visible on the skyline to the north, as will be the turbines of the permitted Red Gap Moor. Turbines of the permitted Lamb's Hill wind farm will be generally visible to the north at closer range and those of the permitted Moorhouse wind farm will also be generally visible to the west at similar distance ranges. The proposed Newbiggin turbines in combination with these developments would create a strong sense of being in a wind farm landscape in some areas and particularly in areas between the proposals and Moorhouse and Lamb's Hill. An observer in this area would*

*enjoy little respite from the presence of turbines at relatively close range either travelling in a vehicle or walking in the locality.*

*Within the 2km to 5km range the landscape remains generally open. The turbines would be widely visible and often relatively prominent features although locally screened by topography in pockets of low ground along the Bishopton Beck and the Skerne. In some views the landscape again has characteristics that make it less sensitive to wind development and particularly in views where the foreground is made up of large amalgamated arable fields. In views of a predominantly rural landscape turbines would clearly have a notable presence. Considered on their own, being a relatively small cluster, they would read as a discrete and coherent group and I wouldn't consider them to be out of scale or out of keeping with the character of the landscape.*

*Views from within this area will have other turbines visible in the view including near and distant features, most notably Butterwick/Walkway, Red Gap Moor, Lamb's Hill and Moorhouse. In some views the turbines would be assimilated in some degree by existing lines of overhead services. The proposals would increase the number of wind clusters visible in the landscape in views from many vantage points and particularly in sequential views for those travelling on roads or footpaths through the area. It would be difficult to avoid this sequential cumulative effect or the sense that that turbines were beginning to define a substantial proportion of the landscape of the Tees Plain rather than reading as discrete and localised features.*

### **IMPACTS ON RESIDENTIAL AMENITY**

*It is an established principal that there is no right to a view. There are nevertheless circumstances in which wind turbines can have an overbearing or oppressive effect due to scale and proximity, which can affect the living conditions of residents. The size of turbines and distance to them are clearly important factors as these affect their perceived scale. The number of turbines, the angle of view they occupy, the orientation of habitable rooms and gardens and screening by topography, buildings or vegetation are also important.*

*The evidence of past appeal decisions suggests that while there may be a consensus that turbines are likely to be 'overbearing' at distances closer than four times the turbine height in open views, and unlikely to be overbearing at distances of greater than around seven times their height, at distance ranges in between the acceptability or otherwise of their impacts is influenced by site-specific factors and by the judgements of individual decision-makers.*

*The applicant's Environment Statement doesn't contain an assessment of impacts on individual properties. This is a shortcoming. My own understanding of those impacts is as follows.*

***East Newbiggin** lies around 496m from the nearest turbine (T1). The main elevations of the property face NW and SE with gardens to the east. The turbines would be visible at relatively close range occupying around 120° of the view. T3 would be screened by mature trees to the SW of the property. Impacts would be high and could be considered overbearing. This may be a financially involved property.*

***Cardinal Points** lies around 635m from the nearest turbine (T3). The main elevations of the property face NW and SE and it is set in currently open grounds. The turbines would be visible at relatively close range occupying around 100 ° of the view. T1 would be partially screened by intervening farm buildings to the north and T2 would be partially screened by mature trees west of East Newbiggin. Whether the turbines had an*

*overbearing effect of the property would depend on the degree of screening which is difficult to ascertain without wireframes.*

**Fox Hill** lies around 655m from the nearest turbine (T3). The main elevations of the property face W, NW and SE. There are substantial areas of mature vegetation between the property and the turbines which would either entirely or substantially screen them from view. I wouldn't consider it likely that the turbines would have an overbearing effect on the property.

**Salter Carr Farm and Granary Cottage** lie 664m and 642m from the nearest turbine (T3). The main elevations of both properties are to the NW and SE with gardens to N and S. The turbines would occupy around 25° of the view although views towards T3 and T1 would be screened or heavily filtered by roadside vegetation. I wouldn't consider it likely that the turbines would have an overbearing effect on the property.

**Gilly Flats (northern property)** lies around 526 m from the nearest turbine (T1) Main elevations face E and W. Turbines would be screened by intervening farm buildings. I wouldn't consider it likely that the turbines would have an overbearing effect on the property. This may be a financially involved property.

**Gilly Flats (southern property)** lies around 526 m from the nearest turbine (T1) Main elevations face N and S with gardens to the South. Turbines would occupy around 70° being open to view from 1<sup>st</sup> floor window but screened from most ground floor vantage points by garden vegetation. The turbines would be likely to have an overbearing effect: this may be a financially involved property.

