



Application Number: 2014/0556
Location: Barracks Farm, Forest Lane, Papplewick,
Nottinghamshire.



OTE:

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Report to Planning Committee

Application Number:	2014/0556
Location:	Barracks Farm, Forest Lane, Papplewick, Nottinghamshire.
Proposal:	Erection of a 500kw wind turbine with a tip height up to 77m along with transformer station at base, access track from farm to turbine and access improvements at junction of farm access and Forest Lane.
Applicant:	Robert Marshall
Agent:	Mr Stephen Catney
Case Officer:	David Gray

1.0 The Proposed Development

- 1.1 Full Planning is sought for the erection of a single 500kw wind turbine and associated infrastructure on agricultural land to the west of the farm buildings associated with Barracks Farm. The planning statement advises that the turbine would be operational for 25 years from the first generation of electricity on site, after which the turbine would be removed and the site restored.
- 1.2 The proposed wind turbine would be a 'EWT DirectWind 54*500's. It would have:
 - Hub height: 50 metres;
 - Rotor diameter: 54 metres;
 - Maximum tip height: 77 metres;
 - Number of blades: 3;
 - Output rating: 500 kW.
- 1.3 Access to the site would be from Forest Lane (B6011) which is an existing tarmac road. The junction access from Forest Lane is proposed to be upgraded as part of the proposed development. The junction with the highway would be increased to provide a 20 metre radius for construction HGV's.
- 1.4 A new access track is proposed from the existing farm access track following the edge of the field in which the turbine is proposed and will run to the base of the turbine. The length of the new access track would be approximately 356 metres with a total area of 0.15 hectares.

- 1.5 An electricity substation is proposed to the north of the proposed wind turbine. Indicative plans and elevations have been submitted with the application for future approval reserved by condition. The parameters set by the plans submitted would be: 3.5 metres wide, 6.5 metres long, with a ridge height of 3 metres.
- 1.6 The wind turbine foundations would be constructed in concrete and depend on site geology. Site survey work would be undertaken to determine which type of foundation would be suitable. The tapering tower would have a footprint diameter of 3.6 metres at the base and 1.92 metres at the nacelle (a cover housing containing the generating components of the wind turbine).
- 1.7 To the north of the proposed wind turbine there would be a temporary 40 metre x 25 metre hardstanding area for construction vehicles and cranes.
- 1.8 The wind turbine would be assembled onsite and lifted into position by cranes. Once the turbine has been erected any damage or disturbance created by construction traffic, foundations or cabling would be repaired.
- 1.9 The turbine would produce 1,600 MWh of electricity per annum (assuming 95% availability). Using figures taken from Defra/DECC's GHC conversion factors for company reporting, published in August 2011 (0.5246 kg CO₂/kWh), it is indicated that the turbine would achieve carbon savings of 839,360kg of CO₂ pa or a 20,984,000 kg of CO₂ over 25 years (minimum guaranteed lifetime of turbine).

2.0 The Site and its Surroundings

- 2.1 The proposed wind turbine would be located in a rural location approximately 340 metres to the east of 'The Old Granary' building associated with Barracks Farm. The Ordnance Survey grid reference for the site is SK 55683 52016.
- 2.2 The application site is located on a working farm, Barracks Farm. It is situated within the designated Green Belt of Nottinghamshire. Barracks Farm has acreage of 648ha which is in arable rotation.
- 2.3 The site is located approximately 7km south of Mansfield, 2 km south of Ravenshead, 3.8km north of Bestwood Village and 1.5km north of Hucknall.
- 2.4 The proposed wind turbine location itself would be within the Parish of Papplewick and would be approximately 700 metres from the west boundary of the Conservation Area of Papplewick.
- 2.5 The wind turbine would be sited approximately 1.1km to the west of Mansfield Road (A60), approximately 640 metres to the east of Blidworth Way (B683) and approximately 1km to the north of Forest Lane (B6011).
- 2.6 The immediate surrounding area is defined by agricultural farmland with blocks of woodland areas. There is a mature native hedgerow that bounds the edges of the field in which the wind turbine would be located. The rotor

diameter of the proposed wind turbine would be located approximately 70 metres from the hedge row to the west and 65 metres from the hedgerow to the north.

- 2.7 The application site is in an elevated position to the surrounding undulating agricultural landscape.
- 2.8 The topography of the land rises to the north from Forest Lane towards the proposed wind turbine. The land continues to rise to the north east and then drops in level adjacent to Blidworth Way.
- 2.9 There is a National Trail (The Robin Hood Way) which runs along the edge of Papplewick village on a north / south axis. There are also a number of Public Rights of Way surrounding the site.
- 2.10 The registered park and garden of Newstead Abbey is to the north west of the application site which is set within mature mixed woodland. To the east is Papplewick Hall which is a Grade I listed building with a Grade II* registered park and garden.
- 2.11 There are residential properties sited to the south of the proposal on the south side of Forest Lane (approx. 1 km away), to the south west within the village of Papplewick (approx. 1 km away), to the west on the west side of Blidworth Way (approx. 710 metres away), to the east on Mansfield Road (approx. 810 metres away).
- 2.12 The application site is located within Flood Zone 1 which means there is no requirement for a Flood Risk Assessment.

3.0 Application Publicity and Procedures

- 3.1 The application has been advertised as a departure from the Local Plan. A Site Notice has also been displayed to indicate that the proposed development could have an adverse impact on the setting of listed buildings and Conservation Areas in the vicinity of the site. The required Press Notices have been advertised within the Nottingham Evening Post.
- 3.2 The 14 properties that adjoin Barracks Farm have been notified of the application.

Following the receipt of further information which suggested a wider impact, a further consultation was carried out extending the notification procedure to 214 properties located within the village of Papplewick, along Mansfield Road, and Blidworth Way. Any further comments received will be reported verbally at Committee.

3.3 Neighbour Notification and General Publicity Responses

21 representations have been received objecting to the proposal and 4 representations have been submitted in support of the application. The

following issues raised in the letters of representation can be outlined as follows:

The proposed development would have a detrimental impact on the Green Belt;

The visual impact of the development on the local landscape, heritage and the conservation area;

Proximity to Papplewick Hall, Papplewick Hall Gardens, Papplewick Hall Mews, Newstead Abbey Park and the impact of the wind turbine on all the heritage assets;

The view east from Papplewick Hall would be seriously impacted;

The impact of the wind turbine would not preserve and enhance the quality of the environment;

Impact on highway safety and an accident black spot on Blidworth Waye;

Reference is made to the Department of Transport's 'The Strategic Road Network and Delivery of Sustainable Development.' The wind turbine would be sited near to a sharp bend on Blidworth Waye and would be contrary to the advice contained within this document;

Negative visual impact on public footpaths in the area;

The impact on wildlife and migrating birds given the proximity of woodland and ponds in the area;

The reduction in CO2 is not a special circumstance that would outweigh the harm to the Green Belt;

There is no indication of the volume of electricity that would be produced by the turbine compared with the requirements of the farm and whether a smaller wind turbine would be more suitable;

Alternative energy production sources have not been considered;

The proximity to neighbouring residential properties would result in undue shadow flicker and noise impact;

The financial benefits are all directed at the applicants and not the local residents;

An approval of the wind turbine would set a precedent for further applications of wind turbines;

Adverse impact on horses and ramblers who use the public footpaths in the area;

The wind turbine would generate harmful microwaves that would damage local wildlife;

The Borough Council's attention is brought to the National Grid initiative to bury power lines, given their detrimental impact on the landscape;

Wind turbines are inefficient;

The proposed development would damage the local economy and make Papplewick a less desirable area to live;

There would be emissions of harmful microwaves;

Other Considerations

Difficulties have been raised accessing the plans on the internet;
There has only been limited consultation on the proposal.

No photomontage images have been provided with the application;

Supporting Comments

The turbine would produce renewable energy.
The location is well considered with minimal visual impact.

Statutory and Technical Bodies Consultation Responses

- 3.4 Nottinghamshire County Council (Highway Authority) – From a Highway Authority point of view, the principle of the proposed development is acceptable. The preferred delivery route seems acceptable as the carriageway widths are 4.0 metres as required, together with the access to Barracks Farm having radius kerbs and hard surfaced. When the actual route is established it will be assessed in more detail.

There are no highway objections subject to a condition requiring an abnormal load routing assessment to be submitted to and approved by the Borough Council.

- 3.5 Nottinghamshire County Council (Arboricultural Officer) – The erection of the wind turbine should not affect trees of any significance.

- 3.6 Nottinghamshire Wildlife Trust – make the following comments, which are limited to consideration of ecological issues only:

- Local Wildlife Site

In relation to Local Wildlife Site Ref 2/360 Break Lane, it is noted that this site will not be affected by the proposal as a new access road to the north is proposed and we understand that LWS, a herb rich grassy track, will not be used for turbine construction access.

- Nesting Birds

If approved, it is recommended the following condition is used to protect nesting birds: All construction work associated to the installation shall be undertaken outside of the bird-breeding season (March – September inclusive). Should works be carried out during this time, a suitably qualified ecologist shall be on site to survey for nesting birds, with a copy of the survey undertaken at the site to be submitted to and approved in writing by the LPA prior to the commencement of development at the site.

