

**Development Control Committee
25 September 2009**

JJ1 S09/0296/EIAFP

Target Decision Date: 26-May-2009

Applicant	Fiona Mackinnon, Scottish Power Renewables (UK) Limited 4th Floor, 1, Atlantic Quay, Glasgow, G2 8JB
Agent	
Proposal	Erection of 6 no wind turbines (maximum height 125m from base to tip), together with ancillary development including a control building and compound, on-site cabling, on-site access tracks, temporary storage/construction compound, hard standing areas, permanent meteorological mast, associated habitat enhancement and access from Neslam Road.
Location	Neslam Farm, Sempringham Fen, Sleaford, NG34 0NH
App Type	FP Environmental Impact Assessment
Parish(es)	Pointon & Sempringham

REPORT

Application Category

This application is categorised as a major application.

Reason for Referral to Committee

The application has been referred to Committee because it is a major application.

The Proposal

This application comprises:

1. 6 No. Wind turbines with a maximum height to the tip of the blade of 125m
2. Crane hardstandings
3. Control building and compound housing switchgear
4. On site access tracks and watercourse crossings
5. Permanent meteorological mast
6. On-site underground cables
7. Temporary construction compound

Turbines

The development proposes the erection of 6 No. three bladed horizontal axis turbines with a maximum height to the tip of the blade of not more than 125 metres. The turbines would

have a maximum height to the nacelle (hub) of 80m. The rotor diameter would measure a maximum of 90m.

The towers would be of tapering tubular steel construction, with the blades made from fibreglass reinforced epoxy. The nacelle houses the gearbox and generator. The applicants have indicated that subject to agreement with the Council the proposed finish and colour of the turbines is likely to be semi-matt and pale grey.

Turbines are typically of a variable speed type, so that the turbine rotor speed would vary according to the energy available in the wind. They have a rotational speed of between approximately 9 and 14.9 revolutions per minute (depending on variations in wind speed), generating power for all wind-speeds between 4 and 25m/s. At wind-speeds greater than 25m/s, the turbines would shut down for self-protection.

The turbines are computer controlled to ensure that at all times, the turbine faces directly into the wind to ensure optimum efficiency. The rotors of all 6 turbines will rotate in the same direction.

When operating, the rotational speed of the blades is transferred and increased through the gearbox, to drive the generator. This produces a three-phase power output typically at 690 Volts (V), which is transferred from the generator to the turbine transformer. There may be a requirement for a transformer kiosk at the base of each turbine which converts the electrical output from the turbine at 690V up to the appropriate higher voltage (typically 33kV) for grid connection purposes.

The actual type of turbine is not specified and the accompanying Environmental Statement (ES) has been based on a set of parameters which form the bases of an assessment of the likely significant environmental effects of a turbine. For some areas of assessment within the Environmental Impact Assessment, specific data relating to a turbine, such as the Vestas V90 2MW turbine, has been assessed to provide an example of a turbine that would operate within such parameters. There are a number of turbines that fall within the above parameters and the applicant has indicated that the final choice of turbine within this height envelope would be the subject of a tendering process involving detailed technical and commercial appraisal and based on turbines commercially available at the time of construction.

The foundation design for the proposed turbines would vary depending on the ground conditions at each turbine location. However in general terms the construction of the turbine would require a piled design foundation, with 2m diameter piles bored to 30m depth, subject to local conditions and cast in-situ with steel reinforced concrete.

The piles would be capped with a concrete pedestal approximately 15m by 15m and finished just below existing ground level and the turbine tower will be subsequently lifted into position and bolted into the reinforced base.

On completion of the turbine installation, the foundations would be backfilled and compacted with excavated material to cover over the concrete base up to the original ground level. Surplus excavated material may be used for soil restoration, landscaping and dressing to the access track side slopes.

Crane Hardstandings

Each turbine requires an area of hardstanding adjacent to the turbine foundation to provide a stable base on which to site the turbine components and erection equipment. The final detail of the crane hardstanding will depend on the exact specification of the cranes chosen by the contractor.

Typical dimensions for an end of track crane hardstanding would be 40m x 44m. For an intermediate hardstanding (i.e. where the turbine is situated adjacent to a track the dimensions would be 60m x 30m.

Control Building and Compound

A control building and compound for ancillary electrical equipment surrounded by security fencing would be constructed to the south of the existing agricultural buildings at Neslam Farm. The control building would comprise of a 15m by 20m single storey building with an overall pitched roof height of 6.85m. It would house the switchgear and metering, protection and control equipment, a single toilet facility for visiting maintenance staff, an office, and oil storage. Rainwater would be collected from the roof of the building via a gutter and inlet pipe to fill a header tank. Waste would be held in a closed system and removed at regular intervals. The building would be constructed in keeping with the local vernacular. The area for ancillary electrical equipment would be approximately 15m by 20m adjacent to the control building.

To safeguard the Development, the control building, compound and access tracks will be raised above the 1 in 100 year flood level with an additional freeboard allowance of 300mm. To achieve this, Development infrastructure would be set at a minimum elevation of 0.6m above the existing minimum ground level of 1.8m Above Ordnance Datum (AOD).

On-site Access Tracks and Turbine Delivery Route

Access to the site would be taken from the existing farm access on Neslam Road. This access would be modified and upgraded to accommodate turbine delivery vehicles and would provide a permanent access point for the wind farm during its operation. The Development would require the construction of new access tracks within the site and also the upgrading of existing tracks. The site has been laid out in order to maximise the use of existing farm tracks where possible. New tracks have been designed to follow the field boundaries to minimise visual effects and allow land to remain usable for agricultural purposes. The new access track to the permanent meteorological mast would unavoidably cross the footpath running south to north across the site.

The access tracks would be approximately 6m wide with passing places as required by the contractor. Approximately 3km of track, either upgraded existing tracks or new tracks, would be required.

Three un-named watercourses (field drains) will be crossed by new access tracks. The watercourses will be culverted, using a drainage pipe of appropriate size, and the access track laid over the top of the culvert.

To minimise disruption to existing land use, new access tracks will be laid adjacent to field boundaries. This will require that lengths of new track will run adjacent to drainage ditches. New tracks will be located at least 9m away from drainage ditches.

The access tracks will be retained throughout the operational life of the Development to enable maintenance of the turbines. The edges of the tracks will be allowed to revegetate.

During the 9 month construction period there would be an increase level of traffic on local roads, abnormal loads associated with the turbines would be delivered over a 2 month period. Although the incoming material and equipment would approach the development from a variety of directions depending on their point of origin, the applicants have indicated that vehicles would access the development via the shortest route from the main highway network, namely via the A52, B1177 and Neslam Road.

The applicants have indicated that the delivery of the turbine components (abnormal loads) would be from the Port of Boston. Vehicles would be directed to the development via the A16 to Sutterton and the A17 towards Swineshead. At Swineshead the vehicles would leave the A17 and then travel westbound along the A52. From the A52 vehicles would access the development via Mill Lane, the B1177 and the unclassified Neslam Road.

Permanent Meteorological Mast

A permanent meteorological mast would be installed towards the south-eastern corner of the site. The mast would be used to provide ongoing measurement of wind speed to provide information for the control and monitoring of the Development. The location of the permanent mast has been selected on the basis of the uninterrupted prevailing wind flow around this location.

The permanent meteorological mast would be the same height as the turbine hub, i.e. up to 80m. The mast would be of galvanised steel lattice construction and would replace the existing meteorological mast which has temporary consent.

On-site Cabling

Underground cabling would link the turbines to each other and to the on-site control building. Construction and trenching specifications would depend on ground conditions encountered. Typically cables would be buried in trenches approximately 1.1m deep and 1.2m wide. Cables would be laid following construction of the access tracks and turbine base construction. Where practicable, cables will be run adjacent to the access tracks to minimise disturbance. Approximately 3km of 33kV cabling will be required.

A Supervisory Control and Data Acquisition (SCADA) system will be installed to gather information from the turbines and to enable the turbines to be controlled from a central location. A fibre optic communications cable will be laid adjacent to the power cables to link the turbines to the SCADA system. The SCADA system allows remote monitoring of the turbines via a communication link.

Temporary Construction Compound

A temporary construction compound would be required for the construction and decommissioning phases with an adjacent laydown area for receipt and storage of delivered materials. The compound would have maximum dimensions of 50m x 100m. Space would be provided for car/van parking, temporary portacabins for site offices and welfare facilities for contractors, diesel storage and generators, containers for tool and equipment storage, and Storage of materials and infrastructure components.

The compound would be located to the south of the existing agricultural buildings and dwelling. The location has been selected to minimise environmental effects. The precise location and size of the compound within this area will be determined by the Contractor. Additional mobile sanitary facilities may be required, closer to more remote working areas. These facilities will be located adjacent to access tracks at suitable points as the work progresses.

The compound area would be stripped of topsoil, which will be stored for future reinstatement. A geogrid base or similar would then be laid, followed by a layer of suitable material, then a further geogrid prior to the top surface of blended fines. The total depth from base to top surface is approximately 600mm.

There would be a bunded area lined with an impermeable membrane to store fuel and oils. This would prevent contamination of the surrounding soils, vegetation, and surface and ground waters. Any contaminated run-off within the bund would be removed to a licensed waste management facility. Water for construction activities would be sourced from a water bowser. No connections to mains sewers or water systems are proposed.

The compound would be fenced and lit for security at night when in use.

There may be additional temporary storage of materials on the turbine crane pads. These would not require any additional hard-standing areas.

Following completion of construction, the compound would be removed and the area fully restored in accordance with an approved method statement.

Grid Connection

The Development would require connection to the regional electrical distribution network which has the capacity to accommodate this Development. Although not part of this application, based on studies undertaken to date by Central Networks, the current preferred location for the point of connection is at the Dowsby Fen substation (NGR 516160, 329480). Electrical power from the turbine transformers will be transferred to the electricity distribution system through a switchgear unit housed in the on-site control building.

Decommissioning

Consent is sought for a period of 27 years, comprising the 25 year operational life of the Development plus 9 months for construction, and following the 25 year operational life, 6 months for decommissioning. At the end of this period, the development will either be decommissioned, or a new application made to extend its operational life. If decommissioned, all above ground structures would be dismantled, but only the top layer (less than 1m) of below ground structures would be removed. The applicants consider that this approach will result in fewer environmental effects than seeking to remove all development infrastructure completely. The proposed decommissioning would ensure that the disturbed areas are re-instated to their former use (agricultural land).

Contribution to Meeting Identified Targets

The applicants' supporting planning statement indicates that the development will contribute to meeting renewable energy targets in the following ways:

- Reduce emissions of carbon dioxide through the displacement of electricity that would otherwise be generated through the burning of fossil fuels or via a mix of generation types. The annual emission saving for the proposed development is calculated to be 13,560 tonnes CO₂ per year and a saving of this magnitude will contribute to International, European, National, and Regional policies and targets relating to climate change and the reduction of CO₂ emissions;
- Deliver installed renewable electricity capacity of approximately 12MW. This generation will directly contribute to the level of installed capacity within the Region and, in turn, contribute towards targets set for the generation of renewable energy, specifically through onshore wind; and
- Contribute to the increasing need for diversity in supply of electricity within the UK, increasing future security of supply.

Environmental Impact Assessment:

The application falls to be considered under the Town and Country Planning (Environmental Impact Assessment) Regulations 1999. An Environmental Impact Assessment (EIA) has been undertaken and an Environmental Statement (ES) has been submitted with the application. The ES considers the impact of the development and contains the following chapter headings:

1. Introduction
2. Assessment Methodology and Significant Criteria
3. Site Selection and Development Design
4. Project Description
5. Planning Policy Context
6. Ecology and Nature Conservation
7. Landscape and Visual
8. Noise and Vibration
9. Vehicle Movement Assessment
10. Human Environment and Land Use
11. Cultural Heritage

- 12. Hydrology and Surface Water Quality
- 13. Geology and Groundwater
- 14. Other Issues
 - a. Air Quality
 - b. Aviation and Communication Networks
 - c. Shadow Flicker

All of the application and ES documents are available to view on the Council's website or on the planning application file.

The application site and its surroundings

Neslam Farm is located within the Lincolnshire Fens approximately 2km east of Billingborough, 2.5km northeast of Pointon, and 6km southwest of Donington. The farm occupies an area of some 108.9 hectares and is currently managed for arable agricultural purposes, a prominent land use with the surrounding area. The application site includes some 72.5 hectares of the overall farm holding.

The application site currently comprises Neslam Farm House, a two storey residential property, and associated farm structures, a disused grass airstrip, and a temporary meteorological mast associated with the proposed wind farm development. The closest inhabited properties outside of the development site include Dove Cottage, northwest of the site, Neslam Fen Farm to the northeast, Church Farm to the south of the site, and Gosdale Farm, Gosdale Farm House, Gosdale House to the south west of the site respectively.

The application site occupies an area of fen land which is characterised by flat terrain and incorporates networks of artificial drainage ditches. The land surrounding the application site comprises open farmland, again generally flat in character. Across the site ground elevations are up to 2 to 3 metres above ordnance datum (AOD). The topography rises to the west and the nearby villages of Billingborough and Pointon stand on more elevated ground that has not been subject to the same processes of inundation and reclamation as the application site

The application site is accessed on its northern boundary, off Neslam Road. To the west, Neslam Road connects to the B1177, Pointon Road which runs into nearby Billingborough. A Public Right of Way (PRoW) runs through the south-east corner of the site. This Right of Way (Footpath 6) would need to be temporarily stopped up for a short period during the construction phase of the development.

Site History

S03/0041 – In April 2003 planning permission was granted for a replacement dwelling on the site. This relates to Neslam Farm House as constructed on-site

S06/0487 – In November 2006 planning permission was granted to temporarily site a 50m high meteorological mast on the site in order to collect wind speed data.

S08/1279 – In January 2009 planning permission was granted to retain the temporary meteorological mast for an additional 2 year period.

Representations Received

East Midlands Regional Assembly: has drawn attention to the policies in the RSS and the regional targets for renewable energy production. In general EMRA has advised that the proposal is consistent in principle with existing and emerging regional planning policy.

EMRA has made reference to specific policies relating to the protection and enhancement of the regions cultural heritage and to the grade I listed churches at Sempringham and Billingborough.

(A full copy of the consultation response is contained within annex A of this report)

East Midlands Development Agency (EMDA): EMDA supports the application and recommends approval on the condition that potential negative impacts can be suitably mitigated.

(A full copy of the consultation response is contained within annex A of this report)

Anglian Water: has advised that the wind farm has the potential to affect Anglian Water Services business microwave and UHF radio communications links. They have therefore objected to the development subject to detailed analysis and possible mitigation.

(A full copy of the consultation response is contained within annex A of this report)

Orange: No objections raised.

(A full copy of the consultation response is contained within annex A of this report)

Council's Landscape Consultants (FPCR):

The Council's landscape consultant has advised that overall in landscape terms, the nature of the local landscape is more appropriate than most at accommodating wind turbines. The flat open nature of the landscape, and the general lack of scale indicators make it a generally appropriate location. There would however be some significant landscape and visual impacts. This is always the case, when new structures the scale of wind turbines are introduced. These significant effects would need to be balanced against the other benefits of the scheme.

There are particular issues in relation to the turbines and the local church spires and tower. In general these features would be seen at some distance from each other, and as separate elements able to maintain their own identity in the view. From a limited number of locations however there would be a direct comparison, and the turbines would replace Sempringham Church tower and Billingborough Church Spire, as the most prominent vertical elements in the views. This should be considered alongside any heritage impacts arising from effects to the setting of these features.

(A full copy of the consultation response is contained within annex A of this report)

Environmental Protection Officer: The Council's Environmental Protection Officer has advised that the ES stated that the wind speed data was corrected for a height of 80

metres, however, the corrections made by Hayes McKenzie assumed a height of 60 metres. Therefore the data which has now been submitted corrects that error.

The Environmental Protection Officer is satisfied that this has not made a material difference to the derived noise limits and that it does not affect her previous comments in relation to the development.

