

Planning Services

COMMITTEE REPORT

AGENDA ITEM NUMBER:

APPLICATION DETAILS

APPLICATION NO:	CMA/2/16
FULL APPLICATION DESCRIPTION	Installation of Wind Turbine, 74m to tip height (reduced from 87m during application process), control building, temporary compound area, associated infrastructure, and erection of 60m anemometer mast (to be installed prior to the wind turbine).
NAME OF APPLICANT	Whirlwind
SITE ADDRESS	Land situated between Craghead Lane (350m north) and Humbleburn Lane (300m south), to the west of Beechgrove Lane (250m). To the east of Craghead, County Durham
ELECTORAL DIVISION	Chester-le-Street South
CASE OFFICER	Allan Simpson Team Leader –Strategic Team Tel. 03000261389 allan.simpson@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

The site

1. The application relates to a site situated approximately 1km to the east of the centre of Craghead and 4.5km west of Chester-le-Street. The site is currently used for grazing and forms part of a larger agricultural land holding. The B6313 lies to the north of the application site, with Humbleburn Lane to the south and Beechgrove Lane to the east. The application site area is 1.09Ha.
2. The site, lies within an agricultural field. The closest residential properties are Humbleburn Cottage to the south (510m) and properties on Craghead Lane to the west (580m). A residential caravan, which it is understood is used for occasional overnight use associated with the small holding operation, is situated on a small holding to the north of the application site (300m).

3. There are no statutory sites for nature conservation situated within 1km of the application site. The application site does not include any area designated for its landscape or ecological value.
4. The application site lies in an area where wind turbine are already features in the landscape. There are currently three main clusters of wind turbine development in the area. The Holmside Wind Turbines are situated to the south west of Craghead, the Greencroft wind turbines further to the west, and turbines at Langley situated to the south of the application site. Further to the wind turbines that are currently operational or consented in the area there are current proposals for wind turbines to be erected adjacent to the existing Holmside Wind Turbines at South Moor Golf Club, and to the north of the application site at Twizzell Hall Farm.

The Proposal

5. Planning permission is sought for the erection of a single wind turbine with associated development including a wind monitoring mast (to be installed for a temporary period of one year prior to the installation of the wind turbine), new and upgraded on-site access track, underground cabling and an on-site control room/sub-station.
6. The application originally proposed a wind turbine with a maximum tip height of 87m. However during the application process, as a result of discussions with the Ministry of Defence, the height of the proposed wind turbine has reduced to a maximum tip height of 74m.
7. The turbine type would be of a typical modern design incorporating a tubular tower and three blades attached to a nacelle housing the generator, gearbox and other operating equipment. The turbines would be off-white in colour with a low reflectivity finish.
8. The proposal includes the development of infrastructure associated with the erection of a wind turbine on the site. The turbine itself would be installed on a concrete gravity foundation measuring approximately 15m x 15m with a concrete depth of approximately 2.5m. The turbine would be mounted onto a circular steel support plinth approximately 1.65m in height which would incorporate an anchor ring and fixing bolts for the turbine. The final foundation design would depend on the results of detailed pre-construction investigations at the turbine location. The proposed development would require the construction of an area of hard-standing adjacent to the turbine foundation for use during construction of the crane required to lift the turbine into position and to lay down the turbine components ready for assembly and erection. The crane hard standing would be 20m x 40m with an approximate thickness of 600mm. An access track would be created leading from Humbleburn Lane to the turbine location. The track would be 4m in width and 240m in length.
9. The development includes the erection of an electrical control building. The building would be located adjacent to the access track near to the site boundary with Humbleburn Lane. The building would have a footprint of approximately 10m x 5m with a maximum height of 3m. The exact details of the building would be agreed through condition with the Council if planning permission is granted. The turbine would be linked to the electrical control room by an underground cable which would be laid along the proposed access track. The wind turbine will be connected, via the electrical control building, to the local electricity distribution network. The local

distribution operator has confirmed that it would be possible to connect the proposed wind turbine directly to the existing overhead line that runs across the site.

10. Dependent on the type of wind turbine chosen, it may be necessary to house the turbines electrical transformer adjacent to the turbine base. The transformer housing would not exceed 4m x 6m x 3m (height) and would be sited within 5m of the turbine tower. The external finish would be rendered masonry or moulded plastic and would be painted in a colour to be agreed with the Council if planning permission is granted.
11. The proposals includes the erection of a wind monitoring mast for a period of up to a year before the proposed wind turbine is erected on site. The wind monitoring mast would be 60m in height, and would be installed on site for a period of a year prior to the erection of a wind turbine on site. The monitoring mast would be supported by guy ropes which would project 30m from its base.
12. Access to the application site would be taken off Humbleburn Lane (unclassified) on the eastern boundary of the application site.
13. The main construction period is likely to last for four months, from commencement of detailed site investigation, survey and design work, through to the installation and commissioning of the turbine and ending with the removal of any temporary construction works.
14. The wind turbine that would be erected would be designed with an operational life of 30 years. On a day to day basis the turbine would operate automatically, responding by means of anemometry equipment and control systems to changes in wind speed and direction. These systems are designed to ensure the performance of the turbines and control issues such as rotor speed, direction and angle as well as generator temperature. At the end of the operational life of the wind farm, a decision would be taken whether to replace the turbine or decommission them and remove it from the site. Replacement of the wind turbines at this time would require a further planning application. Decommissioning the site would involve the complete removal of the turbines from the site, together with all surface infrastructures. The site would then be reinstated to its original appearance, or in accordance with a scheme of works to be agreed with the local planning authority. The exact details of the required decommissioning works are normally agreed through condition if planning permission is granted.
15. The application has been supported by a number of technical documents including: an Environmental Report, Design and Access Statement, Wind Turbine Technical Description and associated plans and drawings. The Environment Report includes information relating to Planning Policy, Visual Impact, Ecology, Heritage, Traffic and Transport, Noise and Shadow Flicker, Recreation and Tourism, Electromagnetic Interference, and Aviation Safeguarding. During the application process additional information has been received in relation to Aviation, Great Crested Newts, and Noise.
16. The application is reported to Committee as the application represents a major development.

PLANNING HISTORY

17. There is no relevant planning history.

PLANNING POLICY

NATIONAL POLICY

18. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
19. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve ‘core planning principles’.
20. In accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. The relevance of this issue is discussed, where appropriate, in the assessment section of the report below
21. The following elements are considered relevant to this proposal:
22. One of the twelve core principles of the NPPF (paragraph 17) supports “the transition to a low carbon future in a changing climate..... and encourages the use of renewable resources (for example, by the development of renewable energy).”
23. The NPPF also states in paragraph 98 that states that “when determining planning applications, local planning authorities should:
- Not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions...
 - Approve the application (unless material considerations indicate otherwise) if its impacts are (or can be) made acceptable.”
24. *NPPF Part 1 – Building a strong, competitive economy* – The NPPF outlines in paragraph 19 that significant weight should be placed on the need to support economic growth through the planning system.
25. *NPPF Part 10 – Meeting the Challenge of Climate Change, Flooding and Coastal 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.
26. *NPPF Part 11 – Conserving and Enhancing the Natural Environment* – The planning system should contribute to, and enhance the natural environment by; protecting and enhancing valued landscapes, recognising the benefits of ecosystem services,

minimising impacts on biodiversity and providing net gains in biodiversity where possible, preventing new and existing development being put at risk from unacceptable levels of soil, air, water or noise pollution or land instability, and remediating contaminated and unstable land.

27. *NPPF Part 12 – Conserving and Enhancing the Historic Environment* – Local Planning Authorities should have a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets, recognising that these are an irreplaceable resource and conserving them in a manner appropriate to their significance.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

LOCAL PLAN POLICY: (Saved policies of the Chester-le-Street District Local Plan)

28. *Policy NE2 – Development Beyond Settlement Boundaries* – broadly seeks to strictly control development outside of established settlements.
29. *Policy AG4 – Farm Diversification* – offers broad support for development that involves proposals to diversify farm businesses.
30. *Policy T17 – General Transport Policy* – sets out that all new developments should have regard to and be consistent with the provision of a safe and accessible transport network by reducing the reliance on the private car, and encouraging cycling and walking as an effective means of transport.