**Pitfield House** lies around 621m from the nearest turbine (T2). The main elevations of the property face west and east with gardens surrounding. The turbines would be visible at relatively close range occupying around 50° of the view. The turbines could have an overbearing effect on the property: this is a matter of judgement.

**Oak Lea** lies around 816m from the nearest turbine (T3). The main elevations of the property face NW and SE with gardens to the S and SW. The turbines would occupy around 58° but would be screened or heavily filtered by mature tree lines to the north and west of the property. I wouldn't consider it likely that the turbines would have an overbearing effect on the property.

**West Newbiggin** lies around 759 from the nearest turbine (T2). The main elevations of the property face N and S with gardens to the W and S. Eastward views towards the turbines would be obstructed by adjacent farm buildings. I wouldn't consider it likely that the turbines would have an overbearing effect on the property.

**Wayside** lies around 647m from the nearest turbine (T2). The main elevations of the property face N, S and E with gardens surrounding. The turbines would occupy around 48° of the view (Figure 6.30a). The turbines could have an overbearing effect on the property: this is a matter of judgement.

**Stone Gables** lies around 792m from the nearest turbine. The main elevations of the property face N and S with gardens to N and S. Views towards the turbines would be largely obstructed by intervening farm buildings and vegetation. I wouldn't consider it likely that the turbines would have an overbearing effect on the property.

**Wagtails** lies around 966m from the nearest turbine (T2). The main elevations of the property face N and S with open gardens surrounding. The turbines would occupy around 35° of the view from the gardens above and beside intervening buildings and vegetation. I wouldn't consider it likely that the turbines would have an overbearing effect on the property.

*Stoney Flatt Farm* lies around 1000m from the nearest turbine (T1). The main elevations of the property face N and S with gardens to the front and rear. The turbines would occupy a narrow field of view (15°) with T1 and T3 stacking, partially screened or filtered by intervening mature trees. I wouldn't consider it likely that the turbines would have an overbearing effect on the property.

*Stone Riggs* lies around 1026m from the nearest turbine (T1). The main elevations of the property face N and S with gardens to S and W. The turbines would occupy a narrow field of view (14°) filtered in some views by a mature tree but open in others. I wouldn't consider it likely that the turbines would have an overbearing effect on the property at this distance.

The visual impacts of the proposed turbines on many of these properties would be high. Whether the turbines would be overbearing in themselves is a matter of judgement. I think the members should visit the more closely affected properties in the vicinity to come to their own view. Some of the properties where I consider it possible or likely that the turbines would have an overbearing effect (*East Newbiggin, Cardinal Points, Gilly Flatts S, Pitfield House and Wayside*) may have some degree of financial involvement in the project. The extent to which that influences the degree of harm considered acceptable is a matter for your judgement.

Most of these properties have, or will have, views of other wind development in the vicinity. While there will be cumulative impacts in that respect, the other operational or permitted schemes are at sufficient distance that the combined effect is unlikely to be overbearing in so far as the term is currently understood in this context.

### **IMPACTS ON SETTLEMENTS**

The area in which the proposals would have its more substantial impacts – roughly within around 5 or 6km from the site – contains a number of settlements including *Sadberge, Longnewton, Middleton St George, Elton, Whinney Hill, Redmarshall, Carlton, Thorpe Thewles, Witton, Stillington, Foxton, Old Stillington, Great Stainton, Little Stainton, Bishopton, Barmpton* and the fringes of both *Stockton and Darlington*

The turbines would be prominent features of the local environment, visible from some residential properties and from roads and recreational footpaths / bridleways serving those communities. In this respect they are not unique and the situation here would be similar to that in the locality of some existing and approved wind farms elsewhere in the region.

The highest impacts would fall on the nearest villages - *Little Stainton, Bishopton, and Sadberge*. It is in the nature of views from settlements that impacts often vary considerably within the settlement and it is difficult to come to overall conclusions about the magnitude or significance of the effects of proposals 'in the round' on the visual environment of the community. Key factors in my experience are:

- Whether the proposals would have an overwhelming impact on the residential amenity of individual properties.
- Whether the proposals would be visible from public areas or community facilities within the fabric of the village and if so whether they would dominate that visual environment.
- Whether the proposals would dominate the settlement in views of it, and particularly from the main approaches to it.
- Whether the proposals would dominate the recreational footpath network serving the community.

These are matters which can be difficult to assess, and on which judgements will vary. My own judgements are as follows.