The Environmental Protection Officer has raised concerns in relation to the predicted noise level at Dove Cottage (referred to as Drove Cottage in the ES) as it is in relation to a specific turbine operating in a particular mode, and the actual turbine for this project has not yet been confirmed. If a condition was set to limit noise to the greater of 38dB LA90,10mins (the predicted level at Dove Cottage) or 5dB(A) above the background for quiet daytime hours this may not be achievable in practice when the actual turbine is selected.

(A full copy of the consultation response is contained within annex A of this report)

Environment Agency: The Environment Agency has withdrawn their objection to the proposed development subject to the following condition being imposed on any consent:

The development hereby permitted shall not be commenced until such time as a scheme for the design and layout of the roads has been submitted to, and approved in writing by, the Local Planning Authority.

(A full copy of the consultation response is contained within annex A of this report)

Highways Agency: No objections

(A full copy of the consultation response is contained within annex A of this report)

Lincolnshire County Council (Highways): The local highway authority has raised concerns with regard to the access arrangements to the site, in particular with regard to the width of Neslam Road. The highway authority are particularly concerned that the applicants have not provided details of how vehicles, particularly those carrying the turbine units will negotiate this road where there are constraints to movement and manoeuvrability in the form of third party hedges, ditches and tight bends, and where overrun of verges is likely to cause damage to both the verge and failure of the carriageway edges.

The applicants have been in direct negotiation with the local highway authority in relation to these concerns and any additional comments will be reported in the late background papers document.

(A full copy of the consultation response is contained within annex A of this report)

Lincolnshire County Council (Planning and Conservation):

LCC has advised that the proposal will be very prominent in a wide, open, natural and mostly undeveloped flat landscape. The landscape in this area is also very flat and the turbines by their nature will be prominent. Whilst it is acknowledged that the number of turbines which form part of this application is limited to six, the cumulative impact of this proposal combined with other existing turbines in this part of Lincolnshire, such as those close to Bicker and the proximity of the six turbines to settlements such as Billingborough

and Horbling, does give cause for concern. In these circumstances careful evaluation of the Environmental Assessment is considered important.

As such, the County Council would not wish to support the proposal unless the District Council is satisfied, through their detailed local evaluation, that the adopted Regional Plan and emerging Local Development Framework criteria are met.

(A full copy of the consultation response is contained within annex A of this report)

Lincolnshire County Council (Conservation Services):

Has raised concerns with regard to the detail supplied in the ES and requested additional information. The additional information has been provided and any revised comments will be reported in the late background papers document.

(A full copy of the consultation response is contained within annex A of this report)

Campaign to Protect Rural England: the CPRE considers that the insertion of 6 wind turbines and their associated infrastructure into the landscape of the Fen Edge and open Fen would materially and seriously conflict with the hierarchy of policies at National, Regional, County and District levels for protecting the countryside for its own sake.

Concerns have also been raised in relation to the detrimental impact the development would have on cultural and heritage assets including, local churches and the site of Sempringham Priory.

(A full copy of the consultation response is contained within annex A of this report)

RSPB: The RSPB has no objections to the proposed development of Neslam Wind Farm provided that:

- Additional surveys are conducted to assess the use of the site by migrating waders.
- Additional nest sites for barn owl are created further from the wind farm, with measures put in place to limit the suitability for foraging within the site, and enhancement of foraging areas adjacent to the site.
- No construction takes place between April and September inclusive
- A comprehensive biodiversity enhancement package is developed to mitigate for farmland bird disturbance and/or displacement.
- The site monitored for use by waders, barn owl, raptors and other notable species, both during construction and post-construction.

(A full copy of the consultation response is contained within annex A of this report)

Council's Conservation Officer: Agrees with the conclusions of the ES, that the impact on individual buildings in adjacent Conservation Areas close to the site will not be significant, as the designated areas comprise the older, central parts of settlements that are already surrounded by modern development.

The Environment Statement acknowledges that two listed buildings will be adversely affected and identifies these as the Grade I listed churches of St Andrew's at Billingborough and St Gilbert's in Sempringham. The former is located in the heart of the village to the north-west of the site and the latter stands isolated on rising ground in a direct line to the west. Their grade I listing status identifies them as being of National importance. The Statement concludes that the impact on these two Grade I buildings to be only "moderately adverse".

It is the Conservation Officers considered opinion that it is primarily the setting of these two buildings that will be adversely affected by the proposed development and that the impact will be particularly adverse on St Andrew's at Billingborough. The severity of impact is, of course, variable depending on weather influenced lighting conditions.

The EA states that the listed description for these buildings does not mention their landscape context. 'Setting' does not form part of the list descriptions as they are only for the purpose of identification, so the absence of any reference to landscape context should not be construed to say that there is none.

The existing wind farm at Bicker gives some indication of the likely impact of that proposed for the Neslam Farm site. The turbines at Bicker are readily visible from various viewpoints in the locality, particularly the elevated land of the Kesteven Uplands to the west. From here the existing turbines already impact on the setting of several settlements and the tallest buildings, their churches.

The turbines proposed for Neslam Farm will have a significantly greater impact on their immediate locality, particularly as they will be taller than those at Bicker. Any adverse visual impact on the churches at Sempringham and Billingborough would therefore be exacerbated by the combined impact of both the Bicker and the Neslam Farm turbines. (A full copy of the consultation response is contained within annex A of this report)

Spectrum Planning Group: No objections
(A full copy of the consultation response is contained within annex A of this report)

English Heritage: Has raised objections to the proposed development. The concerns raised relate to the impact the development will have on the heritage assets in the area. English Heritage has advised that the development will have an adverse impact on the setting of a number of Scheduled Ancient Monument sites in the area and on the setting of several listed buildings, including the churches at Sempringham and Billingborough. (A full copy of the consultation response is contained within annex A of this report)

South Lincolnshire Area Ramblers' Association: It would appear that there will be a temporary closure of the Public Right of Way if this project goes ahead. (A full copy of the consultation response is contained within annex A of this report)

The Joint Radio Company Limited: JRC acting on behalf of both the Gas and electricity industries scanning telemetry service, have no objection to this development. (A full copy of the consultation response is contained within annex A of this report)

Community Archaeologist:

The fieldwork and report, indicates that no remains of national importance were uncovered and therefore not worthy of scheduling under the AMAA Act 1979. For this reason, I am able to advise that should planning permission be granted - a scheme of works condition (H101) should be applied in order to fully record any archaeological remains uncovered before/during development.

I would advise South Kesteven District Council to consider the application also in accordance with policies/guidance relating to the Historic Environment outlined in:

Adopted Lincolnshire Structure Plan 2006 - BE4 (Archaeological Heritage - paragraph 2).

East Midlands Regional Plan - Policy 26 Protecting and Enhancing the Region's Natural and Cultural Heritage

These policies/guidance refer to the setting of archaeological sites (whether scheduled or non-designated). The setting of a monument is generally considered to be what can be seen and heard, to and from a monument. With regards to the setting of Scheduled Ancient Monuments I would concur with English Heritages' comments about the setting of Sempringham Priory and Church. The wind farm will be visible from both sites. The site as a priory and church was/is a site of contemplation, reflection and peace, and therefore depending on your personal feeling about wind farms, a peaceful presence may or may not exist, if a wind farm could be seen from the site. Bicker wind farm is not quite so visible from the site and its height is lower than those proposed. The view towards Bicker wind farm is also largely restricted by tree cover.

The wind farm will also be visible from the moated medieval grange (LI61), Bronze Age saltern (LI302), and the Roman settlements at Fen Farm and Poplar Farm. The nature of these sites are different from that of Sempringham Priory in that they were related to agricultural activity, or industrial (salt making) activities in case of the Bronze Age saltern.

Consideration should be made by SKDC on the cumulative effects of this application and the Bicker wind farm together, on a landscape which is primarily arable and rural. The construction of another wind farm in this area further industrialises the rural setting. In addition, Policies NE7 (in relation to Protection of the Historic Landscape) and NE14 (Protection of the Waterside Environment- in relation to the South Forty Foot drain) of the Lincolnshire Structure plan may be relevant.

(A full copy of the consultation response is contained within annex A of this report)

Planning Policy: The Council's Planning Policy Team have provided advice and guidance on the relevant policies under which this application should be considered. The policies are outlined in the Policy Considerations section of this report. They have not raised any objections to the proposed development.

(A full copy of the consultation response is contained within annex A of this report)

Ofcom: have been consulted and provided details of fixed link frequency bands and the operators that may be effected by the development. All of the listed companies have been consulted directly.

(A full copy of the consultation response is contained within annex A of this report)

NATS: No objections

(A full copy of the consultation response is contained within annex A of this report)

Black Sluice Internal Drainage Board: Has not raised a specific objection to the proposed development they have however advised that the proposed control building and construction compound, as indicated on the plans submitted with the application, contravene their 9m bylaw distance and may not proceed unless the Boards consent is given.

(A full copy of the consultation response is contained within annex A of this report)

Civil Aviation Authority: The CAA has not raised objections to the proposed development. They have however advised that the MoD and NATS should be consulted along with 3 local, privately operated aerodromes including Decoy Fen, Pointon and Sempringham Fen. (A full copy of the consultation response is contained within annex A of this report)

Defence Estates: have objected to the proposed development on the following grounds:

Air Traffic Control (ATC) radar

The turbines will be 28km from; in line of sight to; and will cause unacceptable interference to the ATC radar at RAF Cottesmore, and 22km from the ATC radar at RAF Cranwell.

Precision Approach Radar (PAR)

The turbines will be 28km from; in line of sight to; and will cause unacceptable interference to the PAR at RAF Cottesmore. In late 2008, the PAR at RAF Lossiemouth was repositioned to observe targets of opportunity over the Rothes wind farm. This has shown that wind turbines affect the detection of aircraft by the PAR. Due to this, the RAF would be unable to provide a full air traffic service in the area of the proposed wind farm.

Currently, the MOD is not aware of any acceptable technical mitigation for the interference that will be caused to the PAR by your wind farm proposal. The MOD is currently working towards a full trial to better understand the effects of wind turbines on the PAR. It is the aspiration of the MOD to have this work complete by the end of 2009. The unclassified results of these trials will be provided to the wind energy industry

Squadron Leader Gavin Pattinson, SO2 ATC Wind Farms HQ Air Command, (MOD Subject Matter Expert for air traffic control and wind farms) has provided the following information in support of our objection:

1. The proposed Wind farm at Neslam Farm has been proven by ADATS that it will show on the Watchman Radars at RAF Cottesmore, RAF Cranwell, RAF Coningsby, and RAF Waddington. Furthermore, the turbines will be seen by the Precision Approach Radar at RAF Cottesmore.
2. Airborne Trials have shown that Wind Turbines can affect the performance of the Watchman radar. In essence, the presence of the turbines reduces the sensitivity of the radar and can produce "false aircraft" returns on the radar. Watchman radar is

used to provide Air Traffic Control Services to aircraft flying in the vicinity of RAF Aerodromes. The aim of the services is to ensure that adequate separation is maintained between aircraft, whilst providing approach control services to aircraft operating from the aerodrome. To provide these services it is vital that the integrity of the radar system is maintained at the highest possible level. Any degradation of radar performance could affect the ability of the radar to detect aircraft, and therefore increase the possibility of an airborne incident.

3. Air Traffic Control must treat these "false aircraft" returns as aircraft. When aircrew request Deconfliction Service (DS), Air Traffic Control use the radar to look for other aircraft and will provide the pilot with information on how to avoid unknown aircraft by 5nm. This service is normally requested when aircraft are flying in cloud and are unable to visually avoid other aircraft. As the wind turbine can appear to be an aircraft the controller must aim to avoid it by the specified amount. The position of Neslam Farm would mean a great number of aircraft may need to be diverted around the area, having a significant impact on Military flying in the area. It should be noted that aircrew could request a Traffic Service (TS), in which the controller will tell the pilot about other aircraft but will not aim to avoid it by 5nm (collision avoidance is the pilot's responsibility). In this circumstance the aircrew could fly over the turbine site, through the area of decreased radar coverage and possibly hit an aircraft that Air Traffic Control could not see.

4. Wind turbines in Line-of-Sight to Precision Approach Radar have been shown to have a serious affect on radar. Observations have shown that the larger radar-reflections caused by turbines can seriously degrade the tracking performance of the radar, leading to loss of aircraft contact and ATC personnel terminating the service. This is not a fault of the radar system, which is performing as designed, it is the impact that turbines have.

5. The proposed site will have significant impact on operations at RAF Cranwell and RAF Cottesmore and therefore HQ Air ATC must raise concerns.

(A full copy of the consultation response is contained within annex A of this report)

Lincolnshire Wildlife Trust: Has not objected directly to the proposed development but has raised concerns about the impact on the local wildlife and suggested that conditions relating to mitigation measures should be imposed on any consent. They have also raised concerns about the cumulative impact of wind farm developments in the area.

(A full copy of the consultation response is contained within annex A of this report)

The National Trust: No objections to the proposed development

(A full copy of the consultation response is contained within annex A of this report)

Lincolnshire Bat Group: The risk to the local bat population would appear to be low.

(A full copy of the consultation response is contained within annex A of this report)

Natural England: Natural England has withdrawn their objections to the proposed development subject to conditions relating to mitigation measures to protect wildlife and ecology during the construction phase of the development and ongoing monitoring of the site.

(A full copy of the consultation response is contained within annex A of this report)

North Kesteven District Council:

Has advised that SKDC should consider the proposal against the relevant national, regional, and local planning policies with regard to renewable energy generating projects and addressing climate change. This includes the policy references in the PPS on Planning and Climate Change, PPS22 on Renewable Energy, and PPS22 Companion Guide, and in East Midlands Regional Plan 2009 (RSS8) and relevant Local Plan Policies. The criteria for assessing onshore wind energy proposals includes considering impacts and effects on: landscape (informed by local Landscape Character Assessments), biodiversity, built environment, and its positive contribution to renewables targets and climate change objects.

With reference to North Kesteven they consider the main consideration is the potential landscape and visual impact. However, as the centre of the proposed development is almost 5km away from the centre of the nearest defined residential settlement with North Kesteven (Swaton) they consider the proposal to have minimal visual impact on these residents, and have no objections to the proposal.

(A full copy of the consultation response is contained within annex A of this report)

South Holland District Council: Given the proximity of the site to the Council's boundary it is considered that the proposed turbines would constitute a visually intrusive feature, detrimental to the open character of the landscape. Given the proximity of the site to other wind farms the Council also object on the grounds of cumulative visual impact, such impact having a detrimental effect on the wider character of the locality.

(A full copy of the consultation response is contained within annex A of this report)

Lincolnshire Police: No comments

(A full copy of the consultation response is contained within annex A of this report)

Morton and Hanthorpe Parish Council: The Parish Council has raised the following concerns about the proposed development:

- Concerns about visual impact from the development
- Impact on local wildlife, in particular the local bird population
- Concerns that wind turbines have a limited life span and are unproven on efficiency
- Concerns about potential health impacts from noise, ultrasound and vibrations.

(A full copy of the consultation response is contained within annex A of this report)

Rippingale Parish Council: Whilst the Parish Council does not object to the principle of wind turbines, it is extremely concerned at the potential for expansion of the number of schemes, either being planned or in the future. There is the danger that the total impact on the environment and surrounding communities will be overlooked if and when individual applications are made.

(A full copy of the consultation response is contained within annex A of this report)

Pointon & Sempringham Parish Council: The Parish Council has raised the following concerns with regard to the proposed development:

- Concerns relating to the existing meteorological mast on-site
- Concern that the scale and number of turbines would have a significant impact on the landscape character of the surrounding area
- That the development would result in significant harmful impact on the living conditions of nearby residential properties
- The development would be harmful to the amenities of users of the public footpaths, bridleways etc in the area
- Concerns about the impact on the setting of listed buildings including Sempringham Church and Billingborough Church. Concern has also been raised about the impact on the setting of Sempringham Priory and other scheduled ancient monuments in the area.
- The Council do not accept that removal of the turbines in 25 years as satisfactory mitigation against the impact of the development
- Concerns relating to the impact of construction traffic and highway safety issues
- Concerns that there has been no consideration on how to mitigate the landscape and visual impacts of the development.
- No assessment of how the turbines will connect to the national grid.
- Concerns about blades over-sailing adjacent land and health and safety issues from turbine failures.
- Concerns relating to ice throw
- Concerns relating to noise and potential impact on adjacent residential properties.
- The applicants have not considered direct drive machines, which are said to be quieter.
- Concerns relating to shadow flicker
- Concerns relating to reflected light from the turbines.
- Concerns relating to security lighting of the construction compound.