The County Durham Plan

31. The County Council is currently developing a countywide Local Plan, and has carried out a consultation on a “Preferred Options Draft” during the latter part of 2012. The application site has no formal allocation or designation within the County Durham Local Plan, as is the existing situation within the Chester-Le Street Local Plan..
32. *Policy 22 - Wind Turbine Development*, within the preferred options document sets out the Councils direction of travel in respect of wind energy. This states that planning permission will be granted for the development of wind turbines unless, amongst other things, there would be significant harm to residential amenity, landscape character and important species and habitat. In order to safeguard residential amenity, turbines should be located a minimum separation distance of 6 times the turbine height from a residential property.
33. The policy also seeks to protect designated heritage assets and their settings, airport radar systems, and sets a clearance distance from public rights of way and the public highway.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at
<http://www.durham.gov.uk/pages/Service.aspx?ServiceId=6618>
<http://www.durham.gov.uk/pages/Service.aspx?ServiceId=856> (County Durham Plan)
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf> (National Planning Policy Framework)

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

34. *Edmondsley Parish Council* – objects to the application for the following reasons:
- Noise Pollution – a background noise report should be carried out before and after the development.
 - Concerns that the noise will be worse at night.
 - Traffic Issues – the site lies adjacent to an accident black spot.
 - Broken Turbines in other areas
 - Loss of property value
 - Proliferation of wind turbines in County Durham
 - Durham has already met it's renewable energy targets
 - Spoilt views from properties
 - Too close to neighbouring properties
 - Worry for children on horseback
 - Poor television signal
 - Effects on Tourism
 - Ice on Blades in Winter
 - Concerns that this application will set the precedent for future additional wind turbines.
 - Lack of energy produced
 - Effects on residents mental health
 - Effect on the beauty of the landscape
 - Inaccuracies of submitted photo-montage – not representative or at correct proportion – giving false information.
35. *Highways Authority* – Highways Authority Officers' have assessed the suitability of the proposed delivery route for the wind turbine. In general terms the delivery route is considered to be acceptable, subject to one exception. Additional details need to be submitted in relation to how the abnormal load delivery will pass an existing traffic calming chicane on the C84 Road, in Grange Villa. It is likely, given the size of the turbine blades, that some work will be required to allow the abnormal roads through the chicane. The components would be a one-off series of accompanied Abnormal Indivisible Loads, and the onus would be on the developer to ensure that the vehicles are accompanied by either police, or licensed escort vehicles, in reflection of their size. These are one off abnormal loads and as such there is requirement for a condition requiring a joint road condition survey prior to the commencement of any work on site. The condition will also require the developer to undertake any post-construction remedial and restoration work required. The Highways Authority therefore raise no objections to the scheme subject to conditions requiring details of required works to the traffic calming chicane in Grange Villa, and a road condition survey being submitted prior to any works commencing on site.
36. *Newcastle International Airport* – No objections received. An assessment of potential radar visibility from Newcastle airport has been submitted in support of the application which concludes that there is no possibility of the proposed wind turbine being visible on the Newcastle International Airport radar, which has been accepted by the airport.
37. *NATs* – Has examined the proposal from a technical safeguarding aspect and considers that the proposal does not conflict with its safeguarding criteria. NATS therefore has no safeguarding objection to the proposal as submitted.

38. *The Ministry of Defence (MOD)* – The MOD originally raised objection to the proposed development. At a height of 87 metres the turbine would have caused interference the air defence radar at Brizlee Woods. However, during the application process the applicant confirmed that the height of the proposed wind turbine would reduce from 87m in height to 74m in height. The MOD then advised that it would have no objections to a wind turbine of that height in the proposed location subject to a condition being attached to any grant of permission requiring the mast to be fitted with suitable aviation lighting.
39. *Natural England* – It is noted that the application is in close proximity to Waldrige Fell (SSSI). However given the nature and scale of the proposals, Natural England raises no objections to the proposals being carried out according to the terms and conditions of the application and submitted plans on account of the impact on designated sites. Natural England expects the Local planning Authority to consider the impacts on Protected Species, Local Wildlife Sites and the potential for Biodiversity Enhancement when determining this application.
40. *The Environment Agency* – has no objections to the proposal as submitted. The Agency notes that the total development area will not exceed 1 hectare and therefore does not have any comments to make in relation to surface water management and refers to its standing advice.
41. *The Coal Authority (CA)* – confirms that the application site falls within the coal mining development referral area and there within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of the application. The CA concurs with the recommendations of the Coal Mining Risk Assessment submitted in support of the application; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy on the site. It is therefore recommended that a condition is imposed on any grant of planning permission to require the specified investigation works to be undertaken prior to commencement of development. The condition also needs to ensure that if the site investigation confirms the need for remedial works to ensure the safety and stability of the development, that such works should be undertaken as part of the development.

INTERNAL CONSULTEE RESPONSES:

42. *Spatial Policy* – Consider that the proposed turbine would have visual and landscape impacts. However, the NPPF establishes a presumption in favour of sustainable development unless any adverse impacts would significantly outweigh the benefits. The main issue is likely to be visual impact and with this in mind it is considered that colleagues in Landscape will be in a position to advise on these particular impacts of the proposal, including an assessment of its likely visual and landscape impacts. This should also include an assessment of the potential cumulative impact arising from the proposal in combination with existing wind turbines around Craghead and elsewhere.
43. *Landscape* – Officers have no clear objection to the proposal, however state that there are possible concerns over the turbines impact on the closest dwelling (Humbleburn Cottage), and those properties located on Beechgrove Terrace/Victoria Place. There are also potential issues with regard to the cumulative impact of the

scheme when viewed alongside other turbines in the vicinity. Officers consider that the acceptability or otherwise of the proposed turbine is a matter for personal judgement, and will be a subjective issue for the decision maker.

44. *Pollution Control* – No objections are raised to the proposed development. Officers advise that conditions should be attached to any grant of planning permission to state acceptable noise limits at nearby residential properties, to set arrangement for investigation and resolution of noise complaints received by the Council, to limit working hours during the construction period and details of the decommissioning of the turbine to be submitted.
45. *Ecology* – Officers have considered the Environmental Report, which considered the impact of the development on habitats, birds, bats, brown hare, and badgers, submitted with the application. Initially concerns were raised regarding the location of the proposed wind turbine near to two ponds which could have been used by Great Crested Newts. During the application process a Great Crested Newts Risk Assessment and Precautionary Working Method Statement were received which overcame the initial concerns. The Council's Ecologist has confirmed that subject to the development being carried out in accordance with the mitigation measures included in the submitted Environmental Report, and GCN Working Method Statement that ecological impacts would be acceptable.
46. *Access & Rights Of Way* – Officers have confirmed that there are no any registered or claimed public rights of way affected by the proposals and therefore have no further comments.
47. *Design and Conservation* – No objections are raised to the proposed turbine which officers consider is unlikely to have any adverse impact on the setting of nearby listed buildings.
48. *Archaeology* – Officers note that they have provided pre-application advice in relation to this proposal. It was noted that during open cast coal mining at the Craghead site by Hutchinson's Mining Ltd in the 1990's found evidence of early bell bits which accessed ironstone layers rather than coal. At the time of the pre-app it was not clear where the development would be located and whether or not it would be on disturbed (open-casted) land or not. This meant that officers were unsure of the impact of the development on further potential bell-pits. It is noted that the applicant has prepared an environmental report with an associated Cultural Heritage chapter without any further reference to the Council's Archaeology Section. It is also noted that it is unclear who the author of the report is and their qualifications to be making assessments and judgements with regards to the potential impact on the historic environment. The "Coal Mining Risk Assessment" document submitted in support of the application states: "...Potential risks associated with previous mining on the site include the potential presence of unrecorded and now invisible pre 19th Century shallow workings and bell pits." Therefore, with regards to the proposed mitigation - a watching brief imposed by condition – The Archaeology Officer is not yet prepared to support this. The Archaeology Officer requires information from the geotechnical assessment before the appropriateness of the proposed mitigation can be assessed. The reason for this is the presence of early bell-pits recorded at the Hutchinson's open casting area. It is considered that there is a need to know if there are potential bell pits in the region of the turbine base in particular (i.e. the area with the greatest ground disturbance), as well across the site as a whole, the suggested watching brief may be an inadequate methodology for dealing with this type of feature during the construction phase.

PUBLIC RESPONSES:

49. The application has been advertised in the local press and by site notices. Neighbouring properties have also been consulted. A total of 196 no. letters of representation have been received in relation to this application.