- Special Protection Area for Sherwood

The ecological assessment has considered potential adverse impacts of the scheme on nightjar and woodlark. The implications of any future designation of a Special Protected Area for Sherwood should be considered in line with the Natural England's advice note on Sherwood, updated March 2014. Natural England advocates a 'risk based' approach to the assessment.

- Bats

It is noted that Natural England's recommendation in Technical Advice Note TIN051 in relation to 50 metre buffer around any features (trees, hedges) is met and that surveys of possible structures that may support roosts (trees and buildings) have been carried out.

It is usually expected to see bat activity survey carried out in order to inform applications for single large turbines to confirm the conclusions (which in this instance are not based on field survey but habitat assessment and desk study alone) and such surveys have been carried out to support numerous other similar sized turbine applications on arable land elsewhere in the County.

- In response to the additional report to potential harms of ecology

Should the application be approved it is recommended that a mechanism such as condition is used to secure mitigation /enhancements described in section 4.4 in relation to:

1. Bracken control within Break Lane Local Wildlife Site (described in full at Appendix 3). In summary this will involve 'three cuts a year, for the first three years, and annual cutting thereafter. By removing / controlling the bracken this way, greater levels of sunlight shall penetrate to ground level, allowing seeds of herbs and grasses to germinate, enhancing the botanical value of this Local Wildlife Site.
2. Replacement shrub / hedgerow planting (if vegetation is removed for turbine delivery) by species of a 'similar species-mix to the areas affected'.
3. Clearance of vegetation: 'should be undertaken outside of the main bird breeding season, which for most species extends between March and August inclusive. If this is not possible, a search for active nests shall be undertaken by a qualified ecologist, immediately beforehand, and any nests, if present, protected until the young have fledged'.

3.7 Natural England

- Statutory nature conservation sites

No objections:

This application is in close proximity to the Linby Quarries Site of Special Scientific Interest (SSSI)

Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. It is therefore advised that this SSI does not represent a constraint in

determining this application. Should details of the application change Natural England notes Section 28(1) of the Wildlife and Countryside Act 1981 (as amended), requiring re-consultation.

- Consideration of the likely impacts from the development on breeding nightjar and woodlark within the Sherwood Forest Area

Due to the proximity of the development site to habitats considered important for breeding Nightjar and Woodlark populations in the Sherwood Forest area, it was requested that the application be supported by additional assessments of the likely impacts arising from the proposal on Nightjar and Woodlark, in line with the risk-based approach advocated by Natural England.

The supplementary Nightjar and Woodlark Report (August 2014) is acknowledged. The results of the additional desk based study and bird survey work confirm that there is no evidence of Nightjar or Woodlark on the development site and the nearest record of Nightjar or Woodlark is approximately 2.75km and 9.5km respectively.

Therefore, based on the information provided Natural England considers there would be no significant impacts to nightjar or woodlark as a result of the development. It is considered that the information provided is sufficient for the Local Planning Authority to follow the risk-based approach when determining this application.

- Protected Species

The application has not been assessed for impacts on protected species.

The Local Authority is directed towards the Natural England Standing Advice on protected species. The Borough Council should apply Natural England Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a license may be granted.

- 3.8 Public Protection – Public Protection have reviewed the noise assessment submitted in support of the above application. The Noise Impact Assessment predicts that the noise levels will fall within the normal ETSU R -97 limits of 35dB_A for daytime and 43dB_A for night time at nearby dwellings, however this is exceeded with a level of 36.5dB_A for Barracks Farm, which is a financially interested party. This higher level is considered acceptable for those properties that have a financial interest in the development.

As the levels fall within the acceptable levels for this type of development

there are unlikely to be any adverse environmental protection issues as a result of this development.

- 3.9 Civil Aviation Authority – There is an international civil aviation requirement for all structures of 300 feet (91.4 metres) or more to be charted on aeronautical charts. However, on behalf of other non-regulatory aviation stakeholders, in the interest of Aviation Safety, the CAA requests that any feature/structure 70 feet in height, or greater, above ground level is notified to the Defence Geographic, including the location(s), height(s)* and lighting status of the feature/structure, the estimated and actual dates of construction and the maximum height of any construction equipment to be used, at least 6 weeks prior to the start of construction, to allow for the appropriate notification to the relevant aviation communities.

Any structure of 150 metres or more must be lit in accordance with the Air Navigation Order and should be appropriately marked. Although if an aviation stakeholder (including the MOD) made a request for lighting it is highly likely that the CAA would support such a request, particularly if the request falls under Section 47 of the Aviation Act.

Cumulative effects of turbines may lead to unacceptable impacts in certain geographic areas.

The Ministry of Defence will advise on all matters affecting military aviation.

- 3.10 NATS – The proposed development has been examined from a technical safeguarding criterion. Accordingly, NATS (En Route) Public Limited Company ('NERL') has no safeguarding objection to the proposal.
- 3.11 East Midlands Airport – The application does not conflict with the aerodrome safeguarding criteria. There are no safeguarding objection to the proposal subject to a condition being attached requiring the applicant to notify the local planning authority in consultation with East Midlands Airport within 1 month, of the turbine commencing operation.
- 3.12 Derbyshire/Leicester Air Ambulance – no comments received.
- 3.13 North Midland Helicopter Support – no comments received.
- 3.14 OFCOM – OFCOM policy is not to advise or get involved with any planning applications.
- 3.15 Nottinghamshire County Council (Policy / Strategic Planning) -

Strategic Planning Issues

Green Belt

What constitutes acceptable development within the Green Belt is set out in the NPPF, wind turbines are considered to be unacceptable forms for

development within the Green Belt and as such the onus lies with the application to demonstrate that there are 'very special circumstances' to justify such inappropriate development in such a location.

The applicants have set out in their Planning Statement (Appendix 15) that they have demonstrated 'very special circumstances', which include the proposal being a community led project, that wind energy can only be harnessed where it is economically and technically viable and that the NPPF states that environmental impacts can be mitigated against, where possible.

It is considered that although the applicants have provided evidence of 'very special circumstances' it is a matter for Gedling Borough Council, as the determining authority to make this judgement.

Strategic Highways

Strategic Highways do not have any objections to the above proposal.

Developer Contributions

Should the applications proceed, Nottinghamshire County Council will seek developer contributions relating to the County Council's responsibilities in line with the Council's adopted Planning Contributions Strategy and the Developer Contributions Team will work with the applicant and Gedling Borough Council to ensure all requirements are met.

Minerals and Waste

There are no mineral safeguarding issues as it is a temporary development and no waste issues have been identified, as such the County Council raise no objections from a minerals and waste perspective to the proposed development.

Rights of Way

The nearest public right of way to this proposed development is Ravenshead Footpath No 2 as shown in Appendix 2, which is over 500 metres away. The development does not therefore appear to impact any existing public rights of way, but it is always possible that other public rights of way exist which have not yet been registered.

Overall Conclusions

The overall National Planning Policy context in relation to wind turbines, as outlined above, is strongly supportive of the principle of wind turbines and the wider benefits of deploying renewable energy technologies in tackling climate change, subject to a number of considerations. The responsibility for determining planning applications for wind turbines lies with district planning authorities.

Strategic Highways do not have any objections to the above proposal.

In terms of the Green Belt, the County Council consider that although the applicants have provided evidence of 'very special circumstances' it is a matter for Gedling Borough Council, as the determining authority to make this judgement.

The County Council raise no objections from a minerals and waste perspective to the proposed development.

3.16 Nottinghamshire County Council (Landscape and Reclamation Team) -

The existing site lies to the north-east of Papplewick, and on an east facing slope. The site sits within Greater Nottingham Landscape Character Assessment Area (GNLCA) SH03, Papplewick Wooded Estatelands, which has a landscape policy action of '*Conserve and Reinforce*'.

Actions for built features in that area are:

- Conserve the integrity and rural character of the landscape by concentrating new developments around the existing urban fringe of Ravenshead to the north and along transport corridors.
- Conserve the character and architectural style of Papplewick village
- Conserve the existing field pattern by locating new small scale development within the existing field boundaries
- Promote large-scale woodland planting to contain and soften urban fringe development
- Promote sensitive design and siting of new agricultural buildings
- Promote measures for reinforcing the traditional character of farm buildings using vernacular building styles.
- Create small scale woodland/tree planting to soften new development, preferably in advance of development.

The conclusion reached in the Landscape and Visual Impact Assessment (LVIA) is that there is a negligible impact on landscape character on completion. NCC disagrees. The actions given above demonstrate that the overall aim of '*conserve and reinforce*' is to build on the underlying framework of vernacular architecture, reinforcing field boundaries and screening unavoidable development with woodland planting. This turbine is so large it is impossible to screen and the openness of the landscape, with 'few detracting features' ensures it dominates the area bounded by the A60, Robin Hood's Way and B683 which has no existing features of this scale, height or verticality. It will have a significant impact on the aesthetics of the locality.

