



REPORT TO PLANNING & DEVELOPMENT COMMITTEE

TO BE HELD ON THURSDAY,
26 MAY 2011

RYEDALE DISTRICT COUNCIL
APPLICATION REFERENCE NO:

11/00270/MFULE

TARGET DATE:

5 MAY 2011

GRID REF:

493067 –
473180

REPORT OF THE HEAD OF REGENERATION & PLANNING - 11/248

SUBJECT: CONSULTATION ON RYEDALE DISTRICT COUNCIL APPLICATION FOR ERECTION OF 10NO WIND TURBINES WITH A MAXIMUM HEIGHT OF 126M TO BLADE TIP AT LAND AT LING HALL FARM, WEST HESLERTON, MALTON FOR RWE NPOWER RENEWABLES LTD

1.0 THE PROPOSAL

- 1.1 The proposed works include erection of 10no wind turbines with a maximum height of 126m to blade tip and associated infrastructure including access tracks, substation and control building with transformers and grid connection infrastructure, two new and two upgraded access points, an 80m permanent meteorological mast and a temporary construction compound. The estimated output is between 20 to 30MW.
- 1.2 The turbines are set in an array approximately 1km north to south by 2km west to east with the nearest turbines being 1km from the top of the Wolds Escarpment, 2km south of both East and West Heselton and 2.5km south west of Sherburn. As well as Ling Hall Farm the site covers large areas of West Heselton Wold and East Heselton Wold at heights of between 155 and 180 metres above ordinance datum (AOD). This lies, within an Area of High Landscape Value, as designated in Ryedale District Council's Adopted Local Plan, and is 1km (0.62 miles) south of the Wolds Way and Centenary Way long distance footpaths as well as 4 bridleways and a byway.
- 1.3 Full details of the proposals, the associated Environmental Statement and consultation comments to date can be found on Ryedale District Council's web site at; <http://planningregister.ryedale.gov.uk/caonline-applications/> under application reference 11/00270/MFULE.

2.0 PRE-APPLICATION COMMUNITY ENGAGEMENT

- 2.1 The Local Planning Authority was consulted on a Scoping Request by Ryedale District Council on 28 April 2010. The Head Of Regeneration and Planning responded on 11 May 2010 and the comments are outlined below. Ryedale District Council issued its Scoping Decision on 28 August 2010 under reference 10/00507/SCO. This can also be viewed on Ryedale District Council's web site.

3.0 CONSULTATIONS AND COMMENTS

- 3.1 None undertaken within Scarborough Borough but consultation comments to date within Ryedale can be found on Ryedale District Council's web site as above.

4.0 RELEVANT SITE HISTORY

- 4.1 Not known

5.0 PLANNING POLICY

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 54A of The Town and Country Planning Act 1990 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. Attention is drawn to the following Planning Policy Guidance which is considered to be particularly relevant to the consideration of this application:-

National Planning Policy Guidelines

Revised Draft Overarching National Policy Statement for Energy (EN-1)
October 2010

Revised Draft National Policy Statement for Renewable Energy Infrastructure
(EN-3) October 2010

Planning Policy Statements

PPS1 - Delivering Sustainable Development.

Planning and Climate Change supplement to PPS1 and Practice Guidance

PPS5 - Planning for the Historic Environment.

PPS7 - Sustainable Development in Rural Areas

PPS9 - Biodiversity and Geological Conservation.

PPS22 – Renewable Energy

Planning for Renewable Energy, A Companion Guide to PPS22

Consultation Draft PPS, Planning for a Low Carbon Future in a changing
Climate, March 2010

The Yorkshire and Humber Plan – Regional Spatial Strategy to 2026

YH2 - Climate change and resource use

ENV5 - Energy

ENV8 - Biodiversity.

ENV9 - Historic Environment

ENV10 - Landscape

Scarborough Borough Local Plan (saved policies)

E1 - Protection of Open Countryside

E5 - Road and Rail Approaches to Resort Towns

E12 - Design of New Development.

E27 - The Protection of Significant Views

E35 - Renewable Energy Production

E36 - Wind Turbine Development

6.0 ASSESSMENT

- 6.1 Whilst recognising that national and local policies encourage the use of renewable energy the key issue in relation to Scarborough Borough is the visual impact of the development when viewed from within the Borough on the wider landscape of the Wolds, the Vale of Pickering and the southern edge of the North Yorkshire Moors National Park. Concerns are therefore raised in relation to the evidence presented over this impact and also the assessment of cumulative impact.

Scoping request.

- 6.2 The Local Planning Authority's comments on the consultations on the Scoping Request were with "regards to reference publications, key viewpoints and other turbines to be considered with regards to cumulative effects". An additional reference publication, The East Riding Landscape Character Assessment was suggested as essential in relation to its siting south of the Wolds Escarpment. Their Interim Planning Document on Planning for Renewable Energy Development may also have been relevant.

Additional key viewpoints were suggested from the;

- A170 by the GCHQ base at the junction with Seamer Moor lane
- A170 East of Brompton
- A64 just over the bridge above the Scarborough to Bridlington railway.
- A165 by the Dotteral Pub Roundabout (above the line of the 120m contour)

"In addition Viewpoint 13 by Six Dykes may need to be taken at a point on Snainton Lane south of the Cockmoor Hall Farm. This is immediately to the

west of the Dykes but just over the rising ground one sees as one comes out of the National Park”..

