GUIDANCE NOTE FOR WIND TURBINE APPLICATIONS

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
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1. PURPOSE OF THIS DOCUMENT

1.1 Wind turbines are an important renewable energy technology, making up over 18% of the total renewables used for fuel in the UK in 2012; with onshore wind representing 29% of the UK's capacity to produce electricity from all renewable sources in 2012[1]. The number of approved onshore wind turbines or wind farms across the UK has increased significantly in recent years - with installed onshore wind capacity having increased by 15% between 2010-2011, and an additional 17% between 2011-12. However proposals for this type of development are often highly controversial at the local level, owing to both impacts upon the landscape (including cumulative impacts where turbines exist already); and also public health concerns such as the impacts of noise, and vibration etc on adjacent residents or passers by. As renewable energy can largely only be generated where it occurs, the windiest locations in the landscape are often proposed for wind turbines, which are often the most valued for their beauty.

1.2 The District Council is responsible for assessing all applications for turbines (including smaller, micro-scale turbines; larger, commercial-scale ones; and multiple turbines, or wind 'farms') within the District except for:-

- Sites wholly within the Peak Park area (which is within the jurisdiction of the Peak Park National Park Planning Authority);
- Small-scale turbines (around dwellings) which are deemed to be permitted development by virtue of the General Permitted Development Order, which therefore do not need planning permission; and
- Turbine proposals which are 50MW installed capacity or over (which are instead determined by the Planning Inspectorate).

1.3 All planning applications have to be determined in accordance with policies in the Council's Development Plan (adopted or approved development plan documents). The NPPF and policies in any emerging development plan document are also material considerations in planning decisions. The Council must determine all applications for wind turbines or wind farms (under 50 Megawatts) on their own merits having regard to these policies and any evidence applicants may submit with their proposal.

This document is intended to explain how the Council will advise those considering submitting proposals for wind energy as to the Council's expectations, laid out in its Development Plan. The status of this document is to provide guidance to planning applicants; it is not a supplementary planning document and therefore is not a material consideration in the determination of planning applications. Note that this document accompanies a technical guidance document produced by the Council '*Wind Turbine Proposals Guidelines for Applicants*' covering both the

[1] Digest of United Kingdom Energy Statistics (DECC) 2012

information which is required to be submitted with turbine applications, and also signposting to best practice guidance with respect to design, layout, colour etc of turbine proposals. Both documents are available on the Council's website at www.staffsmoorlands.gov.uk/sm/council-services/climate-change-and-renewable-energy/councils-policy-on-climate-change-and .

Consultation Requirements

1.4 All planning applications require consultation measures be conducted by the Planning Authority, the minimum requirements are laid out in the 2010 Development Management Procedure Order. Over and above this, applicants are free to conduct their own consultations with affected communities. However in December 2013 the Government introduced new regulations which amended the existing DMPO – the new **Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2013** requires applicants to have conducted pre-application consultation with affected communities in the case of any 2+ turbine proposal, or any single turbine of 15m+ hub height: the application must include particulars explaining how the applicant has addressed this requirement; listing any responses received, and what account was taken of them.

Environmental Impact Assessments

1.5 EU Law requires that Planning Authorities are provided with enough information submitted by applicants to ascertain the predicted environmental effects of certain classes of significant development – this is called EIA. Turbines in excess of 15m high, and any multiple turbine scheme, have the potential to require EIA. Sometimes it is not clear cut whether EIA should be required: the Council undertakes "screening opinions" to determine this, although it is always the opinion of the Council which is final (unless the applicant/other persons makes a request to the Secretary of State to conduct a Screening Opinion instead; or the Secretary of State 'calls in' the Screening Opinion for his own determination, under Regulations (4-6) EIA Regulations 2011). If EIA is required, this means that an applicant must submit detailed information setting out how the proposal would impact the environment in different respects (eg impacts on biodiversity; impacts upon public health; visual impacts etc). The NPPF, and other Government regulations do not allow authorities to be over-onerous in their informational expectations from applicants – for this reason the Council cannot require an applicant who is not required under the EIA Regulations to submit an EIA, to do so (or require further information over and above that reasonably expected to constitute an EIA).

2 POLICIES ON CLIMATE CHANGE AND RENEWABLE ENERGY

National Policy Guidance

2.1 Planning authorities have a *legal duty* under the 2008 Planning Act to mitigate and adapt to climate change. The **National Planning Policy Framework (NPPF)** (March 2012) maintains the stance of earlier guidance about renewable energy and climate change in that it aims to achieve radical reductions in greenhouse gas emissions, and achieve greater uptake of renewable and low carbon energy generally. It directs Planning Authorities to "..*maximise renewables..while ensuring that..adverse* [cumulative] *impacts are addressed satisfactorily*.." and "*approve application[s]* [for renewables] *if impacts..can be made..acceptable*". However all other aspects of the NPPF must also be considered equally, such as guidance regarding landscape and amenity impacts.

Planning Practice Guidance for Renewable and Low Carbon Energy (DCLG July 2013)[2]

2.2 This provides general guidance in relation to renewable and wind turbine policy. It should be read alongside the NPPF, and can be a material consideration in planning decisions. The guidance:-

- re-iterates Government support for renewables; but that that the need for renewable energy *does not automatically override* environmental protections and other planning concerns of local communities. Also there is no renewable energy or carbon-saving