NCC's preliminary assessment is that there is a moderate adverse impact on landscape character in the immediate vicinity of the development site, although it is conceded that once outside this area, impact on landscape character is slight as the turbine is further away and

what can be seen of the turbine is viewed in conjunction with other elements.

Visual Impact

The GNLCA Policy sheet SH03 Policy zone, within which the site lies, describes the area as 'visually unified' with 'few detracting features'; the introduction of such a large and incongruous structure will detract from the existing landscape. The key impact on visual amenity is felt by the users of roads and Public Rights of Way bounding the site to the north, south, east and west i.e. Robin Hood's way, Forest Lane, B683 and the A60. The land is open and slightly undulating; there are few features within this agricultural landscape and although the turbine sits in a slight valley, the turbines puncture the horizon and are highly noticeable, and the height and scale of the turbine dwarfs the plantation woodland and hedge lines where they appear in the same view. The visual impact is particularly incongruous at viewpoint 3 where there is a vista through a gap in woodlands to the horizon, and the turbine is now the main feature of the view. The LVIA notes that visual impact is moderate adverse from particular viewpoints and NCC agrees.

There is no mention in the LVIA of suitable mitigation ie. use of hedgerows/tree planting to provide screening at particular viewpoints, but given the landscape vocabulary of wide open spaces, long views and large scale fields, it is going to be difficult to provide screening without undermining the openness of that part of the landscape for people both using for recreation and/or driving through or living in it.

One PROW in the vicinity appears to have been omitted from the assessment; the bridleway from Abbey Fields farm to Newstead. The viewpoint from within Newstead also appears to be been selected to be just outside the visibility zone for the blade tip and hub. I would like to see evidence that of views from other viewpoints in the Newstead Abbey park before ruling out adverse impact on visual amenity from within the Newstead estate.

Overall the proposal is not supported by NCC's Landscape team.

3.17 Nottinghamshire County Council (Biological Records) – no comments received.

3.18 English Heritage -

- Summary

The proposal is for the erection of a 77m to tip single wind turbine, located on land at Barracks Farm. English Heritage was not previously consulted on a screening opinion for this single wind turbine though we note the contents of your authority's advice dated 26th February 2014, stating several significant heritage designations are identified as being near including Papplewick

Pumping Station to the east, Bottom and Top Cross to the southwest, Abbey Church to the northwest, Fountaindale Moat to the north, Mounds at Skye Breck and Haywood Oaks Farm to the northeast and Newstead Abbey, Papplewick Hall, Annesley Hall registered parks and gardens. Considerations will be given to the impact of the proposal upon the heritage assets as part of any subsequent application. English Heritage Advice is given in line with the Principle Act Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, the Planning Practice Guidance, the PPS5 HEPPG and recent published guidance document The Setting of Heritage Assets, 2011.

- English Heritage Advice

As the application potentially affects scheduled monuments, listed buildings and conservation areas, the statutory requirement to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses and the character and appearance of the conservation area (sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990, must be taken into account when making decisions. English Heritage refer to the potential cumulative impact of wind turbines on the significance of heritage assets, which is relevant on this application.

The importance attached to the setting is recognised by the Governments National Planning Policy Framework (NPPF) and in guidance, including The Planning Practice Guidance, the PPS5 Historic Environment Planning Practice Guidance (HEPPG) produced by English Heritage and endorsed by Government, Wind Energy and the Historic Environment (English Heritage) and the Setting of Heritage Assets (English Heritage). The publication of Planning Practice Guidance For Renewable Energy issued on 29th July 2013 by the DCLG contains the following statement (para 34): 'As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of wind turbines on such assets. Depending on their scale, design and prominence a wind turbine within the setting of a heritage asset may cause substantial harm to the significance of the asset.'

Significance can be harmed or lost through development within a heritage asset's setting and any harm or loss to significance 'should require clear and convincing justification' (Paragraph 132 NPPF, and also HEPPG paragraphs 8 and 85). The Authority should aim to achieve the objective of sustainable development which in this context means guiding development towards a solution that achieves economic, social, and environmental gains jointly and simultaneously (paragraph 8, NPPF). The environmental gains from wind energy are emphasised in Planning Practise Guidance for renewable energy and are likewise recognised in English Heritage guidance Wind Energy and the Historic Environment. A further environmental gain would be the continued conservation of heritage assets so that their heritage value and significance can be enjoyed by this and future generations – an overarching planning objective (paragraph 17, NPPF).

In this case there is potential impact on the setting of numerous designated heritage assets, some already identified by your authority in the screening opinion. The Grade I listed Papplewick Hall is approx. 850m from the proposed turbine. The Hall was built by Frederick Montagu between 1781 and 1787 on the site of an older house demolished in 1784. The designer of the Hall is unknown but is in the style of Robert Adam. The east entrance front of the Hall is designed of three bays with a central projecting rusticated porch with balustrade sill and paired pilasters flanking a pedimented window. It sits within the C18 landscape park and pleasure grounds, which are grade II* on the National Register of Historic Parks and Gardens this landscape forms the setting for the house and the design of the parkland is understood to have been possibly influenced by the owner's friends. The SAM Papplewick Pumping Station is located 1.5 miles away and the site is considered more open on its western side with views of the pumping station chimney. Within a 5km radius there are 14 Grade I and II* Heritage Assets, 8 SAMS, 5 registered parks and gardens and 5 conservation areas with the nationally important designated assets. These assets must be carefully considered.

The information provided in the application states that the turbine is not anticipated to harm the significance of any of the heritage assets apart from Papplewick Hall which is stated as less than significant and therefore acceptable in planning terms. The photomontage of Papplewick Hall clearly shows the turbine will be visible and would have a dominating presence within the appreciation of both the registers historic park and garden and the Grade I Listed Hall. In particular the wind turbine will be seen from the entrance front of Papplewick Hall and as a distraction to the east will diminish part of the designed experience on arriving at the Hall – a most pleasing and extensive view, as expressed by Throsby in the 1780's on his visit. It is believed the situation of the house was purposefully chosen with clear views out to the surrounding land. The relationship between the wider estate historically was both functional and aesthetic. Thus, part of the significance of Papplewick Hall is derived from its setting both within and beyond the registered park, as here the landscape was designed to address particular views out towards the wider landscape and as a pleasing arrival to the hall. It is known that in the 18th Century the owner Fredrick Montague planted several plantations (outside the registered park) in honour of naval battles and their admirals including the Duncan Plantation. Throsby described a ride through the wider estate as 'a ride of four miles carried through well cultivated fields, enriched with a variety of spreading trees', which took in 'the whole of what may truly be called a Farm Ornee' (Thorsby 1790). Within the setting of the registered park and Grade I listed Hall, this experience survives with plantations and agricultural land in the wider landscape. This survival provides a positive contribution to the heritage assets through helping to reveal and understand the historic and social relationship between the Hall and the agricultural land that supported it. The contribution of this setting is also expressed aesthetically through views and enjoyment of surrounding land.

It is the view of English Heritage that the heritage significance of Papplewick Hall and the registered park & garden would be diminished by the introduction of an alien and visually distracting presence of the proposed turbine. Whilst

electricity poles exist within this landscape, the static nature of these should not justify a moving turbine.

It is incorrect by the applicant to assume sensitivity is lessened because the Hall is privately owned – this should have no basis in determining whether or not the proposal is acceptable. It is disappointing that the submitted information does not adequately assess the impact on both registered parks of Papplewick and Newstead. For example the viewpoint from Newstead was taken close to the SAM and Grade I listed building, rather than a full visual assessment throughout the registered park – again the relationship between the park and its setting has not been properly considered. The local authority would need to judge if the significance of the heritage assets as a group is also derived from any relationship with the rural landscape in assessing if the turbine will cause any harm. There may be potential for impact on the inter-visibility and landscape rural setting between the registered parks, which requires further assessment. The NPPF defines the setting of a heritage asset as, ‘The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance or may be neutral’ (Annex 2). Detailed guidance on assessing the impact of development on the setting of a heritage asset is set out within ‘The setting of Heritage Assets’ and the HEPPG, paragraphs 113 to 124. Setting is not confined to individual viewpoints and whilst it is clear that the turbine will be visible and in our opinion, a distracting presence.

Notwithstanding the need to robustly assess the impact of this planning application on all designated heritage assets within the submitted 5km radius, we therefore believe the proposed turbine will have a harmful impact on the significance of both Papplewick Hall and the registered park and garden. This impact is considered less than substantial. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 set out the legal duties to be applied in this case. The Barnwell Manor decision has confirmed that considerable importance and weight is to be given to the desirability of preserving the listed building or its setting to discharge these legal requirements. This applies irrespective if the harm is substantial or less than substantial. The NPPF assists in practical application with a requirement to conserve justification required for any harm caused. The optimum sustainable scheme being one that can clearly show it avoids or eliminates conflict between heritage conservation and any other public benefits it may deliver. In determining the planning application, the local authority should also seek further advice from your in house conservation advice, particularly in relation to impact on Grade II listed buildings and conservation areas, and take in account of the desirability of sustaining and enhancing the significance of heritage assets (paragraphs 131, NPPF).