“Cumulative effects should be considered in relation to approved or proposed turbines as the attached schedule. Banks Renewables Limited North East Office should also be contacted over progress on their intended windfarm south of Hunmanby. Similar sized turbines to those proposed at Ling Hall Farm are intended, approx 8 to 10 turbines at 2MW each”.

Visual impact

- 6.3 From an assessment of the submitted proposals it is clear that some regard has been taken of the various parties comments made at scoping stage. The two nearest turbines to the Wolds escarpment and The Wolds Way and Centenary Way footpath have been moved 250m further south and two to the east have been repositioned westwards. This has however made little difference to the impact of the wind farm at a distance as the turbines height of 126m is equivalent to the height of the escarpment (at 175m AOD) above the A64 (40m AOD).
- 6.4 Suggestions over photomontages at the GCHQ (22km / 13.5 miles away), Dotterel Pub roundabout (32km / 20 miles away) and Cockmoor Hall Farm (17km / 10.5 miles away) have been taken on board. Although visible as small features on the horizon these confirm that the wind farm will be clearly visible from considerable distances away. Two concerns exist however in relation to these photomontages;
- All the photographs have been taken in bright sunlight at a time when the landscape was covered in deep snow. This gives a misleading impression of the prominence of the Wolds as a major landscape feature and blurs the distinction between the Vale of Pickering and The Wolds.
 - The viewpoints on the A170 East of Brompton (11km / 7 miles away) and the A64 past the railway bridge (17km / 10 miles away) have not been assessed.

The omitted views are closer than other viewpoints assessed within the Borough and are in locations where many more residents, car users or tourists will be aware of the windfarm.

- 6.5 Planning Committee on 28 April 2011 refused application 11/00132/FL for an 80m high monitoring mast on the grounds of the unacceptable visual impact on the countryside, referring in particular to Scarborough Borough Local Plan saved policies E1, E27 and E35. It is considered that similar concerns should be raised in connection with this consultation.

Cumulative impact

- 6.6 Banks Renewables proposals for Southdale have increased since the 2010 comments were made. The Local Planning Authority in January 2011 received a scoping request under the Environmental Impact Assessment Regulations for a 46.7MW Wind Farm (Ref 11/00220/SCO). This outlines a potential windfarm of up to a maximum of 14 turbines each up to a maximum of 145m high. These details appear however to have been included in the cumulative visual assessment submitted.
- 6.7 A number of plans are included which identify “Zones of Theoretical Visibility” These ZTV analyses extend over a 70km (44 mile) radius from the proposed wind farm. They are based on the topography of the land form alone and ignore presence of buildings, trees or woodland. Nevertheless they confirm the cumulative impact over a large area in relation to East Heslerton and Lissett wind farms, East Heslerton and various existing wind farms and East Heslerton and current applications for wind farms. Whilst included on the first key map the Southdale proposal is itself not assessed with the East Heslerton proposals and no other turbines or windfarms have been shown on the photomontages. Several more have been approved since last year and other scoping requests made including two 127m turbines at Graffitoe Farm close to the Dotterel roundabout and the Southdale site.

7.0 CONCLUSION

- 7.1 The submitted photomontages and ZTV analyses highlight that the wind farm will be visible from a number of places within Scarborough Borough. Even though over #km (#miles) away these show they will have a significant impact on the landscape in The Wolds, The Vale of Pickering and the southern edge of the North Yorkshire Moors.
- 7.2 The photomontages have however been taken at an untypical time of year in extreme weather conditions with the landscape covered in snow. Other nearer viewpoints have also not been assessed and it is considered that new photomontages should be prepared and missing views assessed before a decision is made on the application.
- 7.3 It is also clear that the elevated position of the site overlooking both The Wolds and the Vale of Pickering and the relative scarcity of woodland cover, means the wind farm will be seen in cumulation with a number of other wind farms and wind turbines. Only a small number of wind turbines and windfarms have been assessed and the submitted analysis is therefore defective. Additional ZTV analyses should be prepared which include these and these should also be included in relevant photomontages before a decision is made on the application.

8.0 RECOMMENDATION

- 8.1 That Ryedale District Council be advised that this Council considers that the visual and cumulative impact on the landscape of the Wolds, the Wolds Escarpment, the Vale of Pickering and the southern section of the North Yorkshire Moors have not been adequately assessed, particularly as outlined in this report from the use of wintertime photographs only and from omission of key viewpoints on the A170 East of Brompton and from the A64 just beyond the bridge above the Scarborough to Bridlington railway.
- 8.2 That they be advised also that the applicants have not fully assessed the cumulative effect of the proposal, by the omission of the Banks, Hunmanby proposals as shown on figure 6.36 from subsequent assessments and from the omission of a number of other constructed, approved and submitted wind turbine applications.
- 8.3 That officers provide Ryedale District Council with up to date details of consented and current wind turbine and wind farm applications, scoping and screening requests.
- 8.4 In the absence of photomontages from the above locations and full cumulative impact assessments the applicants have not adequately demonstrated that the proposals would not dominate the landscape and not be visually detrimental to both the surrounding area and wider landscape.


Planning Manager

Background Papers:

Those documents referred to in this report.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT DEREK GREEN ON 01723 232468 e-mail derek.green@scarborough.gov.uk