**Little Stainton (1.5 km)** *The turbines would be visible in views from some properties on the southern edge of the village although at sufficient distance not to be overbearing. They could be visible from some public vantage points within the village although this is difficult to predict without visualisations. They would be dominant features in views from the approaches to the village from the east and west and in views from the footpath network west of the village and to a lesser extent from the north.*

*The approved Moorhouse turbines will be visible at around 1.8km from some properties on the western side of Little Stainton. Impacts in some of these views will be high although the turbines would be at a sufficient distance not to be overwhelming. They won't generally be visible from within the village other than in occasional gaps between buildings. The turbines will be prominent features on the western approach to the village and may be visible over the village on the eastern approach. They will be prominent but not dominant features of footpaths close to the village. The approved Lamb's Hill turbines would be visible from some properties in the north and east of the village at greater distance (3.2 km) although largely screened by intervening woodland*

**Bishopton (1.7 km)** *The turbines would be visible in views from some properties on the southern edge of the village although at sufficient distance not to be overbearing. They would not generally be visible from public areas within the village due to the screening effects of intervening buildings and vegetation. They would be dominant features in views from the approaches to the village from the east and west and in views from the footpath network south of the village.*

*The approved Lamb's Hill turbines would be visible in views from some properties in the north of the village and would be dominant features, albeit at sufficient distance not to be overbearing. They would be dominant features in approaches to the village from the north and from the footpath network to the north of the village. The approved Moorhouse turbines would have a lower impact being at greater distance (4km) to the west.*

**Sadberge (2.0 km)** *The turbines would be visible in views from some properties on the eastern and northern edges of Sadberge but at sufficient distances not to be overbearing. They would not generally be visible from public spaces within the village. They would be prominent or dominant features of approaches to the village from the east and north and from the footpath network north of the village.*

*The approved Moorhouse turbines will be visible in views from some individual properties on the northern edge of Sadberge where impacts would be high- medium in views from northern elevations and gardens. Turbines would be at a sufficient distances not to be overwhelming. The turbines will be visible from some public areas (Norton Crescent, streets and urban green space west of Hillhouse Lane), and community facilities (the village hall) – but won't be visible from much of the urban fabric of the village.*

*The elevated position of the village and the openness of the landscape to the north are such that where the turbines would be visible, they would often be clearly visible as a fairly large array in panoramic views of open countryside. The turbines would be prominent on the approaches to the village from all directions and prominent or dominant features in views from the footpath network north of the village. The Lamb's Hill turbines will be visible from similar vantage points in between the East Newbiggin and Moorhouse clusters at greater distance (6km) as are the Butterwick/Walkway turbines at 13km. Their impacts are moderate or low but would add to the cumulative effect.*

**Conclusion of the above.**

*From these nearest villages the proposed turbines would generally be visible or partially visible from some properties on settlement edges but not at sufficient proximity to be visually dominant. Given the shallow views typical of this landscape they would not generally be visible from public areas and community facilities within the villages, and would not in themselves dominate their visual environment either in terms of views of the settlement or from the surrounding footpath network as a whole.*

*In combination with other development, however, it is clear that wind development is beginning to dominate the visual environment of these communities. They already lie within what might be described as a wind farm landscape (see cumulative impacts below) and the effects of this proposal being approved would be to intensify that experience considerably. Bishopton and Little Stainton in particular would have wind turbines as dominant features on all of the approaches to the village by road and all of the footpaths serving them. The experience of other settlements in the area that are already lying within a 'wind farm landscape' (Great Stainton, Stillington, Old Stillington and Foxton) would be significantly intensified with the addition of this scheme.*

*Whether this level of impact would be unacceptable is a matter on which judgements will quite reasonably vary. My own judgement is that the combined impact on the visual environment of the communities most affected would harm the local residents' experience of the area to an unacceptable degree.*

### **CUMULATIVE IMPACTS**

*The current situation is that there are two clusters of operational turbines currently on the Tees Plain; the Butterwick/Walkway complex and High Volts.*

*The current situation in respect of the 'zone of potential prominence' (50 x turbine height) – the area within which turbines may be relatively prominent features in the landscape – and 'zone of potential dominance' (20 x turbine height) – the area within which turbines may be relatively dominant features is shown on an accompanying diagram. A similar diagram shows the situation with Lambs Hill, Moorhouse and Newbiggin included in the scenario. These are broadly indicative only and are subject to local factors affecting visibility and visual impact.*

*The 'zone of potential dominance' is the area in which the landscape and visual impacts of wind turbines would be at their greatest and corresponds roughly to what is sometimes referred to as a 'wind farm landscape'. This zone is currently focussed around the existing clusters with a degree of separation between them.*

*The 'zone of potential prominence' is the area in which wind turbines might be expected to be visible as relatively prominent features in the landscape. This currently covers the northern part of the Tees Plain west of Sedgfield*