The Parish Council Conclude that their local knowledge leaves them in no doubt that, given the height of the proposed turbines, harm to the historic qualities of the landscape would result of such significant and unacceptable magnitude as to outweigh the electricity generation benefits of this scheme in its entirety.

The Parish Council has also commented on the information contained within the addendum to the ES and raised concerns with the lack of information contained within the original ES.

Concerns have also been raised in relation to the proposed conditions recommended by the Council's Environmental Protection Officer.

(A full copy of the consultation response is contained within annex A of this report)

Gosberton Parish Council: no objections

(A full copy of the consultation response is contained within annex A of this report)

Dunsby Parish Council: has raised the following concerns:

- Turbines too near to residential properties
- Concerns that vibrations will disturb local residents
- Concerns relating to noise
- Concerns relating to shadow flicker
- Concerns relating to the site access arrangements and highway safety
- Concerns that the proposals will only generate minimal electricity

(A full copy of the consultation response is contained within annex A of this report)

Billingham Parish Council: objects to the proposed development for the following reasons:

- Operational noise and the threat of vibro-acoustic disease
- Heavy construction traffic through Billingham
- Ruining a 600 year old historic landscape
- Urbanisation of the countryside
- Threat to birds
- Loss of quality wheatlands
- Possible groundwater and geological effects
- Specific threat to Sempringham Abbey
- Unconvincing benefits – contribution from wind farms to the national power supply is greatly exaggerated
- Energy suppliers consider Lincolnshire to be a 'soft target' for wind farm developments
- Concerns that the applicants have been allowed to provide additional information
- The development control committee should take the right decision based on the interests of the communities affected and not make a political decision based on the fact that their wards may be to the west of the District.

(A full copy of the consultation response is contained within annex A of this report)

Bourne Town Council: felt unable to comment as this will not directly affect Bourne and the Parishes, but would give support to the residents of the area as they will be most affected by this proposal.

(A full copy of the consultation response is contained within annex A of this report)

Horbling Parish Council: objects to the proposal for the following reasons:

- Too close to homes
- Noise
- Impact on peoples health
- Danger to military aircraft practising low flying
- Doubt that they are economically viable
- The traffic supplying these turbines and concrete, etc, will cause incalculable congestion in the villages it passes through
- Difficulty of accessing the site
- Destruction of the environment in making access
- Destruction of public rights of way
- Loss of amenity – views, etc
- Too close to villages
- Too much disruption caused by traffic
- Concerns relating to shadow flicker

(A full copy of the consultation response is contained within annex A of this report)

Clough and Risegate Resident's Association: object to the proposed development on the following grounds:

- Cumulative impact on the landscape – if planning permission is granted this will be the third wind farm (others being at Bicker and Market Deeping) clearly visible from Gosberton Clough.
- Visual impact on landscape – we strongly object to the height of these turbines. At 125m they are 25m higher than any other wind farm developments in the area and impossible to screen. They will have an obstructive impact for at least 2km in all directions and are totally out of character with the surrounding landscape.
- Site unsuitable for this type of development – Firstly the road access to this site is poor and currently incapable of supporting the development of this site. Work will have to be carried to widen and strengthen the existing highways. Secondly neither is it close to existing grid lines and further planning applications will have to be made

to connect this site to the grid and thirdly there are a number of occupied homes less than half a mile from this site which will suffer a significant negative impact from this proposal.

Spring Wells Heritage Group: Has raised objections to the proposed development in relation to the following areas:

- That the development will injure the setting, tranquillity and spirituality of the enormously important 'Sempringham Heritage Site'
- That the development will irreparably damage the 700 year old historic landscape of the array of Spring Line villages and their medieval 'beacon' churches

The Spring Wells Heritage Group have also provided significant correspondence in relation to the addendum. Their concerns remain in relation to the impact on the historic landscape and heritage assets in this area.

(A full copy of the consultation response is contained within annex A of this report)

Action Group Against Sempringham Turbines (AGAST):

AGAST have submitted a significant objection to the proposed development containing 3 volumes of supporting documentation. The preface to their objection states.

"AGAST is an Action Group formed specifically to oppose a planning application (reference S09/0296) submitted by ScottishPower Renewables ("the Applicant") (and other inappropriately sited wind farms in the area) for a proposed wind farm located at Sempringham Fen in Lincolnshire in the area bounded by the villages of Billingborough, Pointon, Gosberton and Donington.

AGAST opposes the proposed wind farm because:

- The proposed development is totally out of scale with the surrounding villages and rural landscapes and will intrude unacceptably on the landscape and on a large number of properties. It will alter the existing landscape character adversely.
- The scheme will have significant visual impact up to at least 5km, it will therefore have an adverse impact on the setting of listed buildings and Scheduled Ancient Monuments. Its size means that its visual impact will compromise the objectives of these designations and, hence, will be in conflict with national and regional planning policies. English Heritage have objected.
- The site is a Source Protection Zone for borehole users and within Flood Zone 3a. The ES has not assessed the potential impacts sufficiently rigorously as shown by the objection of the Environment Agency.
- There is strong evidence that local residents would be adversely affected by shadow flicker and various types and levels of noise.
- There is a strong and well used network of public rights of way in the immediate area, valued by locals and visitors alike. The enjoyment of the countryside will be

compromised by the presence of massive wind turbines in such close proximity to many of these PROWs.

- This is an area of high ecological value and the ES has not followed best practice guidelines in its assessment. There will be adverse impacts that are currently unquantified.
- Traffic access along Neslam Lane and the villages on route will cause considerable adverse impacts as shown by the dissatisfaction of the County Council with the quantity and quality of the information in the ES.
- Lincolnshire has already achieved double its 2010 onshore wind renewable energy targets in terms of operational and already consented schemes and the East Midlands Region is also forecast to achieve 2010 targets. There is no pressing need for this scheme.
- Aviation issues have not been clarified prior to the submission of the planning application.
- The wind farm proposal contravenes a wide range of national, regional and local planning policies.

These are just some of the factors that would unacceptably degrade the quality of life in the affected villages and the amenities that local residents derive from their rural environment if this wind farm were to be constructed.

The Government, although encouraging wind farm developments, is very clear in PPS22, Key Principle (i), that:

“renewable energy developments should only be approved where the environmental, economic and social impacts can be addressed satisfactorily.”

It is our strong contention that, in this specific case, the adverse impacts have not been addressed satisfactorily and that this is a scheme in a totally inappropriate location. As such we ask that this planning application is rejected.”

The conclusion to AGASTs objection states:

“The proposed location for this wind farm is totally inappropriate for such a massive, intrusive development due to:

1. Visual intrusion on local residents and the setting of local villages
2. Industrialisation of a designated rural landscape and change of landscape character
3. Adverse impact on the setting of listed buildings and parks, supported by objections from English Heritage

4. Reduction of amenity for users of the extensive public rights of way system
5. Noise and health impacts on local residents
6. Conflict with national, regional and local planning policies
7. Adverse impact on the ecology of the area, particularly bats and barn owls
8. TV. reception degradation
9. Potential impact on air safety
10. Lack of need
11. Potential danger of flooding and adverse impact on potable borehole abstraction

A number these issues (e.g. landscape and historic buildings) would be sufficient on their own to warrant rejection, consequently the cumulative effect is overwhelming.

- Public opinion is implacably opposed to this development.
- The Environmental Assessment produced by the Applicant has been shown to be flawed, inaccurate and lacking the rigour and objectivity required for such a large scheme. It underplays negative impacts and exaggerates potential benefits.
- There is no authoritative assessment of potential alternative sites in mitigation that would have fewer negatives than this proposal.

The overall balance between the positives and the negatives for this site has been shown to be unequivocally negative.”

AGAST have also submitted additional comments in relation to the addendum to the ES. The objections provide additional information in relation to the concerns outlined above. (a full copy of the objection submitted by AGAST is available for viewing on the planning file and on the Council’s website)

Representations as a result of publicity

The application has been advertised in accordance with the adopted Statement of Community Involvement. 424 letters of objection have been received from local residents and businesses. The objections can be summarised as follows:

1. Concerns raised about statements in the Statement of Community, in particular, Pointon and Sempringham Parish Council have never produced a weekly magazine. No advert has ever been placed about the wind farm in any magazine produced by Pointon and Sempringham Parish Council. The magazine is not delivered to approximately 500 homes. For the avoidance of doubt, Pointon and Sempringham Parish Council publish 'The Parish Matters' which is published bi-monthly and delivered to approx 230 households.
2. These machines are ugly and noisy, and generate no power at all when the wind isn't blowing.
3. Several countries who have invested heavily in wind turbines before the UK are now acknowledging that this is not the answer.
4. Leading environmentalists are not behind this form of energy, and many conservations condemn it outright.
5. Concern relating to the damage that turbines do to the landscape and wildlife.
6. The development would have a detrimental impact on the site of Sempringham Abby, a place of national historical importance.
7. The development will result in sustained increases of heavy traffic, which would have a detrimental impact on highway safety on some of the most dangerous roads in the country and in locations close to schools and local shops.
8. Concerns raised about the loss of property value and the impact this would also have on people to re-locate or move up the property ladder.
9. Concerns about noise pollution.
10. Concerns about the impact that shadow flicker would have on the properties nearest to the site.
11. The development is too close to local villages and will irrevocably alter the local environment.
12. Concern about lack of detailed noise data in the Environmental Statement.
13. Concern about use of photos of private residences in the Environmental Statement without the owner's consent.
14. Concern that large companies have influence in government and can therefore build in the countryside without regard for the general public.
15. The turbines will have an overpowering visual impact and effect on the landscape, especially given the close proximity of the local villages and the nearest residential properties that are only several hundred metres from the site.
16. Concerns about noise and health issues. Specific cases of the Davis family at Deeping St Nicholas and the Rashlieghs at Bicker have been referred to illustrates this. There is a definite wind turbine related health problem which has been investigated by Dr Nina Pierpoint and she called this 'Wind Turbine Syndrome'.
17. The development will have a negative effect on cultural heritage and archaeology.
18. Concerns that vibration and dust from construction vehicles may have an adverse impact on listed buildings located adjacent to the proposed access route.
19. Concerns that alterations may be required to widen and straighten local roads which may require ancient hedgerows to be removed.

20. Concerns about health and safety from blades braking and ice being flung from turbines.
21. Concerns about risk to aviation from both collisions and interference with radar.
22. Concern about impact on low level flight training undertaken by the MOD in this area.
23. Changes to hydrology and groundwater.
24. Threat to nature conservation and local wildlife. Concerns that local wildlife will be driven away from the area if the development is approved.
25. Concerns relating to birds striking the blades of the turbines.
26. Loss of uninterrupted views from properties.
27. SKDC should adopt a policy that turbines should not be closer than 2km from the nearest dwelling. This would save the Council, developer and tax payer a considerable amount of time and money.
28. Serious doubt that the generation of electricity from the turbines will be efficient and value for money within the concept of renewable energy.
29. The turbines will have an efficiency rate of something less than 30%. This efficiency will further drop given the distance the electricity will have to travel before it can connect to the national grid at Dunsby.
30. Inconceivable that turbines can be considered at a distance nearer than 10km from any dwelling. How can any credible Government or Council not set appropriate guidelines for this type of development.
31. Acceptance would spoil the peace and quiet of beautiful open countryside.
32. Turbine close to homes will result in sleepless nights due to the noise from the turning blades.
33. The amount of electricity produced compared to that produced by a traditional or nuclear power station is negligible and the adverse effects do not justify their construction.
34. The Bicker wind turbines can be seen from almost all country walks from Billingborough and the cumulative impact of this development would further harm the landscape.
35. Billingborough, Sempringham, Dowsby and Pointon all have very old, historic buildings which add to the rural charm of the area. Visually and structurally these would be damaged if these turbines are constructed.
36. Wind power is too unreliable.
37. We live at a property noted as a property which will be affected by shadow flicker and I suffer from migraine with aura. The development could therefore have a serious impact on my health.
38. There are 30 houses within the 2km guidelines used by most other countries as a safe separation distance. We live within 800m of the turbines.
39. Noise pollution.
40. Impact on wildlife.
41. Visual impact.
42. Cumulative impact with other wind farms.
43. Effect of construction on the landscape.
44. Impact on ancient hedgerows and mature trees.
45. Detrimental impact on unique Fen landscape.
46. Detrimental impact on footpaths.
47. Inadequate access to the site through Billingborough.
48. Extra heavy vehicles going past residential properties.

49. We already have another wind farm in Bicker which can be seen from miles around, what will the area look like if we keep adding these eyesores to the landscape. It's not as though you only intend to add an odd 1 or 2, your proposal to add 17 at Billingborough and 6 at Sempringham is outrageous.
50. During construction badger and fox setts are going to be disturbed.
51. The wind farm would be visually intrusive and take my entire field of vision from the front of my property.
52. 21 days to respond to such voluminous ES is unreasonable and gives an unjustified advantage to the applicant.
53. Concern about the impact of noise, vibro-acoustics and flicker, arising from the massive rotary motion, will have on the health of people within the sphere of influence of the turbines. None of these are proven to be discountable, but effect could be irreversible. Best not to experiment with people.
54. Concern relating to the divisive effect on the local community, setting neighbour against neighbour, in evil ruination of rural life.
55. Broad views of Bourne hills and church spires will be ruined for ever when viewed from the east.
56. The cost of the structures without government subsidy would be uneconomical.
57. In a quiet rural area the high pitch noise created by turbines will be a noise we cannot escape from and our peaceful way of life will be changed forever.
58. Turbines too close to residential properties.
59. Already noise problem in the area from bird scarers going off all the time any further noise will be completely unacceptable.
60. Low flying aircraft nearby given close proximity of Cranwell which teaches people to fly.
61. Billingborough is a growth village and also with the proposed Aveland Academy the village should thrive. However the close proximity of the wind farm will detract from this.
62. There are health concerns relating to wind farms and there are 4 schools in close proximity. Whilst there is a doubt, there should be no wind farms constructed close to people especially children.
63. Whilst walking a Horbling Nature Reserve noise from the Bicker wind farm could be heard. How much greater will this be if this application is allowed.
64. Turbines have an industrial character would appear out of character in this countryside location.
65. Contrary to government structure plan and local plan.
66. Inadequate access to the site.
67. Turbines will have a dominant and oppressive affect on area for miles around.
68. Approval of this development would set a precedent for further approvals of wind farm developments in this area.
69. Cumulative visual impacts from potentially two wind farms proposed at Neslam Farm and Billingborough Fen and the existing site at Bicker Fen.
70. Concern about impact of number of wind farm developments on the unique Fen landscape with wind farm developments at Bicker, the proposed site and Deeping St Nicholas.
71. The development would destroy limited footpaths, hedgerows and mature trees. The loss of the footpaths would force horse riders, ramblers and dog workers on to busy roads.
72. Impact on historic setting.
73. Impact on listed buildings.