Impact on buried archaeological remains

In determining this application consideration needs to be given to the recommendations of the County Archaeological Advisor with respect to the potential impact on, treatment of and mitigation of impact on any

undesigned archaeological remains on the development site.

Recommendation

The information provided in support of the application does not in full respond to guidance in the NPPF at para 128. On the basis of what has been provided it appears possible to us that the turbine may have a harmful impact on the significance of other designated heritage assets and the lack of information to enable such analysis of impact must be addressed by your authority.

Notwithstanding this, on the basis of the information provided we are able to identify a harmful impact on the significance of Papplewick Hall and its Grade II* registered park and garden, commensurate with less than substantial.

English Heritage does not believe the proposal will achieve sustainable development and therefore do not support the application.

3.19 British Horse Riding Society – no comments received.

3.20 Parish Councils

Papplewick Parish Council – In summary Papplewick Parish Council object to the proposed development for the following reasons:

The development would constitute inappropriate development in the Green Belt. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

‘Very Special Circumstances’ have not been met to justify the proposal.

The size and expected power output of the wind turbine is well beyond that required to meet the needs of the agricultural holding in question.

The applicants have stated that the wind turbine would be removed after 25 years and therefore the effect would be temporary. Given the benefits of the wind turbine it is highly likely that it would be replaced with another.

The visual impact of the proposal on the Green Belt and the Conservation Area of Papplewick.

Ravenshead Parish Council - No comment has been made on the application as the area does not come under Ravenshead Parish Council jurisdiction.

Linby Parish Council – no comments or objections.

3.21 Local Authorities

Ashfield Borough Council – No comments received.

4.0 Planning History

4.1 A request for a screening opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 was made in February 2014 ref: 2014/0182EIA. The development by virtue of it being an ‘installation for the harnessing of wind power for energy production (wind

farms)' and the hub height exceeding 15 metres was considered to fall within Schedule 2 (3) (ii) of the EIA Regulations. From the information submitted the Borough Council considered the proposal against Schedule 3 criteria and concluded that the proposed development did not require the submission of an EIA.

5.0 Assessment of Application Planning Considerations

- 5.1 The most relevant national planning policy guidance in the determination of this application are contained within the National Planning Policy Framework (NPPF) (March 2012) and additional information provided in the National Planning Practice Guidance (NPPG). Other material considerations taken into account include the National Policy Statements (NPS) for Energy (EN-1) and Renewable Energy (EN-3) and the Written Ministerial Statements on renewable energy published in June 2013 by the Secretaries of State for Energy and Climate Change and for Communities and Local Government in April 2014.
- 5.2 Gedling Borough adopted the Gedling Borough Aligned Core Strategy (GBACS) on 10th September 2014 and this now forms part of the Development Plan along with certain saved policies contained within the Gedling Borough Replacement Local Plan (GBRLP) referred to in Appendix E of the GBACS. The GBACS is subject to a legal challenge under Section 113 of the Planning and Compulsory Purchase Act 2004 to quash certain parts of the Gedling Borough ACS. The Claimant seeks an order quashing the GBACS so far as it relates to the quantum and distribution of new housing in the Council's area and so far as it provides for the review of Green Belt boundaries. The challenge is largely to Policy 2 (The Spatial Strategy which sets out housing targets and broad locations for new housing) and Policy 3 (The Green Belt). The challenge to the GBACS is a material consideration and must be taken into account. The decision maker should decide what weight is to be given to the GBACS. In this instance significant weight has been attached to the GBACS however, should the GBACS be quashed I do not consider that a different recommendation would be reached when considering the issues that have been presented. The policies covered in the GBACS are mirrored in the guidance contained within the National Planning Policy Framework.
- 5.3 The following paragraphs of the NPPF are of relevance to the principle of this application: -
NPPF paragraphs 80 – 92 (Protecting Green Belts);
NPPF paragraphs 93 – 108 (Meeting the challenge of climate change, flooding and coastal change);
NPPF paragraphs 126 – 141 (Conserving and enhancing the historic environment)
- 5.4 The following policies of the Gedling Borough Aligned Core Strategy (September 2014) are relevant to this application: -
Policy 1: Climate Change;
Policy 3: The Green Belt;
Policy 11: The Historic Environment.

- 5.5 The following saved policies of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014) are also relevant: -
Policy ENV5 (Renewable Energy);
Policy ENV21 (Setting of Listed Buildings); and
Policy ENV26 (Control over Development in the Green Belt).

As noted in the comments received from Planning Policy, in accordance with paragraphs 214 – 215 of the NPPF, due weight should be given to the policies of the Replacement Local Plan in accordance with their degree of consistency with the framework. In terms of this decision, ENV5 should be given limited weight while ENV26 should be given significant weight.

- 5.6 The main planning considerations in the determination of this application are: -

Renewable Energy

The appropriateness of the development and the impact on the openness of the Green Belt

The visual impact on the Local Landscape

Cultural Heritage: The impact on the setting of Listed Buildings and Registered Parks and Gardens and the impact on Conservation Areas

Nature Conservation

Local Residents (Visual Impact, Shadow Flicker and Noise)

Safety, in terms of fall over distance, power lines, air traffic safety, defence, radar and the strategic road network.

Transport and Communication

There are other considerations such as precedent and the impact on ramblers and horses.

6.0 Renewable Energy

- 6.1 One of the core principles of the NPPF is that planning should support the transition to a low carbon future and encourage the use of renewable energy (paragraph 17). Planning plays a key role in supporting the delivery of renewable and low carbon energy (paragraph 93) and there is a responsibility on all communities to contribute to energy generation from these sources (paragraph 97).

Paragraph 98 of the NPPF states when determining planning applications, local 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; and
approve the application if its impacts are (or can be made) acceptable.’

- 6.2 While permission should not be refused for small scale schemes, the courts [(Court of Appeal, Maurice Kay L.J., Patten L.J., Sir Stanley Brunton, May 8, 2014) 2014 EWCA Civ 599] have ruled that the amount of energy that is produced by renewable energy proposal is a material consideration. The

amount of energy produced by renewable energy proposal should be identified to establish the extent of the benefit that would arise from the proposal and then compared to its impact.

6.3 In terms of impacts, the NPPF (paragraph 97) indicates that the approach taken in the National Policy Statement for Renewable Energy should be followed, while the NPPG also provides a number of issues that should be considered. Together they show that the following issues should be considered in regards to turbines:

- Biodiversity / Ecology and Geology;
- Historic Environment;
- Cumulative Landscape and Visual Impact;
- Noise and Vibration;
- Shadow Flicker and Reflected Light;
- Traffic and Transport;
- Electromagnetic Transmissions;
- Safety;
- Decommissioning.

Evidence regarding the impact of the proposal on each of these areas is considered within this report.

6.4 National targets for renewable energy are as follows:

National targets for renewable energy are as follows:

Source	Target
<i>UK Renewable Energy Strategy</i>	<i>15% of energy from renewable sources by 2020</i>
<i>Climate Change Act 2008</i>	<i>reduce UK 'carbon account' by 80% by 2050 from 1990 baseline</i>

6.5 The Energy Strategy Roadmap Update (November 2013) indicates that 9.7% of energy is generated from renewable sources. The Final Statement for the First Carbon Period (May 2014) indicates that emissions are around 23.6% lower than 1990. Weight would need to be given to the contribution the proposal makes to the energy generated from renewable sources and to the reduction in carbon emissions.

6.6 The Planning Statement (April 2014) submitted with this application states the turbine is forecast to produce 1,600 MWh of electricity per annum (assuming 95% availability). According to the average energy use figures published in the Energy Savings Trust report 'Powering the Nation' in June 2012 an average UK property consumes 3,638 kWh per annum, thus the turbine could provide enough electricity for 439 homes. Using figures taken from Defra/DECC's GHC conversion factors for company reporting, published in August 2011 [0.5246 kg CO₂/kWh], the turbine would save 839,390kg of CO₂ pa or a 20,984,000 kg of CO₂ over 25 years. The model of wind turbine has manufacturer guarantee of

95% availability.

- 6.7 It should be noted that the Government places great weight on the need for renewable and low carbon energy. This drive for renewable energy production can be seen within the NPPF at paragraph 97.
- 6.8 The need for renewable energy is also set out within other Government documents including, The Energy Bill (Nov 2012), Electricity Market Reform: Policy Review (Nov 2012), Annual Energy Statement 2012, UK Renewable Roadmap Update (Dec 2012), and the National Planning Policy Statement for Renewable Energy Infrastructure.
- 6.9 As a consequence of the national Planning Policy weight should be attached to the contribution the proposal makes to the energy generated from renewable sources and to the reduction in carbon emissions.