*The separation distances between the East Newbiggin proposal and Lamb's Hill and Moorhouse are much lower than the ARUP recommendation of 5km which was intended to avoid continuous tracts of 'wind farm landscape' developing. As noted above under Landscape Character, the development would lead to a strong perception of wind turbines as being a defining characteristic of a substantial proportion of the Tees plain landscape rather than them reading as localised features within it.*

*Cumulative impacts are by their nature incremental and there are no obvious thresholds at which the level of impact becomes clearly unacceptable. This is something on which judgements will quite reasonably vary. My own judgement – which I think is broadly consistent with the*

*findings of the ARUP report - is that the level of impact on the landscape of the Tees Plain in the scenario described above would exceed its capacity, and would moreover lead to unacceptable levels of impact on the visual environment of communities in the immediate area and particularly those living in and around Bishopton, Little Stainton, Sadberge, Stillington and Great Stainton.*

In considering the above the following conclusions can be made :

1. The proposals would lie within an area identified in RSS as a 'broad area of least constraint'.
2. The proposals would be reasonably consistent with the findings of the Landscape Appraisal but not with the more detailed ARUP Landscape Capacity Study.
3. The proposals would be widely visible and would have significant effects on the character of the landscape of the Tees Plain within around 5km of the site. This level of impact is typical of development of this kind wherever it occurs. However in combination with operational and permitted development the proposals would create an extensive tract of wind farm landscape which would dominate the landscape of the Tees plain to a degree that is considered to be unacceptable.
4. The proposals lie close to a number of residential properties. Whether they would have an overbearing affect on the visual amenity of these properties is a matter of judgement. For most properties it is not considered to be likely that the proposed turbines would be overbearing.
5. The proposals lie relatively close to a number of villages. The turbines would in most cases be prominent features, visible from some residential properties on settlement edges and from the roads and footpaths / bridleways serving them, but they would not in themselves dominate their visual environment. However, in combination with operational and permitted development the proposals would have a high level of impact on the visual environment of communities in the immediate area and particularly those living in and around Bishopton, Little Stainton, Sadberge, Stillington and Great Stainton to a degree that is considered to be unacceptable.

## **PLANNING ISSUES**

The main issues for Members to consider in this case are:

- Planning Policy
- Landscape and visual impact
- Residential amenity including noise and shadow flicker
- Aviation issues
- Ecology Issues
- Other issues raised by consultees.

### **Planning Policy Guidance**

The NPPF clearly states that the transition to a low carbon future in a changing climate, including through the use of renewable resources should be encouraged. It makes it clear that planning applications should be approved, if its impacts are (or can be made) acceptable, unless material considerations indicate otherwise. The NPPF indicates that Core Strategy policies still

prevail, unless there is more than a limited degree of conflict with the NPPF provisions. In this case, officers' view is that that the relevant Core Strategy policies do not significantly conflict with the NPPF.

In environmental and economic terms, this application has the potential to generate up to 6MW of electricity by converting the kinetic electricity of the wind into electrical energy, potentially supplying up to 3756 households with electricity, potentially saving between 5698-13,490 tonnes of CO<sub>2</sub> per year. Grid connection will be made via Sadberge to the west of the site which the applicants consider is capable of accepting additional input from the site.

Core Strategy policy CS3 states that significant weight will be given to the wider environmental, economic and social benefits arising from renewable energy schemes and their associated infrastructure subject to the anticipated individual and cumulative effects on the following three criteria:

- a) The surrounding natural, built, historic and cultural landscape and townscape including buildings, features, habitats and species of national and local importance
- b) Residential amenity including visual intrusion, air, dust, noise, odour, traffic generation, recreation and access
- c) The operation of air traffic and radar systems

The above criteria are considered in more detail below.

Where landscape and visual effects are identified PPS22 Practice Guide clearly states that these should be only one consideration to be taken into account in assessing a planning application. Wider environmental, economic and social benefits are all material considerations that should also be given significant weight.

### **Visual Impact on the Landscape**

The application is for the provision of 3 wind turbines and associated infrastructure, situated on agricultural land broadly open in nature, but with a number of residential properties in relatively close proximity north east of the Darlington urban area. The site is bordered on all sides by agricultural land with Darlington Back Lane adjoining the site to the south.

The site is not subject to any landscape, ecological or cultural heritage designation and as such the site's sensitivity to wind turbine development is accordingly reduced.