Objections

50. A total of 187 no. letters have been received from local residents and the wider community objecting to the proposed development. Concerns have been raised on the following grounds:
- The proposed wind turbine will have a negative visual effect on the local landscape and countryside. The proposed wind turbine is out of scale with the landscape and is to be situated in an elevated position extenuating its size.
 - It will have a negative impact on the landscape when viewed alongside existing turbines in the area. The development will start to ring Craghead and lead to a straggly and dispersed pattern of development.
 - It is to be located too close to residential properties.
 - Due to the proximity of the proposed wind turbine to residential properties the scheme will impact on local residents in terms of general amenity, outlook, overshadowing, noise and shadow flicker. The proposed development will also affect views from adjacent residential properties. Due to these concerns the proposed wind turbines will also have a negative effect on local house prices.
 - In particular concerns have been raised regarding a caravan which it is suggested is a permanent residence which is located only 300m from the application site.
 - Shadow flicker and noise and vibration associated with the wind turbines can cause health problems.
 - Wind turbine developments are known to interfere with TV reception.
 - Concerns that the proposed wind turbine could distract motorists on the adjacent roads which could cause road traffic accidents.
 - The proposed wind turbine will affect wildlife in the local area. Concerns have been raised regarding waterfowl which use pond situated adjacent to the site, it is suggested that the wind turbine is located directly in a flight path and will impact on birds through collision risk. Deer's, Badgers and Foxes are known to live the adjacent woodland which may also be affected by the proposed development. Wind Turbines are also know to impact on bat populations.
 - It will detract from the enjoyment of the area by all countryside users including walkers, cyclists, horse riders and visitor/tourists.
 - County Durham already has its fair share of this kind of development. Local residents should not have to endure more of the problems associated with wind farm development. County Durham has already exceeded its targets for renewable energy production; there is no need for more wind turbines.
 - Wind Turbines are not considered to be an efficient form of electricity generation.
 - The proposed wind turbine will impact on the adjacent land owner who keeps horses, hens and sheep adjacent to the application site. The turbine will cause noise and shadow problems and effect how the adjacent landowner's family uses their field for recreation purposes.
 - Concerns have been raised regarding the application submission.

- Issues have been raised regarding the order of submission and why the application for the mast is included with the turbine, whereas it is suggested that information from the mast should be required before the site is considered suitable for a wind turbine.
- Issues have also been raised regarding the accuracy of the submitted photomontages.
- The public consultation exercise completed by the developer prior to the planning application being submitted has also been questioned.
- Residents note that one of the existing wind turbines situated to the west of Craghead appears to be broken. It is suggested that this turbine should be removed before any new wind turbines are erected.

51. *Cllr Allan Bainbridge, Electoral Division Member for the Chester South Ward*, has objected to the proposed development. He objects because electricity produced by wind energy fails to meet key objectives, that is, to provide a reliable secure flow of electricity, it is not possible to justify the positioning of this proposed wind turbine. Wind energy scheme should be treated on an equal footing with any other proposal to industrialise areas of countryside. This proposal will negatively impact on the surrounding countryside. There is concern that this application will just be 'the tip of the iceberg' and more are likely to follow. The area is of great natural beauty.
52. In 2009 the renewable target for County Durham was 82MW of installed capacity. At that time the County had 59MW of operational wind development, 24MW under construction, and a further 43MW of development permitted. In February 2012, a report was submitted to the Environmental and Sustainable Communities Scrutiny Committee stating that January 2012 operational and permitted capacity of wind turbines was over 129MW. An additional 109 MW was at planning or pre-planning stage giving an overall capacity of all operational, permitted or planned schemes of around 239MW. This figure far exceeds the 2009 target set at 82MW.
53. The Councillor queries what benefit this single wind turbine will give towards an already achieved target. The only people who benefit if this turbine is erected are the manufacturer and the owner of the land who will receive a fee for hosting the turbine. He considers that the wind turbine will not benefit the people who live within sight of it.
54. *Kevan Jones, Member of Parliament for North Durham*, has written in to request that views of his constituents are taken into account when reaching a decision on this matter. Copies of correspondence received by the MP have been forwarded to the Council. The constituents are concerned that the turbine, which will stand in a very prominent location in the area, would be an eyesore and would be overbearing on properties in the surrounding area. They are also concerned about potential noise pollution from the turbines, and the potential impact on local wildlife. One constituent has also queried why the turbine is necessary when, as he understands it, County Durham already has its quota for wind turbine up until 2020.
55. *CPRE - Campaign for Protection of Rural England* - The proposed development is a commercial proposal in scale and out of keeping with the requirements of the land owner, as such CPRE question the need for the proposed wind turbine. CPRE note that the Secretary of State for Energy and Climate Change has commented in March 2012 to Parliament that there is already sufficient wind power "on the table" to meet the UK targets. It appears that this application was not "on the table" at that time so it is questioned whether a turbine that generates more than is actually required for the business is now required. Furthermore, CPRE consider that this is an excessively tall

turbine in this location, and that although the site is not within the parts of the County considered under the Arup Landscape Sensitivity Study it is near to an area which was described, in the study, as having very limited opportunities for turbine development. CPRE consider that this application is for a turbine of excessive size and so should be refused.

Support

56. A total of 9 no. letters have been received in support of the proposed development from local residents and the wider community. Support has been raised on the following grounds:
- Wind turbines are an environmentally friendly form of electricity generation – better option than nuclear.
 - The application site has been carefully chosen to not obstruct the surrounding residential or agricultural areas.
 - The small amount of noise will not be heard by residents and there will be no smoke or pollution associated with the development.
 - Wind turbines are considered to be elegant structures in the landscape.
57. A petition containing 33 no. signatures has also been received in support of the proposed development from residents of the local area.

APPLICANTS STATEMENT:

The proposal

58. *This planning application, for consent to erect and operate the Humbleburn Wind Turbine, was submitted in April 2012.*
59. *Originally consent was sought for a turbine up to 87m tall with a 56m rotor diameter. Since then, however, continued consultation and liaison with DCC Officers has led to a reduction in the tip height of the wind turbine proposed to 74m with a rotor diameter of 48m, a height reduction of 13m. In comparison the Holmside Hall turbines to the west are 101m to tip and have rotors with a diameter of 80m*
60. *A key reason for this reduction in height was an objection from the MOD to the scheme, as submitted, due to its predicted visibility to the Brizlee Wood radar near Alnwick. The revised tip height is now 11m below the line of sight of this radar and the MOD have removed their objection.*
61. *Such a reduction in tip height equally significantly reduces turbine visibility from those dwellings and locations closest to the proposed wind turbine location from where it could be visible.*
62. *This tip height supports a wind turbine of up to 900kW at this location.*

The Landowner

63. *The proposed wind turbine is located on land owned by Mr and Mrs Pearson, residents of Craghead for many years.*

Environmental Issues

64. *The assessment of the site has identified no significant environmental or technical issues.*
65. *The analysis of the site has shown it to be a viable location for a wind energy scheme, which can accommodate a single wind turbine. There is no scope to extend the site in the future.*
66. *The application has no objections from statutory consultees, now that the MOD's concerns have been addressed*
67. *A 900kW wind turbine in this location would supply approximately 500 dwellings, preventing annual emissions of 1,000 tonnes of CO₂.*
68. *This local generation would equally contribute towards regional renewable energy targets as well as delivering a community fund to be managed and distributed locally. Such a fund would generate an index-linked, £2,000 per annum, or £50,000 over the turbines 25 year operating lifetime. It is proposed that the fund would be managed by the existing Craghead Community Partnership.*

The Agent and Developer

69. *The application was submitted by The Energy Workshop (TEW), which is a specialist UK wind energy consultancy based in Newcastle and Huddersfield. We have been in business for 18 years and our team has a combined experience in the wind energy business of over 60 years.*
70. *It is our intention that Whirlwind Renewables Ltd, our sister development company (also Newcastle and Yorkshire based), would develop the project in partnership with the landowner.*

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at the office of the Strategic Team Development Management, County Hall, Durham

PLANNING CONSIDERATION AND ASSESSMENT

71. Having regard to the requirements of section 38(6) of the Planning and Compulsory Purchase act 2004, the relevant development Plan policies, relevant guidance and all other material considerations including representations received it is considered that the main planning issues in this instance relate to the principle of development, national and local planning policies, landscape and visual impact, residential amenity issues such as noise and shadow flicker, impact on nature conservation, aviation, TV and other communication interference, and highway safety.

Principle of development

72. The application site fall within the part of the County covered by the Chester-le-Street Local Plan. The local plan has saved policies relating to development beyond settlement boundaries, agricultural diversification, and a general transport policy which are considered relevant to the determination of this application. The relevant polices are considered in the following sections of this report. It should be noted that

there are no saved policies relating to renewable energy development in the relevant development plan.