74. Safety concerns.
75. Concerns relating to 53% increase in traffic during the construction period. Such an increase would have a detrimental impact on the Conservation Area and historic buildings and on the lives of people living and working in Billingborough.
76. It would be like having the Berlin Wall around us.
77. Concerns relating to impact of construction on the landscape.
78. I am in favour of renewable energy but it must be located sensitively. The proposal to build industrial turbines less than 700m from residential properties is beyond belief and shows a lack of consideration for the people that live in the area.
79. In Scotland the Regulations state that wind turbines must not be located within less than 2km of a dwelling. Why are people in Scotland looked after better in this regard than people in England.
80. The Scoping study for the proposed wind farm at Billingborough Fen should be ruled out immediately to stop residents having to go through up to three years of worry as in the Neslam case.
81. The road leading to the site is not remotely adequate for the construction or maintenance traffic involved in the development.
82. The foundations and access roads will remain in perpetuity, long after the turbines have gone. This will severely prejudice the productive capacity of this Grade 1 & 2 farmland.
83. The generation of electricity will inevitably require pylons and conductors to link with the existing distribution network.
84. There is now clear evidence that wind turbines lead to lower electricity prices.
85. The views of two Grade I churches in the area will be materially affected.
86. A number of recognised archaeological sites exist in the immediate area of the proposed development.
87. Concerns relating to radio interference.
88. Concerns relating to radar "scatter".
89. Concerns that the development will result in the land been taken out of food production at a time when we rely heavily on food imports.
90. Concerns that the development may impact on the safety of horse riders using adjacent bridleways. This may result in insurance claims against the developer and the Council.
91. Vibrations from heavy goods vehicles may cause structural damage to properties.
92. Road surfaces will be damaged by increase in traffic.
93. In the winter months when it is dark there is insufficient lighting in the street areas for safety.
94. No consultation has been made to the communities affected.
95. The impact on the surrounding farmland and wildlife demands the most comprehensive study – none has been undertaken.
96. We have a duty to our children to manage and protect the surrounding environment sensibly – no consideration along these lines has been undertaken by the applicant.
97. Concern re impact on local aquifer which supplies water to Billingborough and surrounding area.
98. Concerns about impact / disturbance of the delicately balanced drainage system.
99. The 125m high turbines are taller than the ones at Bicker and will dominate the countryside for miles around.
100. Because of the flatness of the fens there will be no escaping the impact of the development as there are no hills to hide the views of block the noise that they produce.

101. Turbines are efficient for approximately 27% of the time but locals will have to live with their presence for 100% of the time. The value of such developments benefits the land owner and the businesses which are given government handouts however little power they produce.
102. Serious questions about the wisdom of wasting money on wind farms at the expense of funding more efficient and reliable power sources.
103. Scottish Power's presentation and artists impressions of the development at Pointon were not a true reflection of the development as they indicated that the development would be less obtrusive than the turbines at Bicker. They also indicated that residents could not complain about noise as we already get noise from farm machinery, dogs and other rural noises. Surly we can complain if the turbines cause noise nuisance and make our lives miserable especially if the noise is produced at night and long lasting.
104. Wind turbines are unreliable and uneconomical and need backing up by power stations so why have them in the first place.
105. A better solution is in wave and tidal power which has been proven to work in France. We also have an abundance of coal so why not use it.
106. The government is now supporting the development of nuclear power stations.
107. The access to the site is limited and unsuitable for the large transporters carrying turbine components.
108. Concerns relating to health and safety relating to the health impacts on people living close to the turbines to the physical dangers of debris being thrown off in the event of a failure.
109. Rather than creating new wind farms turbines should be added to the existing farms.
110. Wind farms should be distributed evenly across the country.
111. Concerns about large amount of concrete to be used in the development which will not be removed and the impact this will have on the water table.
112. Concerns about ice being thrown from the blades of the turbines in winter.
113. The development will bring no lasting economical benefits to the area and the reduction in property values associated with such a development could result in rebanding and a reduction in Council Tax revenue.
114. There is confusion between "capacity" and the actual amount of electricity wind produces. The Government's own figures show, wind turbines generate on average only 25 to 28 per cent, barely a quarter, of their "capacity". In other words, far from producing the 12 megawatts (or 105,000,000 kWhrs per year) that Scottish Power Renewable claim, the proposed development will in fact manage only an average of 3 megawatts (or 26,200,000 kWhrs per year), far less than the output of a single small sized conventional power station.
115. Wind energy is only possible due to hidden subsidy through the Renewables Obligation.
116. The proposed development has hidden CO2 costs. The primary reason for this is that for every Megawatt of wind power that is generated there has to be the equivalent power available from a conventional power station, thereby doubling up the embedded CO2, for generation of the same power.
117. Although the development of 6 turbines might in theory reduce CO2 emissions by approximately 14,000 tonnes per year, the actual CO2 that will be emitted during their manufacture and installation will be in the region of 50,000 tonnes and this does not include maintenance and replacement parts.

118. Although planning has been granted for the erection of a wind test tower, this has not been erected yet and therefore no data is available to show that Neslam Fen even has enough wind to make the site viable.
119. The development would have a negative impact on the regions tourism, inward-relocation and investment, and local property values.
120. Concerns that the proposal would have a detrimental impact on local archaeology in the area.
121. Concerns about impact on farm livestock.
122. The proposed sub-station would need security lighting which would cause light pollution.
123. More wind farms should be constructed at sea.
124. Concerns that a community trust would be setup, which would be tantamount to bribery.
125. Are there any rules in place if the wind farm fails to produce a set level of energy? Can the turbines be removed?
126. Risk of structural damage from drilling of piles to adjacent and nearby listed buildings.
127. If company goes bust who will pay for the removal of the turbines.
128. TV. interference.
129. Will existing double yellow lines in Billingborough be extended.
130. Can it be ensured that no vehicular traffic will use West Road Pointon?
131. Will this set a precedent for further developments in the area?
132. Concerns relating to the impact on bats from fluctuations in atmospheric pressure.
133. Loss of fertile agricultural land.
134. Lack of information relating to the proposed connection to the national grid.
135. Concerns about the enforceability of any noise conditions imposed.
136. There should be a more structured approach to the siting of turbines around the country.
137. Concerns re impact on HAM radio communications.
138. SKDC's Landscape Character Assessment is flawed as it has not been tested by an Inspector and therefore be given no weight.
139. The submitted photomontages give a false impression of the development.
140. Applicants should not have been allowed to submit additional information to counter local objections.

Five letters of support have been received and can be summarised as follows:

1. This is a strategically important renewable energy application.
2. SKDC responsibility to positively decide on renewable energy applications cannot be understated.
3. Government is encouraging planning decisions to be made at local level but this will be removed if decisions on renewable energy applications are not made in an unbiased and professional manner.
4. Members should visit the Bicker Fen wind farm.
5. Concerns at how Thackson's Well committee meeting was handled.
6. Whatever the decision for this and any other renewable energy applications in the future, of which there will be needed many more to reach our target in less than 10 years to reduce our carbon emissions let alone produce enough indigenous power for our own needs.
7. I have a wind farm of 8 turbines on my farm and from my experience over the past two years I would recommend that this wind farm should go ahead.
8. The site at Sempringham is not on a known migration route for birds.
9. Some birds may get caught up in the turbines but most of us kill a bird a year with our cars and we are using energy then so we should excuse the turbine if they kill a bird a year as they are actually producing energy.
10. In my experience the turbines have not devalued houses.
11. Turbines are not ugly monsters spoiling the fen vista, they are actually quite attractive but this is a matter of opinion.
12. The turbines do make a noise which does annoy one family in the parish but no one else as far as I know.

AGAST have undertaken a survey of local residents asking the question do you support the Neslam wind farm development.

117 people responded as follows:

2 – Yes
 1 – Not sure
 114 – No

Councillors Andrea Webster and Tom Webster have objected to the proposal stating:

“The scale, number of turbines and their proximity to residential properties would result in an unacceptable and significant harmful impact on the living conditions of the nearby residential properties.

The scale and number of turbines will be conspicuous and out of place in the rural landscape and would result in a significant harmful impact on the landscape character (The Fens, The Fens Margin and The Kesteven Uplands) and also will result in a significant harmful impact on the setting of the Schedule ancient Roman Settlement by Fen Road, south of Poplar Farm.

I feel that the development at the proposed site will pose many ecological and habitat implications and problems. It goes without saying that during construction and subsequent running of the proposed development significant damage will be caused to the wildlife – it

is unfair that the environment and natural habitats should be compromised in order to build a wind farm that, in this part of the United Kingdom, will be of limited value.

The proximity, scale and number of turbines will result in significant harmful impact on the setting of listed buildings. I would draw your attention to the impact on Sempringham and Billingborough churches, not to mention the adverse impact the development will have on the appearance and setting of the historic surrounds of Sempringham Priory.

The development and running of the proposed wind turbine site will create unnecessary and destructive visual and aural pollution that will have a permanent effect on the area.

There will be high levels of noise pollution that will occur as result of turbines working as has already been demonstrated at various sites thus far developed.

I believe that the proposal conflicts with local planning guidelines and that such a development would be contrary to the Council's statutory duty to preserve and enhance the countryside.

This development will create an industrial site in unspoilt rural countryside.

There will be significant impact on the recreational activities of horse riders, cyclists and walkers.”

Lincolnshire County Councillor Martin Hill OBE (Leader of the Council & Member of Folkingham Rural) has made the following comments in relation to the application:

“As the county councillor representing Pointon and district, I wish to strongly object to the above proposal.

1. The landscape, heritage and culture of the Fen Margin along B1177 with associated villages is a very special example of the relationship of communities with the surrounding open unspoilt Fen countryside which has a special and unique charm. The historic character of the area including listed buildings and uninterrupted vistas will undoubtedly be detrimentally altered by the 400' high industrial turbines. The nearby Bicker Wind Farm only 8km away gives a vivid demonstration of the visually intrusive nature of the turbines which can be seen for many miles and at less the 10km distance are oppressive. The proposed development will fundamentally impair the amenity value and character of the area and landscape.
2. Detriment to listed and historic buildings in the area, in particular Billingborough Church and Sempringham Abbey – the latter having significant historical value. These two grade listed buildings rise triumphantly above the Fens, close proximity of invasive turbines will without doubt destroy their visual impact to and from most elevations. There are also many other listed and historic buildings and scheduled ancient monuments in the vicinity which will be adversely affected.
3. The Cumulative Impact

There are already several wind farms in this part of Lincolnshire – Gedney, Deepings, St Nicholas, and Bicker with potentially many others in the offing. To add another 6 huge turbines will create an unacceptable over loading of the landscape. The previously mentioned (smaller) Bicker turbines can be seen for many miles. On the higher ground to the west it is already possible to see with the naked eye a developing line of many turbines on the horizon. From such a vantage as the road between Kirkby Underwood and Aslackby it is apparent that this part of Lincolnshire has contributed significantly especially as Lincolnshire has already comfortably exceeded its Renewable Energy targets and indeed East Midlands region is nearing its 2010 target already.

Health & Safety

There are many recorded instances of health and safety including shadow flicker, sound modulation, flying materials such as ice and construction failure. When turbines are built so close to properties, highways, and rights of way and indeed each other it puts an unacceptable and unnecessary level of risk and disruption which has been barely addressed or even acknowledged in the application. Particularly as the ambient noise levels are low and it is currently a quite rural location.

4. Damage to the local environment

The importation of thousands of tonnes of concrete to the Fens, building of associated sheds and potential damage to the aquifer by 30' pile high driving underground in addition to associated traffic and material investment will have major environmental implications. There is also the issue of the destruction of ancient hedgerows to gain access via Neslam Fen.

5. Traffic

There will be major disruption and inconvenience as construction traffic travels through Billingborough and Horbling. The access to and along Sempringham Fen Road is totally inadequate and unsuitable for the necessary volumes of HGVs and other traffic. There are major highway safety issues outside Billingborough primary school and the High Street which has a vibrant local shopping centre which already causes concern locally regarding conflict between pedestrians and vehicles.

In conclusion there are many significant problems with this application which surely outweighs the small variable amount of renewable energy which will be produced against a local target already achieved.

I believe that the application is in conflict with the Lincs County Council structure plan policy PE 11 in terms of the effect of :-

- Sustainability
- Landscape impact

- Local amenity and quality of life
- Cultural and built environment
- Traffic generation and vehicular access
- Cumulative impact and decommissioning

I also believe that the application is also in conflict with the Regional Spatial Strategy Policy 39 in terms of:-

- Landscape and visual impact
- Natural and cultural environment
- Built environment including noise intrusion
- Size of turbines
- Cumulative impact and intervisibility
- Contribution to wind energy targets

I respectfully urge this planning authority to reject this opportunistic application.”

Roger Helmer MEP has made the following comments:

“I am writing as an MEP representing Lincolnshire, to add my voice to those protesting the siting of a wind farm at Neslam Farm, Sempringham Fen.

The placing of these turbines on farmland will bring them within 2km of residential properties, with clear negative effects on the residents who live there. Low level noise emanated by the turbines has been shown to have adverse effects on health. There are health and safety risks in winter associated with turbine blades shedding ice. And there are also risks to local bird populations, particularly in this open landscape.

I would urge that you do not grant planning permission to Scottish Power to build these turbines at Sempringham Fen.”

Policy Considerations

National Planning Policy:

PPS1 – Delivering Sustainable Development

PPS1 sets out the Government’s overarching planning policies on the delivery of sustainable development throughout the planning system. The PPS places an emphasis

on ensuring the prudent use of natural resources and encourages the use of renewable forms of energy.

PPS - Planning and Climate Change: supplement to Planning Policy Statement 1

This PPS on climate change supplements PPS1 by setting out how planning should contribute to reducing emissions and stabilising climate change and take into account the unavoidable consequences. Paragraphs 19 and 20 provide advice on renewable and low carbon energy generation. Paragraph 20 states:

“In particular, planning authorities should:

- Not require applicants for energy development to demonstrate either the overall need for renewable energy and its distribution, nor question the energy justification for why a proposal for such developments must be sited in a particular location;
- Ensure any local approach to protecting landscape and townscape is consistent with PPS22 and does not preclude the supply of any type of renewable energy other than in the most exceptional circumstances;
- Alongside any criteria-based policy developed in line with PPS22, consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure development of such sources, but in doing so take care to avoid stifling innovation including by rejecting proposals simply because they are outside areas identified for energy generation; ..”

PPS7 – Sustainable Development in Rural Areas

PPS7 sets out key principles and policies on development in rural areas. It provides statements on sustainable rural communities, economic development, the countryside, agriculture, farm diversification, equine-related activities and forestry, and tourism and leisure.

Paragraphs 15 and 16 deal with countryside protection and development in the countryside. Paragraph 16 advises that when local planning authorities are determining planning applications for development in the countryside they should take into account five specific criteria. The last two of these criteria require LPAs to provide for the sensitive exploitation of renewable energy sources in accordance with the policies set out in PPS22; and conserve specific features and sites of landscape, wildlife and historic or architectural value, in accordance with statutory designations.

PPS 9- Biodiversity and Geological Conservation

This PPS sets out the Government’s planning policies on the protection of biodiversity and geological conservation. The main aim of this policy document is that planning, construction, development and regeneration should have minimal impacts on biodiversity and enhance it wherever possible.

The document contains the following 6 key principles which regional and local planning authorities should adhere to in order to ensure that the potential impacts of planning decisions on biodiversity and geological conservation are fully considered.

- (i) Development plan policies and planning decisions should be based upon up-to-date information about the environmental characteristics of their areas. These characteristics should include the relevant biodiversity and geological resources of the area. In reviewing environmental characteristics local authorities should assess the potential to sustain and enhance those resources.
- (ii) Plan policies and planning decisions should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests. In taking decisions, local planning authorities should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; and to biodiversity and geological interests within the wider environment.
- (iii) Plan policies on the form and location of development should take a strategic approach to the conservation, enhancement and restoration of biodiversity and geology, and recognise the contributions that sites, areas and features, both individually and in combination, make to conserving these resources.
- (iv) Plan policies should promote opportunities for the incorporation of beneficial biodiversity and geological features within the design of development.
- (v) Development proposals where the principal objective is to conserve or enhance biodiversity and geological conservation interests should be permitted.
- (vi) The aim of planning decisions should be to prevent harm to biodiversity and geological conservation interests. Where granting planning permission would result in significant harm to those interests, local planning authorities will need to be satisfied that the development cannot reasonably be located on any alternative sites that would result in less or no harm. In the absence of any such alternatives, local planning authorities should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where a planning decision would result in significant harm to biodiversity and geological interests which cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.

PPG15 – Planning and the Historic Environment

This PPG sets out the Government's policies for the identification and protection of historic buildings, conservation areas, and other elements of the historic environment.

Paragraph 2.16 confirms the requirement under sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990 for authorities considering applications for planning permission or Listed Building Consent for works which affect a Listed Building to have special regard to certain matters, including the desirability of preserving the setting of listed buildings.

Paragraphs 2.16 and 2.17 set out guidance on the setting of listed buildings. Paragraph 2.16 advises that the setting is often an essential part of the buildings character, especially

if a garden or grounds have been laid out to complement its design or function. The paragraph goes on to state that the character of historic buildings may suffer and they can be robbed of much of their interest, and of the contribution they make to townscape or the countryside, if they become isolated from their surroundings, e.g. by new traffic routes, car parks or other development.