Wind turbines by their scale and tendency to be formed in groups, will always have a visual impact upon the landscape within which they are located and an impact on the amenities of people who live in the locality. The degree of impact depends on the form and character of the landscape and the perceptions of the public who are affected by the development. Apart from the impact of individual wind farms on receptors and the landscape, the cumulative impact of other schemes nearby – both operational and granted planning permission – need to be taken into account.



The turbines will be visible over a wide area; however the fact that they are visible does not necessarily mean that they are visually harmful to such an extent as to warrant refusing planning permission.

The current proposal for three turbines is of a relatively small scale by today's standards, and this is recognised by the Durham Landscape Officer's report above : *Considered on their own, being a relatively small cluster, they would read as a discrete and coherent group and I wouldn't consider them to be out of scale or out of keeping with the character of the landscape.*

There are however two other wind farms approved nearby – Moor House for six turbines about 3.1 km distant and Lambs Hill for four turbines about 4.2 km distant. Both of these are within the recommended separation distance of 5 km as noted in the ARUP report as being the minimum separation distance to avoid wind farms appearing overbearing or dominating to intervening receptors.

This issue has been highlighted above by the Durham Landscape Officer: *The proposed Newbiggin turbines in combination with these developments would create a strong sense of being in a wind farm landscape in some areas and particularly in areas between the proposals and Moorhouse and Lamb's Hill. An observer in this area would enjoy little respite from the presence of turbines at relatively close range either travelling in a vehicle or walking in the locality.*

Other operational wind farms are seen in more distant views from the locality around Newbiggin, such as Red Gap and Walkway/Butterwick. The current proposal would increase the number of wind turbine clusters visible in the landscape from a number of viewpoints and in sequential views to travellers – so much so that it is considered that the cumulative effect referred to above is creating a “wind farm” landscape in this part of the Tees Plain rather than the wind farms appearing as discrete and localised features.

#### **Visual Impact on Individual Residential Properties**

With regard to the impact of the scheme on living conditions in terms of visual dominance or outlook, the advice in the PPS22 Companion Guide, for wind energy projects, affirms the basic principle that ‘The planning system exists to regulate the development and use of land in the public interest. The material question is whether the proposal would have a detrimental effect on the locality generally, and on amenities that ought, in the public interest, to be protected’.

It is not possible to protect a property simply on the basis that an attractive or cherished view would be adversely affected by development. However, when turbines are present in such number, size and proximity that they represent an unpleasantly overwhelming and unavoidable presence in main views from a house or garden, there is every likelihood that the property concerned would come to be widely regarded as an unattractive and thus unsatisfactory (but not necessarily uninhabitable) place in which to live. It is not in the public interest to create such living conditions where they did not exist before.

Some of the nearest dwellings to the proposed wind farm have a financial interest in the development and this is often given as a reason to relax noise impact and visual intrusion standards when considering residential amenity. The following statement from the appeal inspector who recently considered the (dismissed) Foxtan Lane wind farm appeal near to Lambs Hill addresses this issue :

*A mitigating factor is that the bungalow belongs to the estate which retains a financial interest in the development. I accept that in these circumstances occupiers are likely to have greater tolerance of the adverse effects of turbine development, but the impact on day to day living remains ....., there must be a point at which it is not in the public interest to create unattractive living conditions. The combined impact on outlook of Lambs Hill and Foxtan Lane turbines on the occupier of this property would be a step too far.*

In view of this material consideration, officers are of the opinion that the impact on all residential properties near to the development should be taken into account.

The submitted Environmental Statement does not detail potential impacts upon individual dwellings, however officers are of the opinion that this is an important issue that needs consideration. The separation distances between the proposed turbines at Newbiggin and some twelve residential properties varies between some 496 metres and 1000 metres.

A useful comparison can be made between the separation distances between the Newbiggin Wind Farm and nearby dwellings and the Foxtan proposal and nearby dwellings. Whilst the situations of the respective dwellings are obviously different, the Appeal Inspector clearly thought that visual impacts would be a material consideration at distances greater than the 5 -600 metres often thought to be the "cut off" point beyond which visual impacts will be acceptable. The Foxtan separation distances varied between 740 metres and 1047 metres. In view of the above therefore Officers felt justified in examining impacts upon nearby residential dwellings at Newbiggin.

Impacts on residential amenity will vary according to distance and topography however there are a number of properties (about twelve) that are close enough to the proposal to be potentially affected by visual impact to an unacceptable degree. Of these properties most are screened from the proposal by intervening vegetation or buildings but there are 4 properties ( 2 of which are financially involved) which are likely to suffer an overbearing impact. The cumulative impact of other approved or operational wind farms on these properties is considered to be unlikely to be overbearing in view of the separation distances involved.