73. Saved Policy NE2 relates to Development beyond Settlement Boundaries, it broadly seeks to strictly control development outside of established settlements. Policy NE2 chiefly relates to built development and is not considered to be directly relevant to the Humbleburn proposal.
74. Saved Policy AG4 relates to farm diversification, and offers broad support for development that involves proposals to diversify farm businesses providing they can be assimilated in the landscape, they do not conflict with other policies in the plan, would not cause traffic issues and comply with relevant parking standards. As the proposal relates to agricultural land the proposed development could be considered to represent a scheme of farm diversification and therefore could be considered to broadly comply with the policy. Further consideration is given to the landscape impact of the scheme in the relevant section of this report.
75. The Regional Spatial Strategy (RSS) for the North East has now been revoked. The RSS provided targets for renewable energy generation in the region. The sub-regional renewable energy target for County Durham given in the RSS was 82MW installed renewable energy capacity by 2010. At the time of writing the County has around 167.88MW of renewable electricity operational with a further 30.47MW approved. This will meet around 72% of County Durham's household electricity consumption or 27% of the County's overall electricity. County Durham's 2010 target has been exceeded by a substantial margin and the aspiration to double that target by 2020, included in the emerging County Durham Plan, has already been achieved.
76. While the targets set in the RSS were 'thresholds' and not 'ceilings', the performance to date in Durham indicates that sufficient sites were found to meet those targets and that there is no need to approve sites found to be environmentally unacceptable.
77. The National Planning Policy Framework (NPPF) advises that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision taking the NPPF states that this means 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.
78. As noted previously the relevant local plan is largely silent in relation to renewable energy development, as such in determining the application consideration needs to be given to whether any adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies in the NPPF and whether any specific policies in the framework indicate development should be restricted.
79. One of the twelve core principles of the NPPF (paragraph 17) supports "the transition to a low carbon future in a changing climate..... and encourage the use of renewable resources (for example, by the development of renewable energy)."

80. The NPPF also states in paragraph 98 that “when determining planning applications, local planning authorities should:
- Not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions...
 - Approve the application (unless material considerations indicate otherwise) if its impacts are (or can be) made acceptable.”
81. In summary , it is clear that national planning policy guidance generally supports renewable energy schemes. Measured against this and in the absence of any relevant Development Plan policy and the presumption in favour of sustainable development within the NPPF, the proposal is considered acceptable in principle, and a demonstration of need for the turbine is not required. The following sections of this report consider the specific impacts of the proposed development.

Landscape and Visual Impact

82. In terms of landscape, there are no national or regional landscape designations covering the site or in its vicinity. The nearest landscape designation is an Area of High Landscape Value (AHLV) 2.8km to the north of the site. A further AHLV lies to the east of Chester-le-Street and the A167 5.6km from the application site. The closest part of the North pennines Area of Outstanding Natural beauty, lies approximately 15km to the southwest.
83. 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.
84. The turbine would be visible over a wide area; however the fact that it would be visible does not necessarily mean that it is visually harmful to such an extent as to warrant refusing planning permission.
85. The applicant has submitted a comprehensive Landscape Visual Impact Assessment (LVIA) which describes the impacts of the development on a variety of locations using a basis of levels of sensitivity and magnitude of change ranging from negligible to high. Concerns have been raised regarding the accuracy of the submitted visual information, however the Council’s Landscape Officer has confirmed that he considers the submission to be accurate in relation to the location of the turbine and the size in which it is represented.
86. In order to assess the visibility of the turbine from both far and near, Zones of Theoretical Visibility (ZTV) documents have been produced and are submitted as part of the planning application. The potential impact of the turbines has been assessed by producing photomontages of various viewpoints of the application site based on the ZTVs.
87. The proposal includes the erection of both a wind monitoring mast and wind turbine, both of which could impact on the landscape. In terms of the visual impact of the wind monitoring mast, it is considered that this would be acceptable as a temporary feature within the landscape. The mast would be a relatively slim structure and would

not form a particularly dominant feature on the skyline. Its limited impact on the character of the area would only be for the temporary period of consent. The assessment of the impact of the development on the landscape has focused on the proposed wind turbine, which has been considered in terms of physical impacts, impacts on designated landscapes, impacts on residential amenity, impacts on settlements and cumulative impacts have been considered.

Landscape Appraisal for Onshore Wind Development (GONE 2003)

88. The Landscape Appraisal identifies the area as belonging to the 'Coalfield Upland Fringe' landscape type which it assesses as being of 'low-medium' sensitivity to wind energy development. Its findings in relation to location and typology in the area were as follows:

- Wind energy development should avoid areas where a smaller scale field enclosure pattern is prominent. It could be sited on ridges with a more open character and at the transition with the Rolling Uplands LCT and a small-medium scale typology should be adopted in such areas.
- Forestry and man-made features such as industry and masts create a complex visual composition in some areas and wind energy development should be sited to avoid competing with a plethora of elements and thereby causing visual confusion.
- Small-medium typology in certain places, but more likely to be in smaller clusters.

89. The Appraisal uses the terms small, medium and large to refer to turbines heights of 80m, 110m and 140m respectively rather than turbine numbers. The turbine proposed is within the small scale range. The area shows many of the characteristics that lead to the 'low-medium' sensitivity rating including a large scale and simple landform, a 'blocky' landscape pattern of settlements and plantations and the presence of existing masts and pylons. It does not lie in an area of smaller scale field patterns but does lie in an area where there is the potential for it to compound the visual confusion caused by existing features like masts and pylons; this issue is discussed further later in this report. In general terms it is considered that the location and scale of the proposals are broadly consistent with the findings of the Appraisal.

Wind Farm Development and Landscape Capacity Studies: North & South Durham Upland Coalfield (NEA / ARUP May 2009)

90. The ARUP report was commissioned in order to assess the capacity of areas identified as broad areas of least constraint for wind turbine development in the revoked RSS, to accept wind turbine developments. Although the RSS has now been revoked the Arup report is still of value in assessing the capacity of the landscape to accept wind turbine development. In relation to the current scheme the application site is situated outside of an area specifically assessed in the study. However, the site is situated close to the edge of the zones considered in the Arup study, and as such the recommendations of the Study are considered relevant. The proposals would lie to the north of zones N2 and N3 identified in the study.

91. Zone N2 is assessed as being of medium sensitivity and suited to a medium-small wind farm typology of 4-9 turbines. Its suitability for further wind farm development is assessed as being 'Very limited' and described as follows:

There could be some potential for further development associated with the Holmside turbines provided that the cluster did not exceed the typology assessed as appropriated (i.e. 4-9 turbines approx.). The zone theoretically has the capacity to accommodate additional small scale development elsewhere in the zone. However the zone exhibits poor performance in terms of visibility and the constraints map indicates that there is potentially little unconstrained land.

The separation distance from Holmside would be low or relatively low (typically <2.5km to 5km) and cumulative impacts might therefore be unacceptably high.

92. Zone N3 is assessed as being medium-medium high sensitivity and suited to a small-none wind farm typology of less than 4 turbines. It is suitability for further wind farm development is assessed as being 'None-Very Limited' and described as follows:

There are no existing turbines within the zone. In principle the landscape could have the capacity to accommodate a small scale development (less than 4 turbines). However the constraints map indicates that there is potentially very little unconstrained land. The separation distance from the Holmside turbines in Zone N2 are low (<3km) and cumulative impacts could therefore be unacceptably high.

93. As the application site is not within an area specifically considered by Arup study significant weight can not be attributed to the findings of the report in determining the current application. However, in broad terms it is considered that the proposals are consistent with the ARUP report in terms of the scale of the development and landscape capacity considered in isolation. The key issue raised by the study is potential cumulative impacts with other development, which is discussed in more detail later in this report.

Physical Landscape Impacts

94. The direct physical impacts of the proposals on the fabric of the landscape within the red line boundary – the development of access tracks, the required area of hard-standing, and structures associated with the wind turbines - would be low and could be compensated for by the planting and improvement of hedges elsewhere on the wider application site.
95. The impacts of wind turbines on the landscape can be difficult to mitigate and opportunities should be taken to compensate for residual impacts through improvements to the fabric of the landscape of the site and the wider landholding. The most appropriate forms of mitigation would include renovating existing hedges and planting new hedges. Discussions have taken place between Council Officers and the applicant, to cover such issues and the applicant is agreeable to a condition being attached to any grant of planning permission to require a scheme to provide hedge restoration, hedgerow tree planting and field boundary enhancements to be agreed prior to works commencing on site. It is considered that the proposed works would adequately mitigate the physical impacts of the development of the proposed access tracks, area of hardstanding, and associated structures.

Impacts on designated landscapes

96. The site is 15km from the AONB. The proposed turbine would be visible from parts of the AONB including tracts of land of an upland fringe character west of the A68 and moorland ridges on Wolsingham Park Moor and Muggleswick and Edmondbyers

commons at distances between 10 and 20 km. The nearer vantage points are those along the A68 from landscapes of an upland fringe character. Views towards the site are effectively views out from the AONB across the very different landscapes of the coalfield to the east in which the turbine would be small features on a distant horizon already containing turbines and other vertical elements. Views towards the site from the moors, while taking in the AONB landscape in the foreground, are also views out across the markedly different landscape of the coalfield in which the town of Consett is often conspicuous in the view along with other vertical elements: masts, pylons and existing wind turbines. The proposed turbine would be a small feature at these distance ranges, seen amongst other vertical elements, and would have a low impact. While visible from the AONB the proposals would not have a substantial impact on its special qualities.