Paragraph 2.17 advises that a proposed high or bulky building may also affect the setting of a listed building some distance away, or alter views of a historic skyline. In some cases, setting can only be defined by an historical assessment of a building's surroundings.

Paragraph 6.40 provides guidance on the wider historic landscape and advises that the whole of the landscape, to varying degrees and in different ways, is an archaeological and historic artefact, the product of complex and historic processes and past land-uses.

PPG16 – Archaeology and Planning

PPG16 sets out the Government's policy on archaeological remains on land and how they should be preserved or recorded both in an urban setting and in the countryside. Section A of the guidance sets out the importance of archaeology. Paragraph 6 advises that archaeological remains should be seen as a finite and non-renewable resource, in many cases highly fragile and vulnerable to damage and destruction.

Paragraph 8 advises that where nationally important archaeological remains, whether scheduled or not, and their settings, are affected by proposed developments, there should be a presumption in favour of their physical preservation.

Section B of the PPG provides advice on the handling of archaeological matters in the planning process. Paragraph 18 advises that the desirability of preserving an ancient monument and its setting is a material consideration in determining planning applications whether that monument is scheduled or unscheduled.

Paragraph 27 advises that where nationally important archaeological remains are affected by proposed development there should be a presumption in favour of their physical preservation in-situ, i.e. a presumption against proposals which would involve significant alteration or cause damage, or which would have a significant impact on the setting of visible remains.

PPS22 – Renewable Energy

PPS22 sets out the Government's policies for renewable energy, which planning authorities should have regard to when preparing local development documents and when taking planning decisions. PPS22 refers to the Government's energy policy set out in the Energy White Paper. It refers to the Government's targets of generating 10% of UK electricity from renewable energy sources by 2010 and to double this to 20% by 2020. It goes on to advise that increased development of renewable energy resources is vital to facilitating the delivery of the Government's commitment on both climate change and renewable energy.

Paragraph 1 of the PPS sets out the following eight key principles local planning authorities should adhere to in planning for renewable energy:

- (i)** Renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily.
- (ii)** Regional spatial strategies and local development documents should contain policies designed to promote and encourage, rather than restrict, the development of renewable energy resources. Regional planning bodies and local planning authorities should recognise the full range of renewable energy sources, their differing characteristics, locational requirements and the potential for exploiting them subject to appropriate environmental safeguards.
- (iii)** At the local level, planning authorities should set out the criteria that will be applied in assessing applications for planning permission for renewable energy projects. Planning policies that rule out or place constraints on the development of all, or specific types of, renewable energy technologies should not be included in regional spatial strategies or local development documents without sufficient reasoned justification. The Government may intervene in the plan making process where it considers that the constraints being proposed by local authorities are too great or have been poorly justified.
- (iv)** The wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission.
- (v)** Regional planning bodies and local planning authorities should not make assumptions about the technical and commercial feasibility of renewable energy projects (eg identifying generalised locations for development based on mean wind speeds). Technological change can mean that sites currently excluded as locations for particular types of renewable energy development may in future be suitable.
- (vi)** Small-scale projects can provide a limited but valuable contribution to overall outputs of renewable energy and to meeting energy needs both locally and nationally. Planning authorities should not therefore reject planning applications simply because the level of output is small.
- (vii)** Local planning authorities, regional stakeholders and Local Strategic Partnerships should foster community involvement in renewable energy projects and seek to promote knowledge of and greater acceptance by the public of prospective renewable energy developments that are appropriately located. Developers of renewable energy projects should engage in active consultation and discussion with local communities at an early stage in the planning process, and before any planning application is formally submitted.
- (viii)** Development proposals should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures.

Paragraph 3 advises that targets expressed in Regional Spatial Strategies for renewable energy capacity in the region should be expressed as the minimum amount of installed capacity for renewable energy in the region. It goes on to state that the fact that a target has been reached should not be used in itself as a reason for refusing planning permission

for further renewable energy projects.

Paragraphs 9-17 of the PPS deal with locational considerations. Paragraphs 11 and 12 deal with national designations. Paragraph 11 advises that in sites with nationally recognised designations (including scheduled monuments and listed buildings) planning permission for renewable energy projects should only be granted where it can be demonstrated that the objectives of the designation of the area will not be compromised by the development and any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by the environmental, social and economic benefits.

Paragraphs 19-21 deal with landscape and visual effects of renewable energy developments. Paragraph 19 advises that landscape and visual effects of particular renewable energy developments will vary on a case by case basis according to the type of development, its location and the landscape setting of the proposed development. Some of these effects may be minimised through appropriate siting, design and landscaping schemes, depending on the size and type of the development proposed.

Paragraph 20 acknowledges of all renewable technologies, wind turbines are likely to have the greatest visual and landscape effects. It goes on to advise that in assessing planning applications, local authorities should recognise that the impact of turbines on the landscape will vary according to the size and number of turbines involved, and that these impacts may be temporary if conditions are attached to planning permissions which require the future decommissioning of turbines.

Paragraph 21 advises that planning authorities should also take into account the cumulative impact of wind generation projects in particular areas. Such impacts should be assessed at the planning application stage and authorities should not set arbitrary limits in local development documents on the number of turbines that will be acceptable in particular locations.

Paragraph 22 deals with issues relating to noise and advises that renewable technologies may generate small increases in noise levels (whether from machinery such as aerodynamic noise from wind turbines, or from associated sources - for example, traffic). Local planning authorities should ensure that renewable energy developments have been located and designed in such a way to minimise increases in ambient noise levels. PPS22 specifically states that the 1997 report by ETSU for the Department of Trade and Industry should be used to assess and rate noise from wind energy development.

With regard to wind turbine developments paragraph 25 states that regional spatial strategies should not include specific policies relating to the impact of wind turbines on airport operation, radar and aircraft, and neither they nor local development documents should include policies in relation to separation distances from power lines, roads, and railways. It is the responsibility of developers to address any potential impacts, taking account of Civil Aviation Authority, Ministry of Defence and Department for Transport guidance in relation to radar and aviation, and the legislative requirements on separation distances, before planning applications are submitted. Local Planning Authorities should satisfy themselves that such issues have been addressed before considering planning applications.

Planning For Renewable Energy: A Companion Guide to PPS22

The companion guide to PPS22 provides practical advice as to how the policies in PPS22 can be implemented. The guide provides advice on planning policy issues at regional and local levels, development control issues, and renewable energy in the built environment. A range of technical annexes are provided, including annex 8 which deals with wind energy.

PPS23 Planning and Pollution Control

PPS23 sets out the Government's policies on the control of pollution and aims to ensure that the planning and pollution control regimes complement each other, indicating that the planning system should focus on whether the development itself is an acceptable use of the land, and that the impacts of the development are acceptable. The PPS advises that planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced. Authorities should not therefore seek to duplicate controls covered by other legislation.

PPG24 – Planning and Noise

PPG24 provides guidance to local authorities on the use of their planning powers to minimise the adverse impacts of noise. The PPG advises that noise can be a material planning consideration. The PPG confirms that the planning system has the task of guiding development to the most appropriate location. In exercising their planning controls the PPG advises that local planning authorities should consider whether it is practical to control or reduce noise levels, or to mitigate the impact of noise, through the use of planning conditions.

The PPG advises that a number of measures can be introduced to control the source of, or limit exposure to, noise. Such measures should be proportionate and reasonable and may include one or more of the following:

- (i) engineering: reduction of noise at point of generation (eg by using quiet machines and/or quiet methods of working); containment of noise generated (eg by insulating buildings which house machinery and/or providing purpose-built barriers around the site); and protection of surrounding noise-sensitive buildings (eg by improving sound insulation in these buildings and/or screening them by purpose-built barriers);
- (ii) lay-out: adequate distance between source and noise-sensitive building or area; screening by natural barriers, other buildings, or non-critical rooms in a building;
- (iii) administrative: limiting operating time of source; restricting activities allowed on the site; specifying an acceptable noise limit.

PPS25 Development and Flood Risk

Planning Policy Statement 25 (PPS25) sets out Government policy on development and flood risk. Its aims are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk. Where new development is, exceptionally, necessary in such areas, policy aims to make it safe, without increasing flood risk elsewhere, and, where possible, reducing flood risk overall.

Development Plan

The East Midlands Regional Plan (RSS8) provides a broad development strategy for the East Midlands up to 2026. It identifies the scale and distribution of provision for new housing and priorities for the environment, transport, infrastructure, economic development, agriculture, energy, minerals and waste treatment and disposal.

Policy 1: Regional Core Objectives

This is a general policy which sets out the core objectives which all strategies, plans and programmes across the East Midlands should meet in order to help secure the delivery of sustainable development across the region. The 11 core objectives are:

- a) To ensure that the existing housing stock and new affordable and market housing address need and extend choice in all communities in the region.
- b) To reduce social exclusion
- c) To protect and enhance the environmental quality of urban and rural settlements
- d) To improve the health and mental, physical and spiritual well being of the Region's residents
- e) To improve economic prosperity, employment opportunities and regional competitiveness
- f) To improve accessibility to jobs, homes and services
- g) To protect and enhance the environment
- h) To achieve a 'step change' increase in the level of the Region's biodiversity
- i) To reduce the causes of climate change
- j) To reduce the impacts of climate change
- k) To minimise adverse environmental impacts of new development and promote optimum social and economic benefits

Policy 26: Protecting and Enhancing the Region's Natural and Cultural Heritage

This policy advises that sustainable development should ensure the protection, appropriate management and enhancement of the Region's natural and cultural heritage.

Policy 27: Regional Priorities for the Historic Environment

This policy advises that the historic environment should be understood, conserved and enhanced, in recognition of its own intrinsic value, and its contribution to the Region's quality of life. The policy goes on to state that across the Region and particularly in areas where growth or regeneration is a priority, development should promote sensitive change to the historic environment.

Policy 31: Priorities for Management and Enhancement of the Region's Landscape

This policy states that the Region's natural and heritage landscapes should be protected and enhanced by:

- the promotion of the highest level of protection for the nationally designated landscapes of the Peak District National Park and the Lincolnshire Wolds Area of Outstanding Natural Beauty;
- the promotion of initiatives to protect and enhance the particular character of the Sherwood, Charnwood and Rockingham Forests; the establishment of criteria-based policies in Local Development Frameworks to ensure that development proposals respect intrinsic landscape character in rural and urban fringe areas, including, where appropriate, recognition of the value of tranquillity and dark skies; and
- the identification in Local Development Frameworks of landscape and biodiversity protection and enhancement objectives through the integration of Landscape Character Assessments with historic and ecological assessments.

Where not already in place, Local Authorities should prepare Landscape Character Assessments to inform the preparation of Local Development Frameworks. These can also be used to develop Supplementary Planning Documents.

Policy 35: A Regional Approach to Managing Flood Risk

This policy advises that Local Development Frameworks and the strategies of relevant public bodies should take account of the potential impact of climate change on flooding and land drainage. The policy goes on to advise that Development should not be permitted if, alone or in conjunction with other new development, it would:

- be at unacceptable risk from flooding or create such an unacceptable risk elsewhere;
- inhibit the capacity of the floodplain to store water;
- impede the flow of floodwater in a way which would create an unacceptable risk elsewhere;
- have a detrimental impact upon infiltration of rainfall to ground water storage;
- otherwise unacceptably increase flood risk; and
- interfere with coastal processes.

However, such development may be acceptable on the basis of conditions or agreements for adequate measures to mitigate the effects on the overall flooding regime, including provision for the maintenance and enhancement of biodiversity. Any such measures must accord with the flood management regime for that location.

Policy 40: Regional Priorities for Low Carbon Energy Generation

This policy sets out, amongst other things, that in establishing criteria for onshore wind energy, Local Planning Authorities should give particular consideration to:

- the effect on the natural and cultural environment (including biodiversity, the integrity of designated nature conservation sites of international importance, and historic assets and their settings);
- the effect on the built environment (including noise intrusion);
- the number and size of turbines proposed;

- the cumulative impact of wind generation projects, including ‘intervisibility’;
- the contribution of wind generation projects to the regional renewables target; and
- the contribution of wind generation projects to national and international environmental objectives on climate change

Paragraph 3.3.89 advises that within the Eastern Sub-area there are some sites available for large wind developments and more for smaller scale wind developments at farm/settlement level.

Appendix 5 of the East Midlands Regional Plan 2009 (RSS8) sets out a table of renewable energy targets for the region. This table identifies current capacity (2006) for onshore wind in the East Midlands of 54 MWe and a target of 122 MWe by 2010, 175 MWe by 2020 and an indicative target of 175 MWe by 2026.

Saved Policies of the South Kesteven Local Plan 1995

The Saved Policies of the South Kesteven Local Plan do not contain any specific policies relating to renewable energy. There are however a number of policies relating to the environment and conservation which are relevant to the determination of this application.

Policy EN1: Protection and Enhancement of the Environment

This policy states that the visual quality and amenity of the built and countryside environments of the plan area will be conserved and enhanced. The policy advises that development proposals should comply with the following criteria:

- i) incorporate appropriate landscaping and tree planting where appropriate;
- ii) conserve and enhance, wherever possible, woodland, trees, hedgerows, wetland and other wildlife habitats, watercourses and other natural features, known archaeological sites and features of heritage significance;
- iii) in respect of buildings, reflect the general character, of the area through layout, siting, design and materials;
- iv) not intrude into the setting of important buildings, landscape features or prominent views;
- v) where appropriate, help to achieve the improvement of derelict, degraded and underused land;
- vi) be located where the highway system can adequately and safely accommodate the volume and nature of traffic likely to be generated or incorporate suitable proposals for all necessary improvements; and
- vii) avoid pollution of their surroundings by noise, toxic or offensive odour or by release of waste products.

Policy EN2: Development in the Countryside

This policy states that planning permission will not normally be given for the development in the open countryside beyond the confines of settlements. The policy sets out seven

criteria where exceptions may be made. Criteria 4 advises that certain utility installations requiring a rural location may be an exception. Policy EN2 goes on to state: “Any development considered appropriate to the countryside shall be sited and landscaped so as to minimise its impact on the environment.”

Paragraph 5.21 of the plan advises that the provision of utilities, principally water, electricity, gas and telecommunications, can on occasions involve the development of installations in the countryside. These should however be sensitively located to minimise their impact on the environment.

Policy C1: Sites of Archaeological Interest

This policy states that planning permission will not normally be given for development which would destroy or adversely affect the historic value and setting of scheduled monuments and sites of major archaeological importance as shown on the proposals map.

Paragraph 7.10 of the supporting text goes on to state that scheduled monuments and important archaeological sites, whether in the form of standing remains or buried deposits, provide tangible evidence of the way of life or past generations. They are limited in number, and once destroyed or mutilated, cannot be authentically replaced. It is therefore a major priority to ensure that such features, together with their historic settings, are not threatened by the effects of new development.

Policy C2: Archaeology

This policy relates to the protection and recording of archaeological material and states that in areas where development proposals affect other known sites of archaeological significance or where there is an indication that archaeological material may exist, the district council will include conditions to allow archaeological investigations to take place prior to development.

South Kesteven Landscape Character Assessment (January 2007)

This document is a tool used to define areas in the landscape which are distinctively different from one another. The main objectives of the assessment are:

- To identify the Landscape Character Areas within the District.
- To provide guidance that can be used to develop policy that will encourage landscape character and local distinctiveness to be reflected in new development.

The application site is located within the Fens character area but is also close to the Fen Margin character area. The Landscape Character Assessment describes the landscape sensitivity of the Fen character area in paragraphs 4.169 – 4.172.

Paragraph 4.169 states that the large-scale of the fen landscape, and the lack of trees and woodlands, creates a very distinctive landscape. The features of value in this landscape include the ditches and watercourses and the wide open views. There is little settlement and few well used roads and lanes.

Paragraph 4.171 states that landscape sensitivity to wind proposals in this area would be low to medium. The scale of the landscape, and the lack of features of intrinsic landscape value, would mean that some wind turbines may be accommodated.