In particular Officers are concerned about the visual impact of the proposed wind farm upon the residents of Wayside ( 647 metres away), Pitfield Farm (621 metres), Gilly Flats South (526 metres) and East Newbiggin (496 metres). The Durham Landscape Officer's report above offers an opinion on what visual impacts may be expected at these and other properties and officers have no reason to demur from that opinion. It is considered, taking this into account together with the approach of the Foxtan Lane appeal Inspector that the development would lead to a visually unacceptable overbearing impact on these properties.

The developer has recently proposed a scheme of mitigation which would involve tree planting in order to help screen the turbines from direct views from Wayside and Pitfield House. Officers consider such proposals would be of limited effect due to extensive timescale that would be involved before becoming effective.

### **Visual Impact upon nearby settlements.**

The turbines would be prominent features of the local environment, visible from some residential properties and from roads and recreational footpaths / bridleways serving those communities. In this respect the situation here would be similar to that in the locality of some existing and approved wind farms elsewhere in the region.

In this instance, the highest impacts from the Newbiggin proposal would fall on the nearest villages - Little Stainton, Bishopton, and Sadberge. It is in the nature of views from settlements that impacts often vary considerably within the settlement and it is difficult to come to overall conclusions about the magnitude or significance of the effects of proposals overall on the visual environment of the community. The main issues to consider in this instance are:

- Whether the proposals would have an overwhelming impact on the residential amenity of individual properties.
- Whether the proposals would be visible from public areas or community facilities within the fabric of the village and if so whether they would dominate that visual environment.
- Whether the proposals would dominate the settlement in views of it, and particularly from the main approaches to it.
- Whether the proposals would dominate the recreational footpath network serving the community.

The Durham County Council Landscape Officer has studied the likely impacts on the three closest villages and detailed his conclusions above, however to summarise:

From these nearest villages the proposed turbines would generally be visible or partially visible from some properties on settlement edges but not at sufficient proximity to be visually dominant. Given the shallow views typical of this landscape they would not generally be visible from public areas and community facilities within the villages, and would not in themselves dominate their visual environment either in terms of views of the settlement or from the surrounding footpath network as a whole.

In combination with other development, however, it is clear that wind turbine development is beginning to dominate the visual environment of these communities. They already lie within what might be described as a wind farm landscape and the effects of this proposal being approved would be to intensify that experience considerably. Bishopton and Little Stainton in particular would have wind turbines as dominant features on all of the approaches to the village by road and all of the footpaths serving them. The experience of other settlements in the area that are already lying within a 'wind farm landscape' (Great Stainton, Stillington, Old Stillington and Foxton) would be significantly intensified with the addition of this scheme.

The judgement of the County Landscape Officer is that the combined impact on the visual environment of these communities that are most affected would harm the local residents' experience of the area to an unacceptable degree. Officers have no reason to disagree with this opinion.

#### **Noise Impacts on Individual Properties.**

The Council's Environmental Health team have assessed the potential noise issues that may arise from the proposed development in accordance with the relevant guidance that covers proposals for wind farms. This is referred to as ETSU-R-97.

The 1997 ETSU report '*describes a framework for the measurement of wind farm noise and gives indicative levels thought to offer a reasonable degree of protection to wind farm neighbours, without placing unreasonable restrictions on wind farm development or adding unduly to the costs and administrative burdens on wind farm developers or local authorities*'.

The ETSU-R-97 report describes the method of how and where ambient (background) noise measurement surveys should be undertaken. It also establishes the levels of turbine noise that are acceptable in different locations and situations, as either a fixed limit, a level relative to the prevailing background noise level, or a combination of both of these.

The noise conditions are, in addition, divided into day and night periods. For the daytime consideration is given to the amenity for outside spaces and is based on the times normally associated with leisure such as at weekends and during evenings but any day time limit would apply throughout the day. For the night period (23:00 to 07:00) consideration is given to the impact of the noise on sleep and therefore the emphasis is on the amenity of indoor spaces within residential properties. Higher noise levels are considered appropriate for any properties with a financial interest in the development.

The assessment of wind turbine development proposals should follow the methodology detailed in ETSU-R-97 and if constructed, should comply with the noise limits established by and that result from applying this method. Satisfactory evidence that the wind turbines can comply with the ETSU-R-97 requirements and that noise levels arising from the proposed development would be within the noise limits determined from the guidance would therefore demonstrate that noise control measures for the scheme are both appropriate and can be achieved.

Some commentators insist that ETSU –R-97 is out of date and therefore irrelevant to current noise assessments of wind turbine proposals, however numerous Appeal Inspectors have emphasised that this is currently the methodology adopted within PPS22 and it is this to which Local Planning Authorities should have regard.