7.0 Green Belt

- 7.1 Consideration needs to be given to whether the proposed turbine will maintain the openness of the Green Belt. Openness relates to the perceived amount of built form within a particular setting. I note that the turbine would have a tip height of 77m, and that the County Council Landscape team has stated that the surrounding area is very open in character and that there are no features of this scale and verticality in the area. I am therefore of the opinion that this proposal would have an impact on the openness of the Green Belt at this location. However, due to the fact that the turbine would be a slim line feature I do not consider that the impact on the openness of the Green Belt at this location would be significant.
- 7.2 As there would be some impact on the openness of the Green Belt, the development in terms of the NPPF must be considered to be inappropriate development. Paragraphs 87 and 88 of the NPPF advise decision makers that:-
- ‘inappropriate development is, by definition, harmful to the green belt and should not be approved except in very special circumstances.’
- ‘When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, very special circumstances will not exist unless the potential harm to the green belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.’
- 7.3 Gedling Borough Council’s Replacement Local Plan Policy ENV26 provides a list of development that is considered to be appropriate development in the Green Belt. A wind turbine does not fall within this list and therefore has to be considered an inappropriate development for the purpose of the local plan. The sub text to Policy ENV26 indicates that there is a presumption against

inappropriate development unless there are very special circumstances; such circumstances may be where development is in the national interest.

- 7.4 With regard to the NPPF it is my opinion that the reference to any other harm within paragraph 88, relates to whether there are any conflicts with the purposes of including land within the Green Belt and any other harm that the turbine may cause to any other aspects of amenity. In the case of this wind turbine at Barracks Farm these would relate to the impact on the local landscape, cultural heritage, nature conservation, local residents, highway safety and communication. National Green Belt policy therefore requires assessment of whether there are any other considerations or benefits that would outweigh the harm to the green belt, the purposes of including land in green belt, and any other harm that can be identified.
- 7.5 There are five purposes for including land within the Green Belt, these are set out at paragraph 80 of the NPPF and are:-
- To check the unrestricted sprawl of large built areas
 - To prevent neighbouring towns merging into one another
 - To assist in safeguarding the countryside from encroachment
 - To preserve the setting and special character of historic towns, and
 - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 7.6 In my opinion the proposed development conflicts only with the purpose of assisting to safeguard the countryside from encroachment. Encroachment relates to how built up an area is perceived to be. County Landscapes have indicated that the surrounding area is very open, which is a view I concur with and I also consider that there is little development in the vicinity. The nature of the wind turbine in terms of it being a slender feature in my opinion means that whilst there would be some encroachment into the countryside as a result of this development it would not be significant.
- 7.7 With regard to any other harm that can be identified consideration needs to be given to other aspects of amenity that could be affected by the proposal. For the reasons set out in the section below (Sections 8 – 15) I do not consider that the proposal would cause any harm in relation to the landscape in terms of its visual impact and impact on character, nature conservation interests, local residents, transport, communication and safety. In relation to the likely impact on heritage assets, as set out in Section 9.0 below, decision makers have to consider what impact the development would have on the heritage asset and weigh this against the public benefits. My assessment of the impact on heritage assets is that it is less than substantial and that the benefits of the proposal from the energy generation from renewable sources and the reduction in carbon emissions would outweigh the less than substantial harm

to the heritage assets. I therefore do not consider that the proposal causes any significant undue other harm.

- 7.8 From a Green Belt perspective an assessment of the circumstances that the applicant has put forward to justify the proposal in the Green Belt is required in order to determine whether they would outweigh the harm to the green belt and any other harm and can therefore be considered to be very special circumstances.
- 7.9 The agent on behalf of the applicant has advanced the following matters for consideration:
1. The wider environmental benefits of the proposal
 2. The national reduction on the reliance of non-renewable energy sources
 3. The financial benefits to the farm
 4. The limited visual impact of the development
- 7.10 The Holder decision [(Court of Appeal Holder v Gedling Borough Council EWCA Civ 599 May 2014] indicates that decision makers should assess the benefit that would ensue from renewable energy schemes and that in evaluating their benefits the size, efficiency and ability to meet need are relevant considerations. The Holder decision also requires decision makers to query how replicable circumstances put forward are and whether the same circumstances could be claimed in relation to comparable sites (which does raise the issue of whether a precedent could be set). Another matter that the Holder decision raises for decision makers is consideration of alternative sites and forms of renewable energy schemes, and whether these are capable of producing reasonable amount of energy instead of the proposed turbine. The matters raised in relation to the Holder decision that should be taken into account when assessing applications for renewable energy are considered below.
- 7.11 The wider environmental benefits, such as large CO₂ saving surplus and the national reduction on the reliance of non-renewable energy sources are generic and in my view can be put forward for any renewable scheme. I consider that they can be given some weight but the weight to be given to them is limited.
- 7.12 The NPPF at paragraph 28 encourages planning policies to support economic growth in rural areas and to promote the development and diversification of agricultural and land based rural businesses.
- 7.13 The applicant has provided information that indicates that the Farm has a requirement for 200MWH of energy per year. I would therefore accept that a renewable energy scheme should make provision for at least this amount and

I also acknowledge that the provision of more energy than this would provide additional financial support to the Farm. The Farm also has a requirement to reduce its Carbon Emissions and has indicated that this factor is important in its ability to meet the requirements of wholesalers that they sell produce to. In my opinion considerable weight also needs to be given to the intention to reduce Carbon Emissions as a result of paragraph 17 of the NPPF which indicates that it is one of the planning systems core principles to support the transition to a low carbon future in a changing climate and encourage the use of renewable resources.

7.14 On the 2nd November 2014 the Applicant also advised that the turbine would support the Farming business in the following ways:

Production of renewable energy for business, including control of supply, control over one of the major costs of the business and additional power to support proposed expansion;

Profit smoothing, to level out income fluctuations as a result of changing markets and varying production levels.

Increased profits for re-investment in a high cost capital intensive business;

Large CO₂ saving surplus to make the business carbon neutral allowing further expansion;

7.15 With regard to alternative sites that could provide a renewable energy scheme given that Barracks Farm is located in the Green Belt I do not consider that there is a better alternative site outside of the Green Belt for the applicant. The lack of an alternative site outside the Green Belt in my view is a consideration that needs to be given some weight. The applicants have given consideration to alternative sites within the Farm; this consideration has indicated that the location of the turbine is the most efficient and least visually intrusive.

7.16 On the 29th October 2014 the agent provided further information on the potential for other alternative forms of renewable energy at the Farm. The information gave consideration to hydro power and renewable heat, which were not considered to be viable alternatives as a result of technical requirements of such installations and the type of energy produced. The applicants have also considered an anaerobic digester, which would require the Farm to change its working practices and could result in a greater number of vehicular movements. Roof mounted photovoltaics and ground mounted photovoltaic cells were also considered which would require an equivalent of 10 acres of land to produce a replicable energy return. I do not consider that these alternative forms of energy would be suited to an arable farm.

7.17 Details of an alternative wind turbine have also been provided by the

applicant. The table below indicates that whilst the alternative turbine would be smaller and would meet the energy needs of the Farm, the turbine would not be as efficient as that proposed and it would take longer to pay back the cost of installing the smaller turbine than the larger turbine. The smaller turbine would also achieve lower carbon savings.

	EWT Directwind DW54	WTN 250kw
Height to hub	50m	46m
Blade Diameter	54m	30m
Height to tip	77m	61m
Energy produced (@ wind speed of 6.0m/s and 95% availability)	1,600MWh	424MWh
Income generated (@ £181 per MWh)	£289,600pa	£76,858
Cost of turbine	£1.3 million	£650,000
Time to pay back	4.5 years	8.5 years
Carbon Saving	839,630kg CO ₂	250,234 kg CO ₂

- 7.18 Although the smaller wind turbine would have less of an impact on the openness of the Green Belt I consider that the turbine would still have the same impact on the landscape in terms of its visual impact and impact on character, heritage assets and nature conservation interests, local residents, transport, communication and safety. In my view, balancing these latter impacts with the benefits of the larger wind turbine would have in relation to efficiency, payback time and carbon savings would mean that its installation would accrue more benefits and support the Farm in more ways, than the smaller wind turbine.
- 7.19 When looking at the smaller wind turbine it is noted that to produce a comparable CO₂ saving and income level would require 3 individual smaller turbines. Cumulatively 3 individual turbines would have more of an impact on the openness of the Green Belt, would lead to significant encroachment and would have adverse impacts on the landscape in relation to its visual amenity and character and also on the heritage assets in the area.
- 7.20 Given the above I consider that the wind turbine as proposed is acceptable and that its need and location has been justified. Whilst I consider that weight

should be given to the financial and carbon reduction support to the farming enterprise at Barracks Farm which are matters that national planning policy is required to assist I do consider that similar financial, energy and carbon saving arguments could be offered by other farming enterprises in support of renewable energy schemes at other sites.