97. In relation to nearby Areas of High Landscape Value the Theoretical Zone of Visibility study indicates that the turbines could be visible from a number of areas designated for the landscape character. However due to the scale of the development proposed and the distances concerned, the proposed turbine would not have a significant impact on the designated Areas of High Landscape Value.
98. The proposals would have no significant impact on Registered Historic Parks & Gardens. The nearest registered park is Gibside (approx 10km), from which the turbines would not be visible. The proposals could be visible in places from Lambton Castle or Lumley Castle but given the distances involved (>10km), the heavily wooded nature of the parks and the character of the intervening landscapes impacts would be very low.

Impacts on residential amenity

99. 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, 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 Emerging County Durham Plan suggests a separation distance of 6 x tip height as a minimum set-back from which wind turbines should be located away from residential properties. There are no properties within that distance of the proposed turbine.
100. The closest residential property is Humbleburn Cottage lies approximately 510m (around 6 to 7 x tip height) to the south-of the turbine. The main aspect of the property is to the north east as such windows face towards the application site and there would be direct views from its curtilage. The proposed wind turbine would also be situated on an elevated ridge compared with the residential dwelling. It is considered that the impact on this property would be significant but not overbearing. Whether the effect of the turbines would be overbearing is a matter of judgement.
101. Properties on the eastern edge of Craghead lie approximately 580m (around 8 x tip height). The properties main aspects are primarily to the north or south. The proposed turbine would be largely screened from view by intervening woodland. The proposed wind turbine would not be considered to be overbearing when viewed from these properties.

102. There are a number of properties to the south of the application site at Victoria Place (on Humbleburn Lane) and Beechgrove Terrace situated between 700-900m (around 9 to 10 x tip height). The main aspects of these properties are primarily east/west, although some properties do have windows and curtilages which would have direct views of the proposed wind turbines. At this distance the wind turbine, would be a dominant feature in the landscape, particularly as it would be located on higher ground, however the turbine would not be overbearing due to the distance that the properties are located from the application site.
103. In terms of the impact on residential properties the Councils Landscape Officer has raised no specific objections to the proposals, however it is noted that there are possible concerns over its impact on the closest dwelling, Humbleburn Lane, and properties at Beechgrove Terrace/Victoria Place. The Landscape Officer has noted that the turbine is to be sited between 6 and 7 times tip height from Humbleburn Cottage, calculated without considering the difference in elevation between the dwelling and turbine. In terms of residential amenity and whether or not the proposed wind turbine would be overbearing this is considered to be a matter of judgement and will need to be considered by members in determining the application.

Impacts on settlements

104. The site lies close to residential areas in Craghead. It is difficult to assess potential impacts within built up areas as views are obstructed in varying degrees by buildings and vegetation. The turbine would be prominent features in views from some properties and public spaces in the village. Although impacts in some cases would be high, at the distances involved (roughly 600-1000m), and considering the nature of the view in which the turbine would be screened or partially screened in places by buildings and vegetation it is not considered likely that they would be overwhelming or would dominate the visual environment of the community to an unacceptable degree.
105. The turbine would be visible in places from settlements at greater distances (Stanley, Sacriston, Chester-le-Street, Pelton, Ouston). Impacts on these settlements would be low.

Cumulative Landscape Impacts

106. The current situation is that there are three main clusters of operational or approved wind turbine development in the area; the Holmeside Wind Turbines situated to the south west of Craghead, the Greencroft wind turbines further to the west and turbines at Langley situated to the south of the application site.
107. In terms of cumulative landscape impacts, consideration needs to be given to how the proposed wind turbine relates to existing schemes in the area, and how together with the existing installations how the turbine will impact on the landscape and the amenity of residents. Through the emerging County Durham Plan the Council is seeking to control the spread of wind turbines away from existing clusters. In this case the proposed wind turbine is situated to the east of the existing Holmeside wind turbines. The separation distance between the existing and proposed means that the turbine would not appear as part of an extended group, other than in distant views . Therefore closer to the proposed turbine the proposed and existing would appear as separate schemes and as such the proposal could be considered to extend the area of landscape in which wind turbines became prominent. This would result in wind turbines being close to Craghead to both the south-west and south east. Whether or

not such an impact would be sufficient to warrant refusal of the application would be a matter of judgement.

108. In terms of its relationship with the clusters to the south (Langley) and further to the west (Greencroft), cumulative impacts would be low. In areas close to those clusters, the proposed turbine would be small and a relatively distant feature adjacent to the existing Holmeside Wind Turbines. Similarly in areas close to the proposed turbine, the distant clusters would be relatively small features. The effect from these areas and from areas between them would be for wind turbines to be slightly more prevalent in general views of the landscape where they are already present in some numbers. Such an impact would not be considered to be a significant or to cross any tangible threshold of the capacity of this landscape.
109. Further to the wind turbines that are currently operational or consented in the area there are current proposals for wind turbines to be erected adjacent to the existing Holmside Wind Turbines at Southmoor Gold Club, and to the north of the application site at Twizzell Hall Farm. Planning permission has not been granted for either of these developments, and as such are not considerations in determining the current proposal.
110. In relation to cumulative impacts, the Landscape Officer has advised that impacts in this regard are difficult to quantify. On one hand it may be considered that this turbine results in a spread of turbines in the landscape that is unacceptable. However, on the other hand, as argued in the application, this turbine is generally separated from existing turbines in most views, and the landscape itself is sufficiently varied, visually, to be relatively well able to absorb this turbine. This acceptability, or otherwise of cumulative impact is a matter of judgement which will need to be considered by Members in determining the application.

Summary of Landscape Impacts

111. The proposed development, primarily due to its height will have a significant impact on the local landscape. The turbine is sited close to individual residential properties and the residential areas of Craghead however, due to the separation distances proposed it is not considered that the turbine will be overbearing at any of the closest residential properties. The turbine is to be located in an area in which wind turbines are already prevalent and as such the cumulative effect of this turbine alongside existing installations has been considered. The key issues to be considered by Members in relation to the impact on the landscape and visual impact of the turbine on local residents are considered to be a matter for personal judgement, and will be a subjective issue for the decision maker.

Impacts on Noise /Shadow Flicker

Noise

112. The National Planning Policy Framework at paragraph 123 requires that LPA's to consider the impact of noise relating to new development giving rise to health and amenity issues for adjacent residents.
113. The PPS22 Companion Guide states that well-specified and well-designed wind farms should be located so that increases in ambient noise levels around noise-sensitive developments are kept to acceptable limits with regard to existing

background noise. This will normally be achieved through good design of the turbines and through allowing sufficient distance between the turbines and any noise-sensitive development so that noise from the turbines will not normally be significant. The Guide also indicates that the noise levels from turbines are generally low and, under most operating conditions, it is likely that turbine noise would be completely masked by wind-generated background noise.

114. The Guide commends the use of 'The Assessment and Rating of Noise from Wind Farms' (ETSU-R-97). It describes a framework for the measurement of wind farm noise and gives indicative noise levels calculated to offer a reasonable degree of protection to wind farm neighbours. Among other things, this document states that noise from wind farms should be limited to 5dB(A) above background noise for both day and night-time periods. The now defunct PPS24, former national planning guidance in relation to noise, advises that a change of 3dB(A) is the minimum perceptible to the human ear under normal conditions. Thus it is not intended that with developments there should be no perceptible noise at the nearest properties, rather the 5dB(A) limit is designed to strike a balance between the impact of noise from turbines and the need to ensure satisfactory living conditions for those individuals who might be exposed to it.
115. The applicant in line with advice contained within ETSU-R-97 has assessed the potential for noise impacts on nearby residential properties. ETSU-R-97 offers a simplified method which could be considered appropriate for small or single turbine developments. The simplified method suggests that where noise can be limited to below 35dB LA90, 10m up to wind speeds of 10m/s at 10m height, and then this condition alone would offer sufficient protection of amenity.
116. The submitted noise modelling confirm that the proposed wind turbine would not exceed the relevant ETSU-R-97 noise limits at any of the nearest residential dwellings. The Council's Environmental Health Officer has been consulted on the application and has raised no objections to the scheme, subject to appropriately worded planning conditions being attached to any grant of planning permission.
117. The question of infrasound and low-frequency sound is often raised as an issue in relation wind turbine development. In this case representations received have referenced such concerns. The PPS22 Companion Guide asserts that there is no evidence that ground transmitted low frequency noise, caused by wind turbines, is at a sufficient level to be harmful to health. Following this review the Government re-stated that ETSU-R-97 should be used for the assessment and rating of noise from wind farms. The same advice pertains to the phenomenon of aerodynamic modulation.
118. It is considered that the development would comply with the noise levels established in the ETSU-R-97 guidelines. Such compliance could be ensured by condition. It is not considered that any detrimental effect on local residents through noise associated with the proposed wind turbines would be sufficient to refuse planning permission. The proposed scheme can therefore be considered to accord with the requirements of paragraph 123 of the NPPF.