Paragraph 4.172 goes on to state that wind turbines are relatively visually permeable, and a limited development would allow the overall character of the landscape to be maintained. Acceptability in the landscape would, however, depend on the detailed siting and design, and overall cumulative impact with any other proposals within the district or surrounding areas. Locations close to existing large-scale human influences such as electricity lines, are likely to be most appropriate. Locations near to large settlements are not likely to be appropriate.

The Fen Margin character area is described in paragraph 4.151 which states that the Fen margin comprises a narrow triangle wedge of land extending north from near Baston to Horbling and Folkingham, between the Kesteven Uplands and the Fens. This is a transitional zone with a landscape borrowing characteristics form very different landscapes that exist to the east and west.

Paragraph 4.153 states that the landscape sensitivity to wind energy proposals would be medium. Whilst the landscape in the Fen margin contains relatively few features of intrinsic landscape interest, the scale of the landscape and the relative proximity of settlements are likely to make it difficult to find locations to successfully accommodate wind turbines.

Key Issues

The key issues in the consideration of this case are considered to be:

1. Landscape and Visual Impact
2. Visual Effects on Residential Receptors
3. Impact on the Historic Environment
4. Noise
5. Ecology and Nature Conservation
6. Hydrology and Drainage
7. Public Rights of Way
8. Safety
9. Shadow Flicker and Reflected Light
10. Traffic and Access Arrangements
11. Interference with Electromagnetic Transmissions
12. Capacity and Need for the Development

13. Air Safety and Radar

Officer Evaluation

Landscape and Visual Impact

PPS 22 acknowledges at paragraph 20 that of all renewable technologies, wind turbines are likely to have the greatest visual and landscape effects. It goes on to advise that in assessing planning applications, local authorities should recognise that the impact of turbines on the landscape will vary according to the size and number of turbines involved, and that these impacts may be temporary if conditions are attached to planning permissions which require the future decommissioning of turbines.

As outlined in the proposals section of this report, the development relates to the erection of 6 No three bladed turbines with a maximum height of 125m and a hub height of 80m and associated equipment housing and access tracks etc. The proposed development would have an estimated operational life of approximately 25 years after which time the site would either be decommissioned or a new application to extend the operational life of the site would be submitted to the Council.

In assessing the impact of this development a major factor is its potential impact on the landscape. The District Council has employed Faulks Perry Culley & Rech (FPCR) as consultants to undertake a critical appraisal of the landscape and visual elements of the application and supporting ES. Following an assessment of the submitted ES the FPCR review raised concerns with the location and position of a number of the photomontages provided. The review also noted that a particular feature of the landscape around the site, are church towers and spires, which provide important focal points. The FPCR review therefore recommended that additional photomontages should be prepared from locations to the west of Billingborough and that the locations chosen should enable views of the spires/towers to be seen in context together with the turbines at Bicker Fen. FPCR also stated that the montages should be provided before an overall conclusion on the likely landscape, visual heritage impacts is reached.

In view of the review undertaken by FPCR and at the request of Officers the applicants have undertaken a further review of the Landscape and Visual section of the ES and have provided an addendum to the ES which provides further information to address the issues and concerns raised by the Council's consultants.

The Landscape and Visual element of the addendum to the ES specifically provides a number of additional viewpoints as agreed with FPCR including:

- Retake of three viewpoints presented in the ES from alternative locations to provide a more helpful view of the Development.
- Photography of six additional views of the wind farm in conjunction with spires and towers of churches, including Billingborough Church and Sempringham Church, and with Bicker Fen wind farm.

- Review of the landscape and visual assessment in the context of the South Kesteven Landscape Character Assessment.
- Further consideration of the sensitivity accorded to public Rights of Way.
- Further consideration of the methodology used to assess the effects on Neslam Levels and Fen landscape character area.

FPCR have undertaken a review of the addendum and have confirmed that it addresses the concerns they raised with the original ES.

FPCR have advised that the overall conclusion in the addendum is that there would be a medium/high magnitude of landscape change in the Fen character area immediately around the site of the turbines reducing with distance. There would be a significant landscape effect for approximately 1.5 – 2km around the turbines but beyond this the impact would not be significant. FPCR have confirmed that this is a fair assessment.

With regard to the Fen Margin character area, at its closest, there would be a medium-high magnitude of change, for part of the area, leading to a significant effect. Over the wider part of the character area the effect would be less and would not be significant. This is considered to be a fair assessment of the impact on the immediate landscape character areas referred to in the South Kesteven Landscape Character Assessment.

With regard to the Neslam Levels and Fens landscape character area as outlined in the ES the landscape and visual assessment assesses the sensitivity of this character area to be low, the magnitude of change on the landscape character of this receptor to be medium, and the effect to be significant. FPCR raised concerns with this evaluation as it did not accord with the information given in Table 1-4 of the ES which suggests that the combination of a low sensitivity and medium magnitude of change would result in a not significant effect.

However paragraph 2 of section 7.2.3.3 of the ES states that “The matrix however is not a ‘prescriptive’ tool and the analysis of potential significant effects must make allowances for the exercise of professional judgement.”

The addendum to the ES confirms that in respect of the landscape character of the Neslam Levels and Fens, the effect of the wind farm has been assessed as significant in the landscape and visual assessment due to the proximity of the development, and its location within the landscape character area, although the sensitivity is assessed as low and the magnitude for change as medium. In this case, due to the specific circumstances, professional judgement has been exercised to assess the effect as significant, despite the deviation from the advisory matrix.

The Council’s consultants have confirmed that in their opinion the assessment that the development would have a significant impact on the Neslam Levels and Fens character area is appropriate.

The Council’s consultants have also advised that the addendum sets out the reasons why public rights of way have been considered as both “high” and “medium” sensitivity receptors. Although this is not in accordance with the Guidelines for Landscape and Visual

Impact Assessment (GLVIA) which suggest that public rights of way are “high Sensitivity“ receptors, it is accepted that the GLVIA is guidance and that the advice is not prescriptive and professional judgement must be used. The addendum clearly defines how the assessment has been undertaken and FPCR have advised that this is an acceptable approach which enables decision makers to be able to draw their own conclusions on the overall impact, from the evidence provided.

The Council’s consultants have advised that a particular feature of the landscape around this site, are the church towers and spires, which provide an important focus point. The relationship with Billingborough Church and Sempringham Priory Church are particularly relevant.

The addendum to the ES included a number of new view points from the west of the site. The Council’s consultants have, with regard to these views some difference of opinion on the likely effects of the development to those views expressed in the ES and its addendum. It is accepted that generally the views from the higher ground to the west provide a wide and expansive panorama. The turbines would be one group of elements, within the overall panorama. The wide open landscape, would be more appropriate than many types of landscape at accommodating the wind turbines. However from some locations the turbines would become the dominant vertical element in the view, and would compete with Sempringham Church tower and Billingborough Church Spire as features punctuating the skyline. The Council’s consultants have advised that the effect of this has, in their opinion, been underplayed in the addendum to the ES.

The Council’s consultant has advised that overall in landscape terms, the nature of the local landscape is more appropriate than most at accommodating wind turbines. The flat open nature of the landscape, and general lack of scale indicators makes it a generally appropriate location. There would however be some significant landscape visual impacts. This is always the case, when new structures the scale of wind turbines are proposed. These significant impacts therefore need to be balanced against the other benefits of the scheme.

Visual Effects on Residential Receptors

The supporting ES includes a broad approach to the assessment of the impact of the development on the visual amenity receptors including residential properties. The extent of visibility of the development, has been calculated to blade tip and hub height and this has been illustrated on figures 7.20 and 7.21 in the ES. These two figures show the Zone of Theoretical Visibility (ZTV). The ZTV’s are based on landform data only and do not take into account screening provided by, vegetation and buildings.

Within the broad study area (35km) the development will be visible over a wide area, focused to the east. However at this distance the impact of the development would be significantly reduced and local vegetation and buildings will further help to reduce the visual prominence of the turbines.

Within the detailed study area (10km) the ZTV indicate that the development will be visible over most of the area. This is however based on a worst case scenario and existing vegetation and buildings will provide some screening of the development when viewed at distance.

The summary contained in section 7.6 of the ES confirms that during the operational period, the development will be visible and perceived over a relatively large area. The significant operational effects are summarised in table 7.13 of the ES reproduced below:

DURING OPERATION				
Receptor	Sensitivity	Magnitude of Change	Significance of Effect	Nature of Effect
Neslam Levels and Fens landscape area	Low	Medium	Significant	Adverse
Area of Great Landscape Value (Study Area only)	Medium	Medium	Significant	Adverse
Neslam Farm, Dove Cottage, Neslam Farm	High	High	Significant	Adverse
Public right of way (within site)	High-Medium	High	Significant	Adverse
Neslam Road	Low	High	Significant	Adverse
Public right of way to the north and Billingborough Drive; Public right of way Ouse Mere Lode; Public right of way (Waterway Link) along South Forty Foot	Medium-High	Medium	Significant	Adverse
Residential properties along Billingborough Drive, Horbling Fen B1177	High	Medium	Significant	Adverse
Various public rights of way including right of way adjacent to Fen Road; right of way adjacent to Dunsby Drive, Drove and along South Forty Foot Drain (Fens Waterway Link)	Medium-High	Medium	Significant	Adverse
Residential properties along Fen Road, Millthorpe Drive, Long Drive, Dunsby Haconby Drive, Morton North Drive, Forty Foot Drains	High	Medium	Significant	Adverse
Residential properties on the fringes of Horbling, Billingborough, Pointon, Rippingale, Dunsby, Haconby settlements	High	Medium	Significant	Adverse

The ES acknowledges that the development would have the greatest impact within the detailed study area in close proximity to the development. The ES states that relatively few visual amenity receptors within this area will have close distance views of the towers and blades and that some of these views will be obscured by localised screening and vegetation, subtle variations in land forms and adjacent development.

Overall the ES concludes that the expansive landscape has the potential to accept vertical structures. With few 'scale-indicators' in the landscape to compare the size and location of the development, it will be 'absorbed' within the large scale landscape. The expansive skies underpin a strong landscape capacity to accept the development, even when perceived in combination with other existing or proposed wind farms.

The local opposition group AGAST has raised concerns about the way in which the ES assesses the impact on residential receptors. It raises a particular concern with the fact that rather than an assessment of individual dwellings the ES provides a general overview

grouping dwellings and areas together. AGAST have also pointed out that a number of the closest residential properties are not directly referred to in the ES.

The proposed development would be visible from dwellings on the outskirts of the nearest settlements including Horbling, Billingborough and Pointon. However given the separation distances it is considered that the resulting reduction in the quality of outlook would not be such that it would result in such an adverse impact to cause unacceptable harm to the amenities of the occupiers of the properties.

Within the immediate vicinity of the application site AGAST has advised that there are 11 properties as listed below:

Property	Approximate Distance (m)	Turbine
Dove Cottage	580	T3
Gosdale Farm House	630	T3
Neslam Fen Farm	640	T1
Heron Lodge	715	T3
Church Farm	730	T5
Crown Farm	800	T6
Gosdale Farm	890	T3
1 Forty Foot Cottages	975	T6
2 Forty Foot Cottages	975	T6
Aslackby Decoy Farm	1150	T5
Gosdale House	1160	T3

With regard to Dove Cottage this property's primary elevations face north and south. The rear elevation and garden would therefore look out towards the general direction of T3. There is significant planting and screening along the rear and side boundaries of the property which would help to screen the development although given the close proximity to the site. The turbines especially T3 would appear to be dominant features within the landscape, especially the moving blades of the turbines.

Gosdale Farm House is orientated such that it's residential amenity space and primary windows facing away from the site. It is however located very close to the proposed development. It is considered that the proposed turbines would appear particularly prominent when viewed from the private amenity space around the dwelling, such that it would be detrimental to the residential amenities of the occupiers of the property.

Gosdale Farm is located to the approximately 890m to the southwest of the site the dwelling has some planting on the boundaries but would still have views out across the site. It is considered that given the close proximity to the development the proposed turbines would be a dominate feature in the landscape when viewed from this property.

Neslam Fen Farm is orientated such that its primary windows face north south. The windows on the rear elevation and the rear amenity space would also be screened from the proposed development to some extent by an existing agricultural building which is located directly to the west of the property. Notwithstanding this screening the proposed turbines

would still be a dominant feature especially when viewed from the rear amenity spaces of the dwelling.

Herron Lodge is located to the west of the application site and has primary windows on the southern and eastern elevations, including a conservatory, which face towards the site. The turbines when viewed from this property would appear to be particularly prominent and dominant features in an otherwise flat landscape. Whilst there is some screening along the boundary of the property it would not screen the moving blades of the turbines.

Church Farm is located directly to the south of the application site on Pointon Fen. The property has a number of principal windows on the northern elevation facing directly onto the site. Although the development would be largely screen by existing mature planting along the sites northern boundary the occupiers would still have some views out across the site, especially in the winter months. It is therefore considered, given the close proximity of this dwelling (730m) to the development that the proposed turbines would appear to be a dominant and overbearing feature in the landscape and would be detrimental to the residential amenity of the occupiers of this property.

Crown Farm and 1 & 2 Forty Foot Cottages are orientated such that the principal windows do not face directly out onto the proposed development. The separation distances to the nearest turbine would be approximately 975m. Notwithstanding this is considered that from the outdoor amenity areas of these properties the turbines would still appear dominate features but to a lesser extent than the properties outlined above..

Aslackby Decoy Farm and Gosdale House are located over 1km away from the nearest proposed turbine. Given the orientation of these dwellings and the separation distances it is considered that the proposed development would not have significant detrimental impact on the outlook from these properties.

Taking the above into account it is considered that because of their height, and the movement of the blades the proposed turbines would appear intrusive and oppressive in the outlook from Dove Cottage, Herron Lodge, Neslam Fen Farm, Gosdale Farm House, Gosdale Farm and Church Farm. It is considered that this would have a significantly detrimental impact on the residential amenities of the occupiers of these properties.

Impact on the Historic Environment

The ES indicates that there are a total of 30 Scheduled Ancient Monuments (SAMs) and 358 Listed Buildings within a 10km study area. The closest SAM is approximately 0.8km from the proposed development, and the nearest Listed Building is approximately 1.75km distance.

The summary of the ES advises that the indirect visual effects of the development on SAM's, Listed Buildings and Conservation Areas have been considered. The assessment concludes that the effect of the development on the historic setting of SAMs will be neutral. The historic setting of 6 of the 358 Listed Buildings will be affected, but only 2 of these significantly. There will be moderate adverse effects on the historic setting of two Grade I Listed churches, at Billingborough and Sempringham, and there will be minor adverse effects on the historic settings of four Grade II Listed Buildings. The ES also concludes that there will be no indirect visual effects on Conservation Areas. The impacts on the

historic settings of the two Grade I Listed churches, located at Billingborough and Sempringham are considered to be significant. However the ES concludes that these impacts are fully reversible and will cease to exist when the development is decommissioned.

With regard to the impact on local conservation areas the Council's Conservation Officer is in agreement with the conclusions of the ES, that the impact on individual buildings in the Conservation Areas would not be significant, as the designated areas comprise the older, central parts of settlements that area already surrounded by modern development.

The Council's Conservation Officer has advised that the ES acknowledges that two listed buildings will be adversely affected and identifies these as the Grade I listed churches of St Andrew's at Billingborough and St Andrew's at Sempringham. Their Grade I listing status identifies them as being of National importance.

The Council's Conservation Officer has advised that it is the setting of these buildings that will be particularly affected by the development. He has advised that the existing wind farm at Bicker gives some indication of the likely impact of that proposed for the Neslam Farm Site. The turbines at Bicker are readily visible from various view points in the locality, particularly the elevated land of the Kesteven Uplands to the west. From here the existing turbines already impact on the setting of several settlements and the tallest buildings, their churches.

The turbines proposed for Neslam Farm will have a significantly greater impact on their immediate locality, particularly as they will be taller than those at Bicker. Any adverse visual impact would therefore be exacerbated by the combined impact of both the Bicker and Neslam Farm turbines.