- 7.21 In light of the above I consider that it has been established that there would be inherent harm to Green Belt by reason of the inappropriateness of the proposal and that the proposal would affect the openness of the Green Belt at this location. However, I do not consider that the impact on openness would be significant and I am of the opinion that there would be no other harm created by the proposal. In my view the financial, energy and carbon reduction support that the turbine would generate should be given weight (although I acknowledge that it is an argument that other Farming enterprises could put forward to support a renewable energy scheme), and I consider that appropriate justification has been provided for the single slim line wind turbine proposed. On balance therefore I consider that in this instance because of the site specific physical circumstances presented by the proposal in terms of its actual impact on the openness of the Green Belt and that it would not cause any other harm when considered with the justification put forward by the Applicant (in relation to the financial, energy and carbon reduction support), together amount to very special circumstances which outweigh the inherent harm to the Green Belt by reason of inappropriate development being proposed. I consider the development to be acceptable in Green Belt terms.

8.0 Visual impact and impact on the Landscape

- 8.1 Policy ENV5 of the RLP advises that renewable energy schemes should not adversely affect the character of prominent ridge lines and should be designed, sited and landscaped so as to minimise any impact upon the character of the area. However, due to the wording of the policy and its inconsistency with the NPPF, little weight should be attached to it in relation to determining this application.
- 8.2 Policy 10 of the ACS requires all new development outside of settlements to be assessed with reference to the Greater Nottinghamshire Landscape Character Assessment.
- 8.3 The Planning Practice Guidance for Renewable and Low Carbon Energy provides guidance on the issues to be considered in relation to the landscape and visual impacts of turbines. The visual impacts are concerned with the degree to which proposed renewable energy will become a feature in particular views, or sequence of views, and the impact that this will have on people experiencing those views. The landscape impacts are the effects of the proposed development on the fabric, character and quality of the landscape and the degree to which the turbine will become a defining characteristic in the landscape.

- 8.4 The Landscape Character Assessment places the site within the Papplewick Wooded Estatelands SH03 which has the landscape policy action 'Conserve and Reinforce'
- 8.5 The County Landscape Team in their comments advise that the turbine would have a significant impact on the localised area. NCC's preliminary assessment is that there would be a moderate adverse impact on landscape character in the immediate vicinity, although once outside this area, impact on the landscape character is slight as the wind turbine is further away and what can be seen of the turbine is viewed in conjunction with other elements. I note that the County Landscape team do not support the scheme.
- 8.6 I accept that the wind turbine would have a significant impact on the landscape in the immediate vicinity; however, the impact remains local and does not extend to a wider landscape impact outside of the local area. I also consider that the development would be reversible.
- 8.7 In assessing the impact of the proposal on the localised landscape I would note that the wind turbine would be located centrally on an existing working arable farm at a distance of 500 metres to the nearest public right of way and vantage point. I also note that the most significant vantage points are located on Mansfield Road, Forest Lane, and Blidworth Way and would predominantly be viewed by road users.
- 8.8 The landscape is characterised by undulating arable agricultural fields which has a number of blocks of woodlands. Given the distances to the wind turbine from the significant vantage points (as noted above) I consider that whilst there would be an adverse impact on the local landscape it would be limited to less sensitive locations and in many areas would be part screened by blocks of woodland. I also note that there are modern additions in the local landscape including telephone lines and electricity pylons.
- 8.9 Whilst I accept that there would be a significant local impact in the immediate vicinity, given the considerations above, I consider there to be only a moderate impact on the wider landscape. This moderate impact needs to be balanced against the significant weight to be given to renewable schemes. It should be noted that landscapes do change over time and that whether development is considered to be 'bad' or 'good' affects the perception of whether the impact of the development is acceptable to those viewing it.
- 8.10 In light of the above considerations whilst there would be an impact on the landscape in visual terms and its character would change, the landscape would still be predominantly characterised by rolling agricultural fields with blocks of woodland, and it is my opinion that the change would not be unacceptable particularly given the need for renewable energy.

9.0 Cultural Heritage

- 9.1 Legislation regarding buildings and areas of special architectural or historic

interest is contained in the Planning (Listed buildings and Conservation Areas) Act 1990, the NPPF and RLP Policy ENV21.

9.2 Paragraphs 132 and 133 of the National Planning Policy Framework advise that: -

‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important an asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens should be exceptional. Substantial harm to or loss of designated heritage, and World Heritage sites, should be wholly exceptional.

Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that harm or loss.’

9.3 Section 66 of the 1990 Act requires that:

‘In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural interest which it possess.

9.4 Paragraph 134 of the NPPF states:

‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including its optimum viable use.’

9.5 The most significant heritage assets in proximity to the proposal are Papplewick Conservation Area including the views to the northeast of the Conservation Area on Blidworth Way and on the Grade I listed Papplewick Hall and Grade II* listed walled kitchen garden. Special regard will have to be had on the impact of the development on these heritage assets. Whilst I note that Newstead Abbey Park and Gardens are also close to the application site I consider that the impact on this heritage asset would be minimal given that Newstead Abbey is enclosed and screened by mature mixed woodland.

9.6 The most significant heritage asset affected by this proposal would be Papplewick Hall. The setting comprises the adjoining service ranges, lawns and car parking in the immediate vicinity. Beyond, to the west, lies parkland on falling ground providing views towards Linby and the parish church of St James. To the east of the hall is agricultural land rising towards the ridge top

above Barrack's Farm. The impact on this heritage asset would be limited to views to the east of the Hall. The boundary facing onto Blidworth Way of the Hall is defined by mature trees which act as a visual screen to the road and the agricultural fields beyond. The proposed wind turbine would be sited approximately 780 metres from this boundary. The construction of a wind turbine in the landscape, visible from the setting of the hall, introduces a modern feature in the landscape. This would adjoin other modern attributes in the landscape including electricity pylons and roads. Given the location of Grade II* walled kitchen garden, the location of Top Farm and the distance to the proposed wind turbine, it is my opinion the proposal would not be significantly visible from this location. It is my opinion that given the significant distance to the wind turbine combined with substantial screening that the impact on the setting of this Listed Building would be less than substantial and would have to be weighed against the public benefits of the proposal.

- 9.7 Papplewick Conservation Area is experienced largely from within and from outward views to the north-east and south-west. The Zone of Visual Interest (ZVI) visualisations indicate that the turbine would be partly visible in the Conservation Area though it would be obscured locally by trees and buildings. It is my opinion that, given the distances to the turbine, the localised vegetation and screening and that the Conservation Area is mainly experienced from within the built form, the impact would be less than substantial and would have to be weighed against the public benefits of the proposal.
- 9.8 I note the comments from English Heritage which conclude that they are able to identify a harmful impact on Papplewick Hall and its Grade II* registered garden, which they have concluded as less than substantial.
- 9.9 In accordance with the NPPF the less than substantial harm to the setting of the Listed Building and the Conservation Area needs to be weighed against the public benefits of the proposal. I consider that the weight to be given to the contribution that this proposal would make to reducing CO2 emissions, combatting climate change, to renewable energy targets, and to sustainable economic development to diversify the rural economy (as discussed in the Green Belt section above) would outweigh the less than substantial harm to the heritage assets discussed above.

11.0 Nature Conservation

- 11.1 Paragraph 118 of the NPPF states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles, where significant impacts cannot be adequately mitigated then permission should be refused and if the proposal affects a Site of Special Scientific Interest or ancient woodland the benefits of the development would need to outweigh the harm to the nature conservation interest.
- 11.2 I note that an Ecological Walkover Survey Report was submitted with the application and whilst Natural England required further information the submission of additional information on Night Jars and Woodlarks was

sufficient to overcome their concerns.

- 11.3 I note the comments from the Wildlife Trust in relation to Natural England's recommendation in Technical Advice Note TIN051 in relation to 50 metre buffer around any features (trees and hedges) is met and that surveys of possible structures that may support roosts (trees and buildings) have been carried out. I note that the closest building to the application site is approximately 350 metres from the proposed wind turbine location; I also note that the hedges on the field boundaries are also approximately 65 - 70 metres from the swept path of proposed turbine. I am satisfied that there is a sufficient buffer of over 50 metres from the nearest feature that could support the foraging or roosting of bats.
- 11.4 Given that no objections have been received from the ecological bodies in relation to the potential impact of the proposed wind turbine on nature conservation interests in the area, I do not consider that there would be any significant adverse impacts. Any impacts that would be caused would be satisfactorily mitigated as proposed in Appendix 3 Supplementary Nightjar and Woodlark Report. I concur with the advice of Nottinghamshire Wildlife Trust and should the application be approved it is recommended that conditions be attached to secure the mitigation / enhancements described in section 4.4 of Appendix 3.