Shadow Flicker

119. 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 know

as 'shadow flicker'. It only occurs inside buildings where the flicker appears through a window or narrow opening. Shadow flicker effects cannot therefore occur outside in open spaces. There will not be any adverse impact on users of public rights of way near the site.

120. A property must be within 10 rotor diameters of the turbine, some 560m in this case, in order to experience shadow flicker. The applicant has identified two dwellings, which could potentially experience shadow flicker. It is noted that the applicant has based this exercise on worst-case assumptions and that due to existing tree planting shadow flicker is not expected to be an issue at this site. If it does occur, it is considered that agreed measures would provide appropriate mitigation, the most suitable being computer programming of the turbine to cease operation at times when shadow flicker would occur.
121. Subject to the use of appropriate conditions, it is not considered that any detrimental effect on local residents through incidences of shadow flicker would be sufficient to refuse planning permission.

Impact on Nature Conservation

122. The application site does not include any area designated for its ecological value and there are no statutory sites for nature conservation situated within 1km of the application site. There are however, non-statutory sites for conservation within 1km of the site; two Local Wildlife Sites (LWS), Twizell Wood and Cong Burn Wood, and one site designated for its local importance as a Biodiversity Action Plan habitat, South Stanley Wood.
123. The relevant National Guidance requires that the planning system should contribute to, and enhance the natural environment by; protecting and enhancing valued landscapes, recognising the benefits of ecosystem services, minimising impacts on biodiversity and providing net gains in biodiversity where possible.
124. The proposed wind turbine development would not directly affect any designated sites of nature conservation interest, though there are sites of local interest in close proximity. It is not considered that there would be any impact on these sites or their designated interests from the proposed development.
125. In support of the application an assessment has been undertaken of the ecological interest of the site. This has considered the types of habitat present within the site. In addition, risk assessment was undertaken for the possible presence of great crested newt, and bats, within the site area.
126. Initial concerns were raised by the Council's Ecologist, regarding the impact the proposed development would have on local wildlife and habitats. Following discussions with the applicant and the submission of information in support of the current application, these concerns have been overcome. No objections are raised in relation to the current proposal.
127. Subject to the suggested conditions requiring that the development is completed in accordance with mitigation measures outlined in the submitted ecological assessments, the submission and agreement of an environmental management plan to provide hedgerow and tree planting on site, the proposed development can be considered to be in accordance with the requirements of Part 11 of the NPPF.

Aviation

128. Due to the height of wind turbines and the fact that they are often located on high ground, they are potentially visible on radar systems and therefore can sometimes effect aviation safety.
129. Initial line of sight investigations indicated that the proposed turbine would not be visible to Newcastle International Airports Primary Surveillance Radar (PSR), but that it may be visible on the Brizlee Wood Air Defence Radar managed by the Ministry of Defence.
130. The height of the originally proposed turbine caused an issue for the Ministry of Defence and led to an objection being received. On this basis discussions have taken place between the applicant and MOD. Agreement has been reached between the two parties to ensure air defence radar is not affected. The solution requires the height of the turbine proposed to reduce from 87m to 74m. Therefore, subject to a condition specifying the maximum height of the turbine proposed to 74m, it is considered that the scheme would have no effects on aviation safety.

TV and other Communication Interference

131. Due to the operation and scale of wind turbines, schemes have the potential to interfere with analogue TV signals. The applicant has carried out an assessment in accordance with adopted practice in this regard. The assessment has concluded that a large number of properties, based on a worst case scenario, could potentially have their TV signals affected by the proposed development.
132. It should be noted that loss of TV reception is most likely to be an issue for properties using analogue signals. As roll-out of digital services in the area was completed in 2012 this is not considered to be an issue. For those houses currently using satellite or cable TV there would be no significant impacts to TV reception.
133. Nevertheless, should it be demonstrated that the wind turbine has an adverse effect on television reception; the applicant would undertake suitable mitigation measures, at its expense, to return reception to its pre-development quality. Such measures would include re-aligning existing aerials, fitting a booster unit to the aerial, or supply of a cable or satellite service. The use of an appropriate planning condition can be attached to any grant of planning permission to ensure such mitigation occurs.
134. Also, it should be noted that no concerns were raised by communication link operators in relation to the planning application on this site. The relevant operators have confirmed that the current proposal will not interfere with existing communications links.

Highways

135. The proposed wind turbine would be sited an acceptable distance from the closest public highway – Humble Burn Lane (unclassified).
136. The development proposals would 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. Highways Authority Officers have highlighted the need for additional information in relation to how the abnormal loads

will pass an existing traffic calming chicane situated on the proposed delivery route, and for the submission of a joint road condition survey to be provided before any works commence on site. It is suggested that if planning permission is granted suitable conditions should be attached to the permission to ensure these requirements are met.

137. The potential traffic impact has been assessed and it has been demonstrated that construction traffic would not create significant impact on the surrounding highway network.
138. It should be noted that concerns have been raised regarding the impact the proposed development would have on highway safety. However, subject to the requirement for information relating to the delivery route and the need for a road condition survey, Highways Officers have raised no objection to the scheme on these grounds.
139. Saved Policy T17 of the Chester le Street district Local Plan relates to the provision of transport links to new development seeking to reduce the reliance on the private car. The proposed wind turbine will generate a negligible level of additional traffic once in operation, and is therefore not considered to be in conflict with this Policy.

Other Issues

140. The Council consider applications for wind turbine development in accordance with relevant Government Guidance, which requires the Council to take the causes of potential health implications of wind turbine development seriously. Concerns have been raised with regard to potential noise impacts and other effects on residential amenity and the perceived wellbeing of nearby residents. As stated previously in this report, the applicant has assessed the impact of the development in terms of noise and shadow flicker and concluded that there would be no effects on adjacent residents.
141. The County Council Archaeologist has raised concerns regarding the potential for the scheme to impact on archaeological assets. However it is considered that a condition can be attached to any grant of planning permission to require such investigative works and arrangements for archaeological involvement during construction works.
142. The proposed wind turbine is to be located a sufficient distance from any public footpath or other right of way, to ensure there will be no impact on users sufficient to warrant refusal of the application.
143. Concerns have been raised regarding the impact of the proposed development on residential caravan located on a small-holding to the north of the application site (300m). It is suggested by objectors that the caravan benefits from a residential use, and as such should be considered as a dwelling in terms of the impact the wind turbine would have on amenity at the site. However, this caravan does not benefit from formal planning permission and it is understood by Officers that it is used for occasional overnight use associated with operation on the small holding.
144. An adjacent landowner has raised concerns that the way in which an adjacent field is used will be affected by the erection of the proposed wind turbine. The land owner is concerned that noise and shadowing associated with the wind turbine will disrupt the keeping of horse and livestock on the site, and effect their families' enjoyment of the

site for horse riding and other recreational activities. Similar concerns have been raised regarding the impact the development will have on walkers, cyclists and horse riders in the locality. As noted previously in the report the siting of the proposed wind turbine is considered to be in accordance with requirements to protect the uses of adjacent highway and public rights of way. Further it is not unusual for wind turbines to be sited in areas or indeed fields in which livestock and horses are kept.

145. The quality of the application submission has been raised and the timing of the development. The various documents submitted in support of the application have been assessed by specialist Officer, and where issue have been found new information has been provided. As noted previously the Landscape Officer has advised that he is content with the accuracy of the submitted visual and landscape information. It is noted that it is unusual for an application to propose both a wind monitoring mast and wind turbine at the same time, however this would not be a reason for refusing the scheme. Concerns raised regarding the developers pre-application consultation with the public have also been raised. Such consultation is carried out to inform the application submission and is not controlled by the Council. It should be noted that the planning application has been advertised in accordance with normal Council procedures.
146. Representations received have noted that one of the existing wind turbines situated to the west of Craghead (Holmside) appears to be broken, and it is suggested that this turbine should be removed before any new wind turbines are erected. However, it is clear from recent site visits that the Holmside turbines are both currently operational. In order to ensure that the proposed turbine continues to be productive it is proposed that a condition requiring its removal following a six month period of inactivity is attached to any grant of planning permission.
147. Various letters of representation have been received from members of the public and the local Parish Council in relation to the proposed wind turbine development. It is considered that the majority of issues raised by the Local MPs and Members, and public 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. Issues in relation to the economic viability, reliability, impact on property values and success of wind turbines have not been discussed in any detail; this is because it is established Government policy that where all other environmental and social impacts are controlled, Councils should support wind turbine proposals.