English Heritage has been consulted and raised objections to the proposed development on the grounds that it would have an adverse impact on the setting of a number of scheduled ancient monuments in the area. They have also advised that the proposed development would have an adverse impact on the setting of the churches of St Andrew's Sempringham, St Andrew's Billingborough and St Andrew's Horbling. English Heritage also advised that the development would have an adverse impact on the setting of the Grade I church of St Mary and Holy Rood at Donington, and have a lesser but noticeable impact on the Grade I listed churches of St Mary at Pinchbeck and St Mary and St Nicholas at Pinchbeck.

The applicants have undertaken a further assessment of the heritage assets in the immediate area adjacent to the site in order to address English Heritages concerns. The review includes a number of photomontages in order to show a visual representation of the development and its potential impact, particularly on the churches at Sempringham and Billingborough.

The addendum concludes that the additional material presented supports the conclusions of the ES in that other than the two churches at Billingborough and Sempringham, none of the SAMs or Listed Buildings about which English Heritage have expressed concern is subject to an effect upon its historic setting.

Notwithstanding the addendum to the ES English Heritage remains of the opinion that the development should be refused because of the damaging effect on the setting of nationally significant heritage assets.

The Council's Community Archaeologist has advised that the setting of a monument is generally considered to be what can be seen and heard, to and from a monument. With regards to the setting of Scheduled Ancient Monuments the Community Archaeologist concurs with English Heritages' comments about the setting of Sempringham Priory and Church. She notes that the site as a priory and church was/is a site of contemplation, reflection and peace, and therefore depending on your personal feeling about wind farms, a peaceful presence may or may not exist, if a wind farm could be seen from the site.

The Community Archaeologist has also noted that the wind farm will also be visible from the moated medieval grange (LI61), Bronze Age saltern (LI302), and the Roman settlements at Fen Farm and Poplar Farm. The nature of these sites are different from that of Sempringham Priory in that they were related to agricultural activity, or industrial (salt making) activities in case of the Bronze Age saltern.

The Community Archaeologist has advised that consideration should be given to the cumulative effects of this application and the Bicker wind farm together, on a landscape which is primarily arable and rural. The construction of another wind farm in this area further industrialises the rural setting.

The ES at section 11.7 paragraph 5 states "The historic setting of two Listed Buildings will be significantly affected. This is an extremely small proportion of those identified within 10km study area: the vast majority are not within the Development's visual envelope, and in any case most do not have a visual or historic setting that extends beyond their immediate locality. The two significantly affected buildings are both Grade I Listed churches, at Billingborough and Sempringham. In both cases there will be some shared views which include the church and the Development, although the turbines will not be a dominant feature for either. Many other views that take in the churches will be unaffected. The assessment identifies a Moderate adverse impact on the historic setting of these buildings.

Paragraph 8 goes on to state that "in terms of the EIA Regulations, there are two impacts on cultural heritage resources which may be considered as significant. These are the indirect visual impacts upon the historic setting of Billingborough church and Pointon and Sempringham church, which are predicted as Moderate Adverse. These impacts are fully reversible and will cease to exist when Development is decommissioned. No other significant impacts, either direct (physical) or indirect (visual) have been identified."

The proposed wind farm has an operational life of approximately 25 years and over this period the turbines would become an established feature of the landscape. The proposed turbines would therefore effectively form a significant feature in the landscape for an entire generation. In view of the length of time that the turbines would be in place, and the concerns raised by English Heritage, the Council's Community Archaeologist and Council's Conservation Officer it is considered that the proposed benefits of the development do not outweigh the significant harm that the development would have on the heritage assets in the area. The adverse impacts that the development would have on the heritage assets in

the area would be exacerbated when the cumulative impacts of the proposed development and the existing Bicker Fen wind farm development are taken into consideration.

Noise

Debate relating to noise from wind turbines is extensive. However, turbines, especially modern turbines are not inherently noisy machinery. This is supported by the companion guide to PPS22 which advises that under most normal operating conditions: turbine noise is likely to be completely masked by wind-generated background noise. Wind generated background noise increases with wind speed, and at a faster rate than the wind turbine noise increases with wind speed. The difference between the noise of a wind farm and the background noise is therefore liable to be greatest at low wind speeds. Varying the speed of the turbine in such conditions can, if necessary, reduce sound output from modern turbines. This is an accepted response if noise limits set by a planning condition are exceeded.

Noise from turbines is measured in accordance with a specific methodology ETSU - R - 97 'The Assessment and Rating of Noise from Wind Farms' 1997. The recommendations of this report established accepted background noise levels and the extent to which they may be reasonably exceeded. This methodology is not intended to result in no noise effects on neighbouring occupiers. It is designed to ensure that a satisfactory living conditions for those exposed to it are maintained. This is achieved by setting a 5 dB (A) level above background levels (at both day and night) at the nearest noise sensitive properties. This methodology has formed the basis of the submitted noise assessment in the Environmental Statement.

The validity of ETSU -R-97 methodology has been questioned by objectors to this development, and other similar schemes throughout the country. Specifically, in that it does not address low frequency sound and other noise/health implications. However, this methodology has been supported by a letter from the Department of Communities and Local Government sent to all planning authorities in England dated 23 November 2007. It says:

"The Hayes McKenzie report, on low frequency noise, was commissioned by the DTI and issued in May 2006. It investigated claims that infrasound or low frequency noise emitted by wind turbine generators was causing health effects. It concluded that there is no evidence of health effects arising from infrasound or low frequency noise generated by wind turbines. The report, however, has been quoted as recommending a total review of ETSU-R-97 (this is the methodology planning authorities are advised to use when assessing and rating noise from wind energy developments). This is not the case. The advice in PPS22 and its Companion Guide that ETSU-R-97 should be used for the assessment and rating of noise from wind farms is unchanged."

With regard to the operational noise from the proposed turbine the Council's Environmental Protection Officer has undertaken a review of the data contained within the ES and the additional noise data provided. The Environmental Protection Officer has also provided comments based on the concerns outlined in the objections from AGAST.

The Environmental Protection Officer has advised that the turbine make and model have not yet been selected and the noise predictions in the ES have therefore been based on a candidate turbine of a Vestas V90 2MW wind turbine operating in Mode 2.

The ES indicates that the ETSU-R-97 upper limits for daytime and night time noise will not be breached. However, there is some concern that as the predicted levels are relatively close to the upper quiet daytime limit (within 2dB(A)) at Dove Cottage during the day, that there is the potential that when the turbines are installed and local conditions are taken into account that this upper limit may be breached.

The Environmental Protection Officer has suggested that if, a condition was imposed to limit noise to the greater of 38dB LA90,10mins (the predicted level at Dove Cottage) or 5dB(A) above the background for quiet daytime hours, this would leave no margin for any increase due to actual local conditions after installation.

ETSU –R-97 suggests that the actual level chosen (between 35-40sB(A)) should depend upon a number of factors. If it was justifiable to select the lower limit (between 35-40dB(A)) as a condition, the predictions have shown that this level could not be achieved at any of the measured locations.

The factors include;

- Number of dwellings in the neighbourhood of the wind farm (ETSU-R-97 suggests that if only a few dwellings are affected, then the environmental impact is less and noise limits towards the upper end may be appropriate)
- The effect of noise limits on the number of kWh generated (ETSU-R-97 suggests that a single turbine causing noise levels of 40dB(A) would have less planning merit than 30 wind turbines creating the same amount of noise)
- Duration and level of exposure (ETSU-R-97 suggests that this approach is difficult to formulate, however, a property which experienced background noise levels below 30dB(A) for a substantial proportion of the time in which the turbines would be operating could be expected to receive tighter noise limits than a property at which the background noise levels soon increased above 35dB(A)).

When considering these factors in relation to this development, it would suggest that a limit of 35dB(A) may not be appropriate in this instance, nor would the upper limit of 40dB(A).

In relation to the monitoring positions the Council's Environmental Protection Officer has advised that it is intended that measurements should be made in "free-field" conditions, however, ETSU-R-97 states that it may be appropriate to undertake background noise measurements in sheltered locations close to a property if they are often used for rest and relaxation.

In respect of the monitoring period of 15 days, this is more than the minimum of 1 week's measurements as required by ETSU-R-97 and in this case was carried out in November/December. The time of the year can have an effect on measurements, as detailed in ETSU-R-97, summer months may be expected to give higher ambient noise

levels due to leaves on trees but lower levels due to reduced rainfall. Winter months may result in lower ambient noise levels due to no leaves but higher levels due to rain. The submitted rainfall data does not indicate excessive rain during the monitoring period.

Details of wind direction during background noise measurements are not apparent, although modelling in the assessment has used downwind conditions in an attempt to represent worst case conditions.

The Environmental Protection Officer has advised that it is important to stress that her comments relate to the particular turbine (Vestas V90-2MW) used in this assessment, with an 80m hub height, used in Mode 2. Any deviation from this choice will result in changes to noise levels and further assessment would therefore be required.

The Environmental Protection Officer comments, based on the information provided in the ES and addendum, indicate that it is not possible for the development to meet the lower ETSU-R-97 daytime noise limit of 35dB(A) at any of the properties where monitoring was undertaken. The greatest level of noise during the daytime period is predicted to be 38dB(A) at Dove Cottage. If this level is conditioned as part any planning approval it will leave no margin for increase on the ground when the turbines are installed. The Environmental protection Officer has confirmed that she does not considered it appropriate for the upper limit of 40dB(A) to be used in this instance.

As already stated this application is based on a candidate turbine (the Vestas V90 2MW wind turbine) and the date related to the noise assessment has been based on this candidate turbine. The Inspectors report into the Thackson's Well Farm wind farm development at Long Bennington (S07/1661) raised some concerns with the ability to satisfactorily condition a development based on the use of a candidate turbine. The Inspector did however in that case also have concerns with regard to the background noise data submitted with the application.

In view of the concerns raised by the Inspector in the Thackson's Well case officers have written to the applicants to seek their views on this position. The applicant's have responded and made the following comments:

"In relation to Thackson's Well, you refer in your letter to what you perceive is a procedural difficulty in formulating a suitable noise limit condition at this stage in the planning process before both background noise levels have been re-validated and final turbine choice has been made. You state that in the interests of public confidence in the decision-making and enforcement process, it is in your view necessary for the noise limits and choice of turbine to be founded upon data which has, and can be seen to have been, carefully and accurately compiled before full permission has been granted, rather than afterwards.

Your approach, of course, is seeking to echo that taken by the Inspector at Thackson's Well. However, it is fundamental to appreciate the clear distinction between this case and that at Thackson's Well where the particular concern for the Inspector at Thackson's Well was that he considered there would be likely to be some difficulty in formulating a suitable noise condition before both

background levels had been re-validated and final turbine choice had been made, as was made clear in his decision.

In this case, background noise levels have been established through detailed survey work. Further, at Thackson's Well, the turbine model proposed was an unusual gearless model where as Neslam the turbine noise parameters used in the assessment will also more typical geared turbine choices to be made within those parameters.

In general, the Inspector at Thackson's Well considered that adequate control could be secured by planning conditions that specify particular limitations such as turbine type for later approval and which incorporate requisite and specific environmental mitigation measures. He recognised that predictions of turbine noise are necessary to provide the developer and local people with assurance, before turbines are purchased and installed, that ETSU noise limits are capable of being met. This has been demonstrated for Neslam in the ES and is not disputed by the Council's EHO in this case.

Indeed the Council's EHO in her response has not raised an issue in this respect. She has agreed that the assessment of noise at Neslam is in accordance with ETSU-R-97, that this is the appropriate approach and that the noise assessment demonstrates that the wind farm could operate within the derived limits in all locations. She considers the application of noise limit conditions to be appropriate here where the actual turbine to be used has not been selected.

We note the approach to a condition you have outlined in your letter which offers some flexibility in future turbine choice, it does however remain restrictive irrespective of whether one or a number of turbines are assessed at this stage. It pre-empts the competitive tender process to select the optimal turbine available at that time. This process is appropriately conducted post-permission when there is some certainty on a project progressing. This has, of course, been the generally accepted approach for wind farms to date and the Thackson's Well decision does not alter that.

You state in your letter that the assessment approach does not assess the impact over the range of parameters which might result if an alternative turbine was selected and would therefore be inconsistent with the approach adopted by the Inspector in the Thackson's Well case and could give rise to similar difficulties.

However, the noise assessment contained in the ES is based on noise data for a Vestas V90 2MW turbine which has been chosen as it is representative of typical commercially available turbines within the model turbine parameters and which can be operated in variable modes to enable particular noise limits to be achieved as is indicated in the ES. The noise assessment carried out and reported in the ES specifically does give confidence that the turbine development can operate with a noise impact which would come within the parameter limits. There are no particular circumstances at Neslam (unlike

Thackson's Well) that would justify deviating from the usual approach on this issue.

We therefore suggest that the turbine selection issue can be appropriately dealt with by a condition along the following lines:

“The turbines installed and operated shall be Vestas V90 2MW type turbines unless otherwise approved in writing by the Local Planning Authority, with any approved changes constituting non material changes which do not materially change the significance of the environmental effects assessed in the Environmental Statement in respect of Vestas V90 2MW type turbines”

A separate condition requiring compliance with ETSU limits would cover any specific noise limitations with the Council wish to see specifically dealt with.”

The purpose of the Environmental Impact Assessment is to ensure that the environmental impacts of the development are fully assessed. The submitted ES is based on a candidate turbine (Vestas V90). If an alternative turbine was used this would inevitably have different noise characteristics. Whilst the submitted ES demonstrates that the candidate turbine would comply with the ETSU limits, the Council's Environmental Protection Officer has advised that at Dove Cottage there would be no margin for increase. The use of an alternative turbine could therefore result in the development having an adverse impact on the occupiers of nearby properties, in particular the residents of Dove Cottage.

Officers have sought counsel's opinion on the use of conditions and the issue of the use of a candidate turbine. Counsel has advised that the applicants could provide additional information before the application is determined relating to a number of alternative turbines. This would enable the Council to impose a condition allowing the applicant to select from a number of turbines which have been demonstrated to comply with the relevant guidelines. The applicants have not provided any additional information, Counsel has therefore advised that the best course of action would be to condition any consent to the candidate turbine used in the ES (Vestas V90). It would then be open to the applicant to make an application under s73 of the Town and Country Planning Act 1990 to carry out the development otherwise than in accordance with the condition. In other words the applicants could apply to vary the condition in order to use an alternative type of turbine.

Concerns have been raised in relation to the way in which noise data has been collected and the sites chosen. The Council's Environmental Protection Officers is satisfied that the noise data submitted has been collected in accordance with the ETSU guidelines. There has been some confusion with the addresses of properties. It has however been established that the noise data has been collected from Dove Cottage and Gosdale Farm House (not Dove Cottage and Gosdale Farm as indicated in the ES). It is considered that the data has been collected from the properties most likely to be affected by the proposed development.

The Council's Environmental Protection Officer has raised concerns that the ES demonstrates that the candidate turbine would only just fall within the upper daytime limits of 38dB(A). The Council's Environmental Protection Officer is particularly concerned that the submitted noise data is based on calculations for a candidate turbine operating in a quiet mode (mode 2). The noise data contained within the ES indicates that the candidate

turbine would only just be able to meet the ETSU upper daytime limit of 38dB(A) at Dove Cottage. Given that alternative turbines may be installed on site the actual noise levels from the development may well exceed the limits indicated for the candidate turbine in the ES. It is therefore considered that the proposed development could result in significant noise complaints from the residents of Dove Cottage. Given the lack of any tolerance in the noise data provided and the recommended upper daytime limit of 38dB(A), it is considered that the development could not be satisfactorily controlled by way of condition. Of particular concern is the ability of the Council to enforce any noise condition which is likely to be tested on a regular basis.

With regard to operational noise and disturbance during construction the Council's Environmental Protection Officer has advised that this can be satisfactorily controlled by conditions.

A significant number of objectors including AGAST have raised general health and safety concerns relating to the proposed wind turbines. AGAST have also submitted a significant amount of data in relation to recent studies which have been carried out in relation to the health implications of wind farms. Notwithstanding the sufficient information submitted it is considered that the research in this area is inconclusive. It is therefore considered a reason for refusal on these grounds could not be substantiated.

Ecology and Nature Conservation

The companion guide to PPS22 states that the impact on local ecology of a wind farm should be minimal. A typical wind farm will usually leave the land between the turbines totally unaffected.