12.0 Local Residents (Visual impact, Shadow Flicker and Noise)

- 12.1 The Planning Practice Guidance for Renewable and Low Carbon Energy (July 2013) provides guidance on how shadow flicker and noise should be assessed as part of an application.
- 12.2 With regard to shadow flicker paragraph 35 of the document advises that under certain combinations of geographical position and time of day, the sun may pass behind rotors of a wind turbine and cast shadow over neighbouring properties. When blades rotate, the shadow flickers on and off. Only properties within 130 degrees either side of north, relative to the turbine would be affected. The guidance goes on to advise that modern wind turbines can be controlled so as to avoid shadow flicker.
- 12.3 The Guidance states that the report The Assessment and Rating of Noise from Wind Farms (ETSU-R-97) should be used by local planning authorities when assessing and rating noise from wind energy developments.
- 12.4 The closest properties to the proposed turbine are along Mansfield Road and Forest Lane the closest being approximately 1km away and on Blidworth Waye at approximately 710 metres away.
- 12.5 For the properties closest to the wind turbine, the turbine is likely to be a significant and prominent feature on the landscape for the occupants of these properties. However; the proposed wind turbine would be screened for the majority of properties on Forest Lane by the block of woodland called the King Edwards Plantation. There is also a significant mature hedgerow that runs the

length of the Forest Lane on the opposite side to these properties which would help mitigate the prominence on the landscape. In relation to the visual impact of the proposed turbine on local residents, given the distances between the properties and the proposal, the various blocks of woodland in the landscape, and the undulating topography of the landscape, I do not consider that the proposed single wind turbine would be visually intrusive, prominent, or overbearing enough on these properties to be a reason for refusal in this instance.

12.6 I also consider that the introduction of a single wind turbine in the landscape would be preferable to cumulative impact of multiple smaller wind turbines that would produce the comparable CO₂ saving and energy production. Given the limitations of the site I consider that the single wind turbine within this established landscape of this height and scale would be acceptable in this instance.

12.7 I note that a shadow flicker assessment has been submitted at appendix 12 using windpro software on a worst case basis. This analysis shows that the impact on surrounding properties would be limited. The only properties which would be affected are The Old Granary and Barre Oaks which are limited to maximum potential impacts of between 24 and 28 hours each year. These properties are located on Barracks Farm and are beneficiaries of the scheme. It is concluded that no properties would be adversely impacted by shadow flicker. It is also noted that Public Protection have not raised any concerns with regards to shadow flicker.

12.8 The noise impact assessment submitted by the applicant has been reviewed by Public Protection. Public Protection concluded that the noise levels would fall within normal ETSU R-97 limits for daytime and night time at nearby dwellings not in the ownership of financially interested parties. As the levels are acceptable no objections are raised.

12.9 To ensure that noise levels do accord with ETSU-R-97 it is recommended that a condition be imposed on any planning consent.

12.10 Given the topography of the land, the siting of the proposed wind turbine, the height to tip, the blocks of woodland and the mature hedge lines I consider that the application is acceptable in terms of impact of the development on local residents.

13.0 Transport, Communication and Safety

13.1 The Planning Practice Guidance for Renewable and Low Carbon Energy provides guidance on how safety is to be assessed in relation to wind turbines. The document requires consideration to be given to fall over distance, power lines, and impact on air traffic safety, defence, radar and the strategic road network.

13.2 I note that the Highway Authority have raised no objections to the proposed development in relation to the traffic that would be associated with the

construction, operational and decommissioning stages of the proposal. I do however note that they have suggested that a condition be attached to any approval requiring an abnormal load routing assessment to be submitted to and approved by the Borough Council.

- 13.3 I note that no objections have been received from local airport operators or MOD in relation to impact on of the development on air traffic. I also note that as part of preparing the application that the applicants also consulted various aviation bodies in respect to the proposal and no objections were received.
- 13.4 OFCOM was consulted as part of this application and this consultation resulted in no objections being received. When referring to the National Policy Statement for Renewable Energy other issues that need to be considered in regards to wind turbines include Electromagnetic Transmissions. It is my opinion that any potential mitigation works should complaints be received in relation to electro-magnetic interference can be suitably mitigated by condition. I note that the agent has agreed to the wording of this condition.
- 13.5 With regard to fall over distance, it is recommended that wind turbines are sited at a minimum distance of the height of the wind turbine from ground to tip plus 10% from any buildings. In relation to the proposed wind turbine this distance would be 84.7 metres, no properties are located within this distance from the turbine.
- 13.6 The closest National Grid power line lies within 524 metres of the proposed wind turbine. The National Grid buffer distance between wind turbines and power lines is three times the rotor distance, in this instance this would be 162 metres. The proposed turbine would therefore be at sufficient distance so as not to cause any potential safety implications in relation to the power lines.
- 13.8 As the proposed wind turbine is below 150 metres in height no lighting would be required in this instance.
- 13.9 I note the comments received with regards to the potential for there to be highway safety implications as a result of the development on Blidworth Way. However, I am satisfied that the distance to the proposed wind turbine would mitigate any undue distraction from the development and I note that the Highway Authority have not raised this as a concern.

14.0 Other Issues Raised

- 14.1 I am satisfied that the distance of 500 metres to the nearest public right of way is sufficient to mitigate any undue impact on horses or ramblers using footpaths in the local area.
- 14.2 I note the comments received with regard to a precedent for development being set. During the processing of the application the agent has submitted site specific details on the need for the turbine that has been proposed. A business plan and financial projections have been provided, accounting for the carbon neutral future of the business along with further expansion to

secure the energy needs of the growing farm in the future. These factors, along with the factors referred to in The Planning Practice Guidance for Renewable and Low Carbon Energy need to be assessed on future applications. These include Biodiversity / Ecology and Geology; Historic Environment; Cumulative Landscape and Visual Impact; Noise and Vibration; Shadow Flicker and Reflected Light; Traffic and Transport; Electromagnetic Transmissions; Safety; Decommissioning. All these factors need to be considered with future application for wind turbines and would need to satisfy the tests on their own merit. Given the level of detail required, the mitigating factors to do with the specific location of future applications and potential cumulative impacts, applications for future wind turbines would be assessed on their individual merits against these factors.

- 14.2 I note the comments from Nottinghamshire County Council with regards to developer contributions. Nottinghamshire County Council have not requested any contributions and therefore I am satisfied that no developer contributions are required in relation to this proposal in accordance with the Statement of Community Involvement.
- 14.3 I note the comments with regards to the accessibility of plans and photomontages on the internet. The application and photomontages have been available to view on the website and in the Council Offices and as such have been available to view and inspect.
- 14.4 I note the comments received with regards to the limited consultation process. I can confirm that the application was advertised as a departure from the Local Plan and a Site Notice and Press Notice was posted to indicate that the proposed development would impact on the setting of a Listed Building. Further consultations were carried out extending the notification procedure during the processing of the application. I am satisfied that the correct notification and statutory consultation process has been followed in this instance.
- 14.5 I note the comments with regards to the damage to the local economy, given the impact on the Conservation Area and on heritage assets. The impact of the wind turbine on heritage assets has been considered in detail above. Given the less than substantial impact on the Conservation Area and on Heritage Assets (discussed above) I do not consider that the impact on the desirability of the village and on house prices would warrant a refusal of the application in this instance.

15.0 Conclusion

- 15.1 At the heart of the NPPF is a presumption in favour of sustainable development, for decision making purposes this means approving development proposals that accord with the development plan, and where the development plan is absent, silent or relevant policies are out of date, granting planning 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 the development should be restricted.

15.2 In light of the considerations given above in relation to

Renewable Energy
Green Belt
Local Landscape
Cultural Heritage
Nature Conservation
Local Residents (Shadow Flicker, Visual Impact, and Noise)
Safety
Transport, Communication and Safety

15.3 I consider, on balance, and taking into account the benefits that would be generated as a result of this proposal, that the proposed development would constitute sustainable development. In reaching this conclusion I have had regard to paragraph 98 of the NPPF which advises that when determining planning applications, local planning authorities should approve the application if its impacts are, or can be made acceptable. Given the considerations set out in sections 6.0 to 14.0, above, I consider that it has been demonstrated that on balance the impacts of the proposal are acceptable.

15.4 This application has been advertised as a departure; however, the application is only required to be referred to the Secretary of State if the development by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt. Given the conclusions drawn in the Green Belt section of this report, I do not consider that this application should be referred to the Secretary of State.

Recommendation:

GRANT PLANNING PERMISSION, subject to the following conditions;

Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision. Written confirmation of the date when electricity is first exported to the grid from the wind turbine hereby permitted (First Export Date) shall be submitted to the Borough Council within one month of the date of this taking place.
2. This permission shall endure for a period of 25 years from the first export date (of electricity to the grid), after which the use shall cease, and the turbine, ancillary structures, crane erection and lay down areas shall be removed from

the site, and the land restored in accordance with details to be approved in writing under condition 18 below. The site shall be decommissioned in accordance with the details to be approved under condition 18.