There is the further issue of *Aerodynamic Modulation (AM)* about which much has been written in recent planning appeals.

The available evidence has been examined along with the details submitted by the applicants and it is concluded that there is a “greater than average risk of AM at this site” and it is suggested that a suitable planning condition should be attached to any permission granted but this may be difficult to do whilst ensuring the condition adheres to the five tests required by Government.

The Council’s Environmental Health Officer is content to impose conditions relating to potential noise generating issues as submitted by the applicants in line with ETSU. This includes amplitude modulation issues.

### **Shadow Flicker**

Under certain combinations of geographical position and time of day, the sun may pass behind rotors of a wind turbine and cast a shadow over neighbouring properties. When the blades rotate, the shadow flicks on and off; the effect is known as ‘shadow flicker’.

A residential property must usually be within 10 rotor diameters of the turbine in order to experience shadow flicker. . The applicant has undertaken an assessment for eight buildings within ten rotor diameters (820m) of the turbine and state that the amount of time when shadow flicker could occur has been calculated to be between 9 hours and 50 hours a year.

Whilst the incidence of shadow flicker appears to be quite severe, the figures are a worst case scenario and would be likely to be diluted by factors such as cloud cover and lack of wind.

Appeal Inspectors have in the past been satisfied that appropriate mitigation measures can be implemented (secured by condition) which reduce impacts to a negligible level.

For this proposal, it is considered that any detrimental effect on local residents through incidences of shadow flicker can be satisfactorily controlled and that this would not therefore be a sufficient ground on which to refuse planning permission.

### **Air, dust and odour**

These impacts will be limited to the construction phase. Mitigation is proposed to address the impacts identified.

### **Aviation impacts**

The applicants have had some discussions with the Durham Tees Valley Airport with a view to having them lift their objection to the proposed wind farm at Newbiggin. As noted above they have concerns regarding the impact the turbines will have on their airport radar systems. At the time of drafting however, no agreement is in place for this proposal and the Airport maintains an objection to the proposal.

Whilst this objection is a material consideration, in itself it is not considered to be a reason to refuse planning permission as similar objections raised for other wind farm proposals in the region have been addressed via the imposition of a “Grampian” planning condition. A Grampian condition is a planning condition attached to a decision notice that prevents the start of a development until off-site works have been completed on land not controlled by the applicant.

It is considered that such a condition could be imposed in this instance should planning permission be granted.

### **Impact on Ecology and Local Biodiversity.**

The initial submission caused concern for Natural England and the Council’s Countryside Officer in that impacts upon protected species, in particular bats, were not sufficiently addressed in terms of the location of the turbines in relation to habitats used by those species.

Two of the turbines were proposed to be located within a stand off distance of hedgerows which were known to be used by bats and which were therefore susceptible to adverse effects from the operation of the turbines.

The applicants proposed to take out some 300 metres of hedgerow to avoid this problem and in mitigation plant some 470 metres of replacement hedgerow. This was acceptable to Natural England.

The Council Countryside Officer has expressed concerns that there is no provision for any habitat enhancement within the proposals other than a small area of new woodland to be planted. Whilst these ambitions form the basis of the Council’s Green Infrastructure Plan (Draft) currently out for consultation, they do not form part of the Development Plan and cannot be used as a reason to refuse planning permission in this instance.

There are no other adverse impacts expected on ecology and biodiversity that cannot be mitigated by means of appropriately worded planning conditions should planning permission be granted.

### **Traffic and public right of way impacts**

The development proposals will generate abnormal load movements during the construction phase. A range of traffic management measures will be employed to enable the safe movement of abnormal loads. Traffic impact has been assessed and it has been demonstrated that construction traffic will not create significant impact on the surrounding highway network. The construction phase will last approximately ten months, after which the development will generate negligible traffic volumes. The Highways Agency has raised no objection to the proposed development and the Council Highway Engineer has recommended certain conditions to any approval given.

The proposed development would not result in the loss of any public rights of way. There would be a need for a right of way to be temporarily closed during the construction period however this would not be a ground to refuse planning permission.

### **Television Interference**

Wind turbines have the potential to disrupt TV signals within the local vicinity. The outcome of this interference is a 'ghosting' effect on the TV screen. To assess the impact of the wind farm proposal on television reception, the BBC Windfarms Tool website was used. This concluded that the current proposal was unlikely to affect homes if approved.

In the event of reception problems, the applicant suggests improving the receiving aerials or providing the affected households with an alternative source of television signals through a different transmitter, an existing cable connection or a digital system, which could be dealt with as a condition of planning.