PPS9 Biodiversity and Geological Conservation gives advice on nature conservation and development control. It advises that apart from the movement of the blades, the development of wind turbines warrants no different approach in terms of ecological considerations from any other development. Applications to harness wind energy may be made in areas designated as of ecological importance, and such applications should be rigorously examined. Evidence suggests that the risk of collision between moving turbine blades and birds is minimal both for migrating birds and for local habitats.

Some of the most common concerns with regard to wind turbine developments relate to bird strikes, loss of habitats and hedgerow removal. The Council has undertaken consultations with the Lincolnshire Wildlife Trust, Natural England and the RSPB. English Nature and the RSPB have confirmed that they have no objections to the proposed development subject to conditions being imposed on any consent. It is therefore considered that any potential impacts from the development can be satisfactorily mitigated.

Hydrology and Drainage

The Black Sluice Internal Drainage Board have raised no objections to the proposed development. They have however advised that the proposed control building and construction compound, as indicated on the plans submitted with the application, would contravene their bylaw distance of 9m. They have therefore advised that the development

as shown could not proceed without the Boards consent. The applicant has confirmed that it is their intention to comply with the Boards requirements as such there may be a requirement to re-site the proposed control building and compound. It is considered that this would only require a relatively minor alteration which could be controlled by way of a condition requiring precise details of the siting of the building and compound to be agreed by the LPA prior to any development taking place.

The site is also located within an area shown to be at risk of flooding on the Environment Agency's flood plans. The Environment Agency has raised no objections to the proposed development it is therefore considered that acceptance of the proposal will not result in any increase risk of flooding in the area.

Public Rights of Way

Concern has been raised regarding the impact of the development on the users of the nearby public rights of way and the distance to Public Rights of Way.

The British Horse Society has suggested a 200 metre exclusion zone around bridle paths to avoid wind turbines frightening horses. Whilst this is considered to be desirable, it is not a statutory requirement. The supplementary guide to PPS22 advises that there is no statutory separation distance between a wind turbine and a public right of way. Often, fall over distance is considered acceptable separation, and a minimum distance is often taken to be that the turbine blades should not be permitted to over-sail a public right of way.

None of the proposed turbines would over-sail any of the public rights of way. It is considered that whilst the users may experience a short period of inconvenience during the construction phase, it is not considered that refusal of planning permission could be justified.

Safety

The companion guide to PPS22 advises that experience indicates that properly designed and maintained wind turbines are a safe technology. The very few accidents that have occurred involving injury to humans have been caused by failure to observe manufacturers' and operators instructions for the operation of the machines. There has been no example of injury to a member of the public.

The only possible source of danger to human and animal life from a wind turbine would be loss of a piece of the blade or, in most exceptional circumstances, of a whole blade. Many blades are composite structures with no bolts or other separate components. Blade failure is therefore most unlikely. Even for blades with separate control surfaces on or comprising the tips of the blade, separation is most unlikely.

The proposed turbines would be monitored on a regular basis it is therefore considered that there would be no significant health risk from turbine failure.

Concerns have also been raised with regard to ice forming on the blades. The companion guide to PPS22 advises that the build-up of ice on turbine blades is unlikely to present a problem on the majority of sites in England. For ice to build up on wind turbines particular weather conditions are required, that in England occur for less than one day per year.

Based on this guidance and the fact that turbines generally contain safety devices which protect against vibration and imbalances in the turbine blades it is not considered that this can be sustained as a justifiable reason for refusal.

Shadow Flicker and Reflected Light

Concerns have been raised with regard to the potential impact from shadow flicker. The companion guide to PPS22 advises that under certain combinations of geographical position and time of day, the sun may pass behind the rotors of a wind turbine and cast a shadow over neighbouring properties. When the blades rotate, the shadow flicks on and off; the effect is known as 'shadow flicker'. It only occurs inside buildings where the flicker appears through a narrow window opening. The seasonal duration of this effect can be calculated from the geometry of the machine and the latitude of the site. Although problems caused by shadow flicker are rare, for sites where existing development may be subject to this problem, applicants for planning permission for wind turbine installations should provide an analysis to quantify the effect.

The companion guide goes on to advise that Shadow flicker can be mitigated by siting wind turbines at sufficient distance from residences likely to be affected. Flicker effects have been proven to occur only within ten rotor diameters of a turbine. Therefore if the turbine has 80m diameter blades, the potential shadow flicker effect could be felt up to 800m from a turbine.

Around 0.5 % of the population is epileptic and of these around 5 % are photo-sensitive. Of photo-sensitive epileptics less than 5 % are sensitive to lowest frequencies of 2.5-3 Hz, the remainder are sensitive only to higher frequencies. The flicker caused by wind turbines is equal to the blade passing frequency. A fast-moving three-bladed machine will give rise to the highest levels of flicker frequency. These levels are well below 2 Hz. The new generation of wind turbines is known to operate at levels below 1 Hz.

The document entitled Onshore Wind Energy Planning Conditions Guidance Note : A report for the Renewables Advisory Board and BERR published in October 2007 provides guidance on the use of conditions and states that where wind turbines lie within the geographical range which may be affected by shadow flicker it will not be possible to determine whether or not shadow flicker effects will actually be felt until an assessment has been made of window widths, the uses of the rooms with potentially affected windows and the effects of intervening topography and other vegetation. Where it has been predicted that shadow flicker effects may occur in theory, a local planning authority may consider it appropriate to impose a planning condition to provide that wind turbines should operate in accordance with a shadow flicker mitigation scheme which shall be submitted to and approved by the Local Planning Authority prior to the operation of any wind turbine unless a survey carried out on behalf of the developer in accordance with a methodology approved in advance by the local planning authority confirms that shadow flicker effects would not be experienced within habitable rooms within any dwelling.

The ES contains a section relating to shadow flicker and has been assessed on a 'worst case scenario'. The conclusions state that:

“The assessment has identified five receptors where shadow flicker may occur within the study area. All of the receptors within the study area, to varying degrees, have the potential to be affected by shadow flicker. There will be no effects on human health.

The majority of receptors will be affected by shadow flicker for less than 30 hours over the year. This has been calculated during the optimum conditions for shadow flicker effects to occur, with the exception of considering average sunshine conditions. The effects on the majority of receptors will not be significant.

Receptor 3, Neslam Farm, has potential to be affected by shadow flicker for more than 30 hours over the year, when assessed against the optimum conditions for shadow flicker effects to occur, with the exception of considering average sunshine conditions. In addition, the effects on Neslam Farm are likely to be reduced by localised screening. The effects on Neslam Farm will be significant.

While assessed in accordance with the guidance proposed here, the impact on Neslam Farm would be judged to be significant, the owner of Neslam Farm is also the landowner who has given permission for development of the wind farm at this site. As such he has no concerns and no objections regarding shadow flicker.”

Whilst noting the comments in the conclusions to the ES the evidence is based on a ‘reduction’ factor which has been applied to the predicted duration of shadow effects, based on the average amount of sunshine that occurs in the ‘Eastern England Region’ (Cambridge station) as defined by the Met Office between 1998-2007. Sunrise and sunset times, to outline the maximum potential hours of sunshine, have been obtained from US Naval Almanac website for 2008. From this analysis, the ES states that a more accurate prediction of shadow flicker effects, based on realistic hours of sunshine, would be approximately a third (33%) of the total hours balanced over the year.

Taking into account the fact that this correction factor is quite significant and the fact that even without the correction factor a number of properties would still be affected by shadow flicker to some extent it is considered appropriate that if the development were to be approved a condition should be imposed requiring a shadow flicker mitigation scheme to be submitted to an agreed in writing by the local planning authority.

Turbines can also cause flashes of reflected light which can be visible from some distance. It is possible to ameliorate the flashing but not completely eliminate it. Careful choice of colour and surface finish can help reduce the effect. Light grey semi-matt finishes are often used for this. The applicants have indicated that the development will have such a finish.

Socio Economics, Tourism and Recreation and Land Use

It is considered that the proposed development may generate some short term employment opportunities during the construction and decommissioning phases of the development.

Concerns have been raised about the impact that the development will have on tourism and the local economy. It is considered that the development would have a minimal impact on the tourism activities in the area and on the local economy.

Concern has been raised in relation to the designation of the land to the effect that the development would form an industrialisation of this countryside location and gain 'brownfield' status allowing further industrial development. Clearly the areas around the turbines would remain in agricultural use. On decommissioning the land would be reverted back to its original agricultural use. It is therefore considered that the development will not result in a significant loss of agricultural land or provide the possibility that the site could be deemed to be previously developed land ('brownfield') where further industrial development might be allowed.

Traffic and Access Arrangements:

Significant concerns have been raised in relation to the proposed access arrangements. The main concerns relate to the use of Neslam Road given its limited width, the impact on additional traffic on Billingborough, safety concerns about increase traffic close to Billingborough primary school, and concerns that the increase traffic would have a detrimental impact on the structural safety of the listed buildings on the proposed access route.

The Highways Agency has raised no objections to the proposed development it is therefore considered that the main access route along the trunk roads is considered to be acceptable.

The Local Highway Authority has however raised some concerns in relation to the use of Neslam Road. The applicants have been in direct contact with the local highway authority in relation to these issues and any additional comments will be reported in the late background papers document.

With regard to the impact on adjacent listed buildings along the proposed access route, it is considered that the increased vehicle movements will only be for a limited period during the construction and decommissioning phases of the development. It is therefore considered that this would not be so detrimental to warrant refusal of the application on these grounds.

Interference with Electromagnetic Transmissions

Concerns have been raised that the proposed development will have a detrimental impact on TV. and radio reception in the surrounding area. The submitted ES has indicated that the analogue television transmitters of Waltham and Belmont could potentially be affected by the development. The ES indicates that the television reception at up to 100 homes may be affected by the development.

The applicants have indicated that should the development have an adverse impact on television and radio reception in the area this can be resolved through technical solutions. It is considered that this issue could be controlled by way of a planning condition requiring mitigation measures to be undertaken if the development does impact on local TV. and radio signals.

Capacity and Need for the Development

Concerns have been received in relation to the inefficiency of wind turbines in general and the unsuitability of this particular site in terms of its estimated wind resource. PPS-Planning and Climate Change advises that applicants should not be required to demonstrate either the overall need for renewable energy and its distribution, nor should they have to justify why a proposal should be located in a particular location.

PPS22 advises that targets for renewable energy capacity in the region should be expressed as a minimum. It then goes on to state that the fact that a target has been reached should not be used in itself as a reason for refusing planning applications for further renewable energy projects. It is therefore considered that it would be inappropriate to refuse this application on the grounds that the regional targets could be met by other developments.

Matters relating to the inefficiency of a particular technology are clearly matters for central government to address as part of any future policy reviews in the event that current generation targets are not met.

Air Traffic Safety and Radar

Concerns have been raised in relation to the proposed developments impacts on air safety. The Civil Aviation Authority has not objected to the proposed development but has advised that the MoD and local aerodrome operators should be consulted.

NATS have raised no objections to the proposed development.

Two local aerodrome operators based at Decoy Farm and Pointon aerodromes have raised concerns about the proposed development and the potential for it to increase risks of midair collisions and to adversely impact on local radar readings.

The Defence Estates has been consulted and has undertaken a detailed assessment of the proposed development. They have advised that the proposed development will cause unacceptable interference to the Air Traffic Control (ATC) radar at RAF Cottesmore, and at RAF Cranwell.

The Defence Estates has also advised that the turbines will have an adverse impact on the Precision Approach Radar (PAR) at RAF Cottesmore. The RAF have confirmed that this would result in them been unable to provide a full air traffic service in the area of the proposed wind farm.

In view of the objections from the Defence Estates and the additional risk caused due to the location of two privately operated aerodromes in the area it is considered that the proposed development would be detrimental to air safety.

Precedent

Concern has been raised that if this application is approved it will result in further developments for wind farms been approved in the area. All applications for planning

permission are assessed on their own individual merits. In addition any application for wind farm development would also have to take into account the cumulative impact of the development taking into consideration any existing or approved wind farms in the area. Acceptance of this proposal would not therefore set a precedent for the approval of similar applications.

Property Prices

Concerns have been raised that acceptance of the proposal would have a detrimental impact on the prices of properties in the surrounding area. This matter is not a material planning consideration and cannot therefore be considered in the determination of this application.

Other Issues

Concern has been raised that the applicants would be trying to 'buy planning permission' by offering a community fund. A community fund is not considered to be necessary to make this application acceptable. Furthermore the applicants have not proposed to provide a community fund.

Conclusion

In considering any application for renewable energy developments it is necessary to balance the need to provide energy from renewable sources against the potential environmental impacts of the development. Wind farms by their very nature are likely to cause some harm wherever they are sited and it is therefore the function of the planning system to balance any significant harm to the countryside and ecology etc against the wider environmental benefits that renewable sources of energy provide.

It is considered that, on balance, the proposed benefits of this development would fail to outweigh the potential adverse impacts the development would have on the significant heritage assets in this particular area, the potential noise and disturbance that would be cause to the occupants of Dove Cottage, the detrimental and over bearing impact that the development would have on the residential amenities of the nearest occupied properties, and the potential adverse impact the development would have on air traffic safety in the area.

The proposed development therefore fails to comply with the relevant Development Plan Policies and is accordingly recommended for refusal.

Crime and Disorder Implications

This application raises no significant crime and disorder implications.

Human Rights Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

CASE OFFICER RECOMMENDATION: That the development be Refused for the following reason(s):

1. The Defence Estates have advised that the proposed development would have a detrimental impact on the Air Traffic Control radar at RAF Cottesmore, and RAF Cranwell. The proposed development would also adversely affect the Precision Approach Radar at RAF Cottesmore, to such an extent that the RAF would be unable to provide a full air traffic service in the area of the proposed wind farm. There are also two locally operated aerodromes in the area and it is considered that any degradation of the radar systems in this area would be detrimental to air traffic safety. Acceptance of the proposed development would therefore be contrary to the advice contained within Planning Policy Statement 22 (PPS22).
2. It is considered that the erection of six 125m high wind turbines at Neslam Farm, would have significant and detrimental impact on the setting and visual amenity of a number of heritage assets in the area including St Andrews Church Sempringham, St Andrews Church Billingborough, and Sempringham Priory. The proposed development is therefore considered to be contrary to the guidance contained within PPG15, PPG16 and PPS22, and policies 26, 27 and 40 of the East Midlands Regional Plan 2009, and policies EN1, C1 and C2 of the saved policies of the South Kesteven Local Plan. Consideration has been given to the wider environmental and economic benefits of the proposal but it is considered that they do not outweigh the harm which would be caused to the setting of the heritage assets in this area.
3. The proposed development would be located within 580m of Dove Cottage a residential property on Neslam Road. The noise assessment contained within the submitted Environmental Statement (ES) is based on a candidate turbine (Vestas V90 2MW turbine operating in mode 2). Based on the guidance contained within ETSU-R-97 it is considered that an appropriate upper daytime limit would be 38dB(A) given that the site is located within a tranquil rural location. The noise assessment contained in the ES indicates that the candidate turbine could only just achieve this level operating in a quiet running mode. Given that the assessment is based on a candidate turbine and this may not be the final turbine used the Council is concerned that the proposed development would be unable to comply with any conditions restricting the noise output to 38dB(A). Given the lack of certainty in the ability of the development to comply with the necessary noise conditions it is considered that the proposed development would result in an adverse impact on the residential amenity of the occupiers of Dove Cottage due to increase noise disturbance. It is therefore considered that the proposed development would be contrary to the guidance contained within PPS22, policy 40 of the East Midlands Regional Plan 2009, and policy EN1 of the saved policies of the South Kesteven Local Plan.

4. The proposed 125m high turbines would because of their height, and movement of the blades appear intrusive and oppressive in the outlook from Dove Cottage, Herron Lodge, Neslam Fen Farm, Gosdale Farm House, Gosdale Farm and Church Farm. It is considered that the proposed development would have a significantly detrimental impact on the residential amenities of the occupiers of these properties. The proposed development is therefore considered to be contrary to the Guidance contained within Planning Policy Statement 22 (PPS22)

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