3. The development hereby permitted shall be carried out in accordance with the following approved plans except insofar as may be otherwise required by other conditions of this planning permission: Site Layout Plan (L-MAR-064-SLPX); Site Layout Plan Proposed (L-MAR-064-SLPP); Wind Turbine Boundaries Plan (L-MAR-064-BP); Elevations (drawing no: 1000900); Ecological Walkover Survey Report (424.03643.00010 dated March 2014); Landscape and Visual Impact Assessment (dated December 2013); Noise Impact Assessment (Ref: 1632 Papplewick Wind Turbine); Shadow Flicker Assessment (Project L MAR 064); Technical and Operational Assessment (NAT ref: W(F) 18624); Volume 1 - The Planning Statement (dated April 2014); Planning Supporting Statement Addendum - Green Belt Special Circumstances Justification (August 2014); Supplementary Nightjar and Woodlark Report (SLR ref: 424.03643.00010 August 2014); and Further Detail with Respect to Very Special Circumstances (02.11.2014).
4. Before development hereby approved is first commenced, precise details and elevations of the proposed substation housing shall be submitted to and approved in writing by the Borough Council. The substation shall have the following parameters: No wider than 3.5 metres, no longer than 6.5 metres, and it shall have a ridge height no more than 3 metres. The development shall be implemented in accordance with the written approval.
5. Before the development hereby approved is commenced, and any associated materials transported to the site, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Borough Council. The Plan shall include the following: (i) A comprehensive study of the agreed delivery route to the application site including identification of the route where highway accommodation works will be required including the clearance of any vegetation and removal of street furniture; (ii) A schedule indicating the time for off peak construction deliveries; (iii) Details of measures to be taken to manage and control construction traffic on the agreed construction route and site access to include advance notification signage, abnormal load traffic warning signs and any temporary speed limits/traffic regulation orders; (iv) Details of measures to be taken to manage the proposed hedge and tree cutting including signage. (vi) details specifying how any damage caused by construction traffic to the highway along the agreed route shall be made good. The Construction Traffic Management Plan shall thereafter be implemented as approved prior to any construction works taking place on site and as required during the construction of the development.
6. Before the development hereby approved is commenced, and any associated materials transported to the site, precise details of the hardstanding for construction traffic and details of improvements to the access track for the turbine delivery vehicles shall be provided in accordance with the plans to be first submitted to and approved in writing by the Borough Council. The hardstanding and servicing areas as approved shall thereafter be retained for

the life of the development and decommissioned in accordance with details submitted under condition 19 of this approval.

7. Before the development hereby approved is commenced, a schedule of ecological site enhancement including hedgerow pruning works, shrub removal and bracken management shall be submitted to and approved in writing by the Borough Council (as indicated para 4.4 of the supplementary Nightjar and Woodlark Report SLR ref: 424.03643.00010). The schedule shall contain details of the works to be undertaken and a timescale for the works to be carried out. Ecological site enhancement works shall be completed in accordance with the approved schedule.
8. All construction work associated to the installation shall be undertaken outside of the bird-breeding season (March - September inclusive). Should works be carried out during this time, a suitably qualified ecologist shall be on site to survey for nesting birds, with a copy of the survey undertaken and any works required at the site to be submitted to and approved in writing by the Borough Council prior to the commencement of development at the site. Works shall be completed in accordance with the approved details.
9. Prior to the erection of the wind turbine, details of the colour finish of the turbine tower, nacelle and blades shall be submitted to and approved in writing by the Borough Council. Development shall thereafter be carried out in accordance with the approved details.
10. Prior to the erection of the substation, details of the colour and type of materials to be used for the external walls and roof shall be submitted to and approved in writing by the Borough Council. The size of the substation shall be in accordance with the parameters set out in condition 4 above. Development shall thereafter be carried out in accordance with the approved details.
11. Before development hereby approved is first commenced, precise details, including depths of the proposed wind turbine foundations to be constructed shall be submitted to and approved in writing by the Borough Council. The foundations as approved shall thereafter be retained for the life of the development and decommissioned in accordance with details submitted under condition 19 of this approval.
12. All cables within the development site from the turbine to the substation shall be set underground.
13. Prior to the first export date, a scheme providing a protocol for the investigation and alleviation of any electro-magnetic interference to terrestrial television caused by the operation of the wind turbine shall be submitted to and approved in writing by the Borough Council. The protocol shall also include full contact details of who to contact in relation to the development should the Borough Council receive a complaint from a local resident within 12 months of the first export date. The protocol shall provide for the investigation by a qualified independent television engineer of any complaint

of interference with television reception at a lawfully occupied dwelling (defined for the purposes of this condition as a building within Use Class C3 and C4 of the Use Classes Order) which lawfully exists or had planning permission at the date of this permission, where such complaint is notified to the developer by the Borough Council within 12 months of the first export date. Where impairment is determined by the qualified television engineer to be attributable to the development, mitigation works shall be carried out in accordance with the protocol which has been approved in writing by the Borough Council

14. The Applicant must notify East Midlands Airport in writing that the wind turbine is in operation. This shall be done within 1 month, of the turbine commencing operation and the Borough Council shall be sent a copy of the notification made to East Midlands Airport.
15. The rating level of noise from the wind turbine (including the application of any tonal penalty) when calculated in accordance with the method described in the guidance document 'ETSU-R-97: The Assessment and Rating of Noise from Wind Farms' shall not exceed 35dBa for daytime and 43dBA for night time at nearby dwellings. At Barracks Farm the upper level of 36.5dBa daytime shall not be exceeded.
16. Within 28 days from the receipt of a written request from the Borough Council, following a substantiated complaint to it, the wind turbine operator shall, at its expense, employ an independent consultant approved by the Borough Council to assess the level of noise generated by the wind turbine, following the method described in ETSU-R-97 referred to in condition 14. Within 60 days of appointing the independent consultant, unless agreed otherwise in writing with the LPA, the ETSU-R-97 noise assessment shall be completed and submitted to the Borough Council. Prior to the commencement of the noise measurement and assessment the monitoring locations shall be agreed in writing with the Borough Council. If wind turbine Noise levels are measured and found to exceed those levels set out in Condition 14 the necessary corrective action should taken within 30 days to reduce the levels to those set out in condition 14 and further noise assessment carried out to ensure compliance with condition 14. Copies of the results on noise assessments made after remedial action has been taken should also be submitted to the Borough Council. A complaint shall be considered 'substantiated' where the Borough Council has conducted a preliminary investigation and taken into consideration the data requested as per condition 11 and judged that the complaint warrants further investigation by the operator to demonstrate that the noise limits are not being breached.
17. The wind farm operator shall continuously log power production, wind speed and wind direction, all in accordance with Guidance Note 1 (d) of ETSU-R-97. These data shall be retained for a period of not less than 24 months. The wind farm operator shall provide this information in the format set out in Guidance Note 1 (e) to the Borough Council on its request, within 14 days of receipt in writing of such a request.

18. If the wind turbine hereby approved ceases to operate for a continuous period of 6 months unless otherwise approved in writing by the Borough Council, a scheme for the decommissioning and removal of the wind turbine and any other ancillary equipment, including a timetable for its removal, shall be submitted to and approved in writing by the Borough Council, within 3 months of the end of the 6 month cessation period. The approved scheme shall thereafter be implemented in accordance with the approved details.
19. Prior to the decommissioning of the site a scheme setting out a programme of works required to undertake decommissioning works, together with details of any access widening required, alteration to junctions, details of the abnormal load routes together with details of how any required off-site traffic management measures along the proposed route of decommissioning traffic, details of how the site shall be restored and landscaped once structures have been removed and a schedule of works required and timescales for undertaking the restoration shall be submitted to and approved in writing by the Borough Council. The site shall be decommissioned in accordance with the approved details.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. This is a temporary permission and condition 2 is attached for the avoidance of doubt.
3. For the avoidance of doubt.
4. For the avoidance of doubt.
5. In the interests of highway safety
6. For the avoidance of doubt.
7. To safeguard the appearance of the site
8. In order to safeguard the local bird population.
9. To ensure that the precise details of the turbine are defined in order for the Borough Council to control the nature of the development
10. To ensure that the precise details of the substation are defined in order for the Borough Council to control the nature of the development
11. To ensure that the precise details of the turbine are defined in order for the Borough Council to control the nature of the development
12. To safeguard the appearance of the site

13. To ensure that any adverse impacts on terrestrial television reception in the area is appropriately mitigated
14. To ensure that East Midlands Airport are advised that the turbine has commenced operation
15. In order to safeguard the aural amenity of the site and neighbouring residential properties.
16. In order to safeguard the aural amenity of the site and neighbouring residential properties.
17. To enable the Borough Council to monitor noise impacts and to monitor against condition 18.
18. To ensure that the site is decommissioned appropriately should the turbine cease to operate for a continuous period of 6 months.
19. To ensure that when the site ceases operation at the time stated within condition 2 above that decommissioning works take place in an appropriate manner and that the site is restored to a suitable condition.

Reasons for Decision

Paragraph 98 of the NPPF advises that when determining planning applications for renewable energy schemes, local planning authorities should approve the application if its impacts are, or can be made acceptable. In the opinion of the Borough Council it has been demonstrated that the impacts of the proposal are acceptable.

Notes to Applicant

There is an international civil aviation requirement for all structures of 300 feet (91.4 metres) or more to be charted on aeronautical charts. In the interests of Aviation safety, the Civil Aviation Authority requests that any feature/structure 70 feet in height, or greater, above ground level is notified to the Defence Geographic, including location(s) height(s) and lighting status of the feature/structure, the estimated and actual dates of construction and the maximum height of any construction equipment to be used, at least 6 weeks prior to the start of construction to allow for the appropriate notification to the relevant aviation communities.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.