### **Loss of agricultural land**

Natural England are content that the proposals will not raise any significant agricultural or soil resource protection issues – the majority of the site is classified as Grade 3 agricultural land in line with other areas in the locality – only the tracks and turbine bases will be lost to agriculture with the intervening land remaining in such use.

### **Impact on Bishopton Conservation Area and Scheduled Ancient Monument**

The Durham County Council Landscape Officer report above confirms that the main impacts upon Bishopton will be cumulative in association with other wind farms approved nearby. Direct impacts upon the Conservation Area are not considered to be significant.

The applicants acknowledge there may be indirect visual impacts on the setting of Bishopton Castle (SAM). However as a result of topography and the presence of vegetation it is considered that this will be minor.

### **Archaeology**

With regard to archaeology it would be possible to impose a condition to address any potential impacts during the construction period.

### **Ice Throw**

Some concerns have been expressed that ice forming on the turbine blades may fall off and injure members of the public. PPS 22 Companion Guide refers to a British Wind Energy report which estimates that the specific weather conditions required for ice to build up as being less than one day per year. The proposed turbines will be located in agricultural land and fenced off to prevent unauthorised access. Furthermore the turbines will automatically shut down if ice forms and creates an aerodynamic imbalance.

Various letters of representation have been received in relation to the proposed wind farm development. It is considered that the majority of issues raised by objectors have been covered in this report. However some representations received have raised issues that are not considered to be relevant to the determination of the planning application. For information, the following issues have been held by appeal inspectors *not* to be material planning considerations:

- Loss of value to a property
- Wind speed at the site
- Efficiency of the technology
- Safety of the turbines
- Questioning Government targets or policy.

### **CONCLUSION**

It is accepted that this wind farm proposal would make a contribution towards the overall supply of renewable energy, and contribute towards reaching regional and national targets in terms of energy production. There is very strong and consistent National policy support for renewable energy projects and this is reflected in the weight that Council's are encouraged to give to planning applications in support of these projects. The scheme would have benefits in this respect, and the key consideration in determining the application is whether or not this policy support for the proposal outweighs any adverse environmental or social impacts the proposal may have.

The PPS22 Companion Guide is quite clear that landscape and visual effects are only one consideration to be taken into account in assessing a planning application, and these must be considered alongside the wider environmental, economic and social benefits that arise from renewable energy projects. These are all material considerations that should be given significant weight in determining whether proposals should be granted planning permission'.

In terms of visual impact, the proposed wind turbines due to their scale and design will undoubtedly have an impact on the landscape, and will be highly visible features in the locality. Any impacts the proposed development will have in its own right on the wider landscape

however are considered to be commensurate with the benefits the turbines will provide in terms of the production of renewable energy.

It is considered however, that taking into account the views of the Durham County Council Landscape Officer, that the application conflicts with RSS Policy 40 and Core Strategy Policy CS3 in that the development would be unacceptably visually intrusive for certain residential properties near to the development and would, in combination with other wind farms nearby both operational and with planning permission, have a high level of impact on the visual environment of certain communities in the immediate area. In addition it is considered that the cumulative impact of the proposal with other wind farms nearby both operational and with planning permission, would create an extensive tract of wind farm landscape which would dominate the landscape of the Tees plain to a degree that is considered to be unacceptable.

Whilst taking into account the findings and conclusions of the Environmental Statement, in view of the above it is considered that the various negative visual impacts of the development would outweigh in importance the wider environmental benefits of the project. It is considered that this negative impact cannot be satisfactorily addressed through mitigation or the use of planning conditions.

## **RECOMMENDATION.**

### **That Planning Permission be refused for the following reasons :**

1 - In the opinion of the Local Planning Authority, the location and scale of the proposed wind turbines would, in combination with existing and permitted wind turbine developments, have an unacceptable impact on the visual environment of nearby villages, in particular Little Stainton, Bishopton and Sadberge, contrary to RSS policy 40 and Core Strategy Policy CS3.

2- In the opinion of the Local Planning Authority, the location and scale of the proposed wind turbines would, in combination with existing and permitted wind turbine developments, have an unacceptable impact on the landscape character of this part of the Tees Plain contrary to RSS policy 40 and Core Strategy Policy CS3.

3 - In the opinion of the Local Planning Authority, the location and scale of the proposed wind turbines would, have an unacceptable impact on the visual amenity of the residential properties at Wayside, Pitfield Farm, East Newbiggin, and Gilly Flatts South, contrary to RSS policy 40 and Core Strategy Policy CS3.