CONCLUSION

148. The proposed wind turbine 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 policy support for renewable energy projects. The scheme has significant 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.
149. Various reports have been submitted in support of the application for planning permission along with measures to mitigate any impacts identified. The various assessments conclude that the proposed development is essentially a benign project as it would have no predicted significant adverse environmental or amenity effects. It

is considered that any impacts associated with the development can be adequately mitigated through the use of appropriate planning conditions.

150. In terms of visual impact, the proposed wind turbine due to its scale and design will undoubtedly have an impact on the landscape, and would be highly visible feature in the locality. The proposed wind turbine would be viewed alongside existing wind turbine development in the area. However, any impacts the proposed development would have on the wider landscape are considered to be commensurate with the benefits the turbine would provide in terms of the production of renewable energy. Any impact the proposed turbine will have on the landscape would not be considered sufficient to warrant refusal of the planning application.
151. The proposed development includes other works associated with the installation of a wind turbine. The ancillary development including the temporary wind monitoring mast, access track, hardstanding, control room and potential transformer would be considered acceptable if planning permission were to be granted for the wind turbine. Due to the height of the proposed wind monitoring mast, the structure would be visible over a wide area, however due to its design/construction and its temporary nature the proposed mast would not be not considered to have a detrimental impact on the countryside or landscape sufficient to warrant refusal of the scheme. The other ancillary development would have a negligible impact on the local landscape, which can be largely mitigated by the proposed landscaping works on the site.
152. The proposal has generated some public interest and representations reflect the issues and concerns of local residents. In terms of the effect on residential amenity, it is considered that due to the location of the proposed wind turbine, the scheme will have a significant, but not overbearing impact on the occupants of Humbleburn Cottage. However, with regard to recent appeal decisions and the nationally strong planning policy support for wind turbine development, it is not considered that the impact on amenity would be sufficient to justify refusal of the planning application.
153. The proposed development is considered to accord with the relevant national, regional and local planning policies.

RECOMMENDATION

That the application be **Approved** subject to the following conditions;

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in strict accordance with the following approved plans. Plan References:
 - Humbleburn Wind Turbine: Volume 1: Environment Report April 2012 – The Energy Workshop

- Humbleburn Wind Turbine: Volume 2: Environment Report April 2012 – The Energy Workshop

Reason: To define the consent and ensure that a satisfactory form of development is obtained.

3. The planning permission is for a period from the date of this permission until the date occurring 30 years after the date of Commissioning of the Development. Written confirmation of the date of Commissioning of the Development shall be provided to the Local Planning Authority no later than 1 calendar month after that event.

Reason: To define the consent.

4. All electrical cabling between the turbines and the on-site connection building shall be located underground. Thereafter the excavated ground shall be reinstated to its former condition within 3 months of the commissioning of the wind turbine to the satisfaction of the Local planning authority.

Reason: In the interests of the visual amenity of the area in accordance with advice contained within section 11 of the NPPF.

5. The Company shall provide written confirmation of the following details to the Ministry of Defence/Civil Aviation Authority prior to commencement of development:
 - i) Proposed date of Commencement of the Development
 - ii) The maximum extension height of any construction equipment.
 Within 28 days of the commissioning of the turbines, the Company shall provide written confirmation of the following details to the Ministry of Defence/Civil Aviation Authority:
 - i) Date of completion of construction
 - ii) The height above ground level of the highest potential obstacle (anemometry mast or wind turbine).
 - iii) The position of that structure in latitude and longitude
 - iv) The lighting details of the site.

Reason: To define the consent.

6. Prior to the commencement of any works, a Construction Method Statement shall be submitted in writing to, and approved in writing by, the Local planning authority. Development shall be carried out in compliance with the approved Construction Method Statement.

Reason: In the interests of the amenity of nearby residents and in accordance with advice contained within section 11 of the NPPF.

7. Not later than 12 months after the development hereby approved becomes operational, a scheme for the restoration of the site, including the dismantling and removal of all elements above ground level, and the removal of the turbine bases to a depth of 1.0m, shall be submitted to and be approved in writing by the Local Planning Authority. The approved scheme shall be carried out and completed within 12 months from the date that the planning permission hereby granted expires, or from the date of any earlier cessation of use as required by Condition 8 below, whichever is the earlier.

Reason: In the interests of the visual amenity of the area and in accordance with advice contained within section 11 of the NPPF.

8. If, prior to the expiry of the temporary planning permission hereby approved, the wind turbine generator hereby permitted ceases to operate for a continuous period of 6 months, then the works agreed under the terms of Condition 7 above shall be completed within 12 months of the cessation of operations.

Reason: In the interests of the visual amenity of the area and in accordance with advice contained within section 11 of the NPPF.

9. Prior to the commencement of development a scheme to investigate any potential interference to terrestrial TV and Radio caused by the operation of the turbines shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be limited to a baseline study to establish the existing situation as regards TV reception in the area, a method for identifying the properties potentially affected including survey distances, a list of all properties potentially affected, and details of proposed mitigation measures. Should any validated complaint be received within 12 months of the final commissioning of the turbines hereby approved, the approved mitigation measures shall be implemented within 1 month of the complaint being validated.

Reason: In the interests of the visual amenity of the area and in accordance with advice contained within section 5 of the NPPF.

10. Before commencement of any work on site a report and plans confirming the proposed access routes to the site, and showing the maximum length of loaded delivery vehicles shall be submitted and approved by the Local Planning Authority. The report shall include details of any works required to the highway infrastructure to facilitate the deliveries associated with the approved works.

Reason: In the interests of the highway safety to comply with T17 of the Chester-le-Street Local Plan and advice contained within section 11 of the NPPF.

11. As part of the development the applicant shall undertake a road condition survey of proposed delivery route for the wind turbine. The survey shall be undertaken prior to and on completion of construction works, in collaboration with the County Council's Highways Northern Area Office in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Any damage caused to the road during the construction phase in association with the development shall be repaired at the expense of the applicant.

Reason: To ensure that necessary highway management measures are carried out in the interests of highway and pedestrian safety and the free flow of traffic along the proposed delivery route, in accordance with policy T17 of the Chester-le-Street Local Plan and advice contained within section 11 of the NPPF.

12. No development shall take place unless in accordance with the mitigation detailed within the Section 4 of the submitted *Humbleburn Wind Scheme – Ecological Assessment*, *The Energy Workshop* produced by Ecus Environmental Consultants dated November 2011 (ref 3401) and, the submitted *Humbelburn Wind Scheme: Ambhibian Working Method Statement* produced by Ecus Environmental Consultants received on the 1st March 2013, including, but not restricted to adherence to timing

and spatial restrictions; provision of mitigation in advance; adherence to precautionary working methods

Reason: To conserve protected species and their habitats in accordance with advice contained within section 11 of the NPPF.

13. Prior to works commencing on site, an environmental management plan shall be submitted in writing to, and approved in writing by, the Local planning authority. This shall include details relating to:
- Hedgreow Restoration
 - Hedgerow Tree Planting
 - Field Boundary Enhancements.
- Development shall be carried out in compliance with the approved management plan.

Reason: To conserve protected species and their habitats and in the interests of the visual amenity of the area, in accordance with advice contained within section 11 of the NPPF.

14. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI). The WSI must be submitted by the applicant and approved in writing by the Local Planning Authority. The development shall then be carried out in full accordance with the approved details.

Reason: In the interests of Archaeology to meet the objectives of paragraph 135 of the NPPF.

15. Within six months of the commissioning of the approved wind turbine, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record. This may include full analysis and final publication. Reporting and publication must be within one year of the date of completion of the development hereby approved by this permission

Reason: In the interests of Archaeology to meet the objectives of paragraph 141 of the NPPF.

16. The applicant shall have regard to BS 5228, 2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites, during the construction phase of the proposed development.

Reason: In the interests of the amenity of nearby residents and in accordance with advice contained within section 11 of the NPPF.

17. In relation to the development hereby permitted, construction machinery may be operated, construction processes may be carried out and construction traffic may enter or leave the site between the hours of 0800 hours and 1800 hours Monday to Friday and between the hours of 0800 hours and 1300 hours on Saturdays and at no other times nor on Sundays or Bank Holidays.

Reason: In the interests of the amenity of the area and to comply with advice contained within section 11 of the NPPF.

18. The rating level of noise emissions from the operation of the wind turbine (including the application of any tonal penalty) in accordance with methodology detailed in ETSU-R-97 at the location of the nearest sensitive receptors shall not exceed a max noise 35dB(A)10min L_{90} at all wind speeds from 4 m/s to 10 m/s.

Reason: In order to prevent noise disturbance in accordance with advice contained within section 11 of the NPPF.

19. Within 14 days of a written request of the Local Planning Authority and following a complaint to the Local Planning Authority from a dwelling occupant, the operator of the development shall measure and assess at its expense the level of noise emissions from the wind turbine generators following the procedures described in "The Assessment and Rating of Noise from Wind Farms", ETSU-R-97 as published by ETSU for the Department of Trade and Industry.

Reason: In order to prevent noise disturbance in accordance with advice contained within section 11 of the NPPF.

20. The wind farm operator shall provide to the Local Planning Authority the independent consultant's assessment and conclusions regarding the said noise complaint, including all calculations, audio recordings and the raw data upon which those assessments and conclusions are based. Such information shall be provided within 2 months of the date of the written request of the Local Planning Authority, unless otherwise extended in writing by the Local Planning Authority.

Reason: In order to prevent noise disturbance in accordance with advice contained within section 11 of the NPPF.

21. Wind speed, wind direction and power generation data for the turbine shall be continuously logged and provided to the Local Planning Authority at its request and in accordance with the attached guidance notes entitled 'Noise Conditions Guidance' within 28 days of such request. Such data shall be retained for a period of not less than 12 months.

Reason: In order to prevent noise disturbance in accordance with advice contained within section 11 of the NPPF.

22. In the event that the results of the above measurements indicate that the specified noise limits have been exceeded at any dwelling then, within 21 days of notification in writing of this by the Local Planning Authority, the operator shall submit in writing to the Local Planning Authority:
- i A scheme of noise control measures to achieve compliance with noise levels in this conditions;
 - ii A timetable for implementation of the noise control measures;
 - iii A programme of monitoring to demonstrate the efficiency of the noise control measures.

The noise control measures will be implemented and the monitoring undertaken in accordance with the scheme and timetable agreed in writing by the Local Planning Authority.

Reason: In order to prevent noise disturbance in accordance with advice contained within section 11 of the NPPF.

23. No development shall commence until there has been submitted to the Local Planning Authority details of a nominated representative for the development to act as a point of contact for local residents together with arrangements for notifying and approving any subsequent change in the nominated representative. The nominated representative shall have responsibility for dealing with any noise complaints made during the construction, operation and decommissioning of the wind turbine development and liaison with the Local Planning Authority.

Reason: In order to prevent noise disturbance in accordance with advice contained within section 11 of the NPPF.

24. At the request of the Local Planning Authority following a justifiable complaint to it, the wind turbine operator shall at its expense investigate and where necessary implement appropriate controls to alleviate any shadow flicker effect to buildings within 10 rotor diameters of any turbine in the development area. These controls may include screening based mitigation, however technical constraints including operational restrictions shall be implemented if screening based mitigation is unsuccessful. Details of such controls to alleviate shadow flicker shall then be submitted to the Local Planning Authority for information.

Reason: In the interests of preserving the amenity of residents in accordance with advice contained within section 11 of the NPPF.

REASONS FOR THE RECOMMENDATION

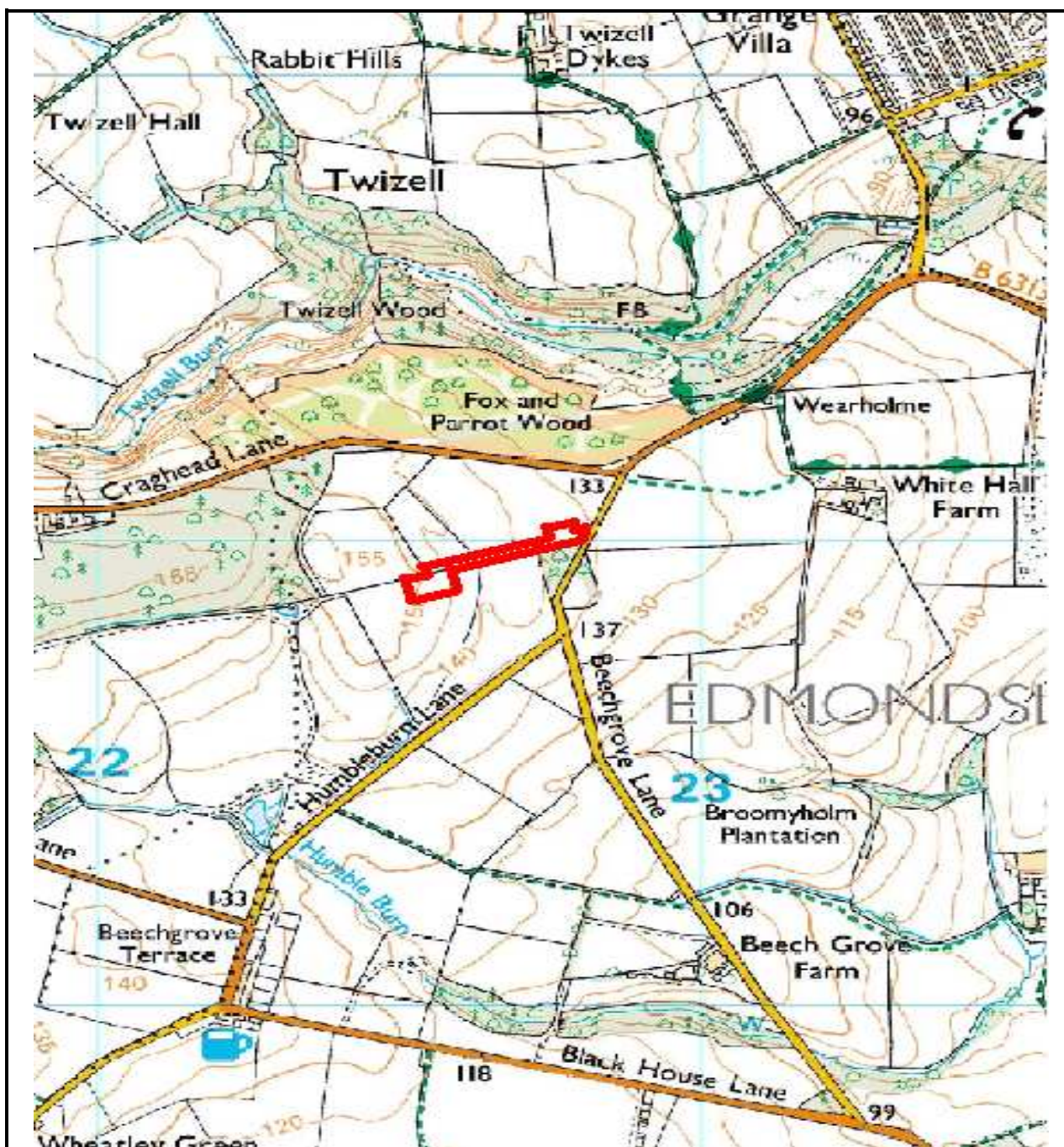
- i. The proposed development is considered acceptable having regard to advice contained within the NPPF, and Saved Policies NE2, AG4 and T17 of the Chester-le Street Local Plan.
- ii. In particular the development was considered acceptable having regard to consideration of issues of the location of the development, its visual impact, and effects on highways, the environment and amenity of adjacent occupants and uses and where impacts have been identified these can be mitigated through planning conditions.
- iii. The stated grounds of objection concerning the impacts on landscape, residential amenity, tv reception and highways were not considered sufficient to warrant refusal of the application.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to support this application has, without prejudice to a fair and objective assessment of the proposals, issues raised, and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF. *(Statement in accordance with Article 31(1) (CC) of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.)*

BACKGROUND PAPERS

- Submitted application forms and plans and subsequent information provided by the applicant.
 - Chester-le Street Local Plan
 - *Wind Farm Development and Landscape Capacity Studies: North & South Durham Upland Coalfield* (NEA / ARUP May 2009)
 - Landscape Appraisal for Onshore Wind Development (GONE 2003)
 - The National Planning policy Framework (2012)
 - Statutory, internal and public consultation responses



CMA/2/16



Planning Services

Installation of Wind Turbine, 74m to tip height (reduced from 87m during application process), control building, temporary compound area, associated infrastructure, and erection of 60m anemometer mast (to be installed prior to the wind turbine) at Land situated between Craghead Lane (350m north) and Humbleburn Lane (300m south), to the west of Beechgrove Lane (250m). To the east of Craghead, County Durham

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Comments

Date May 2013

1:10,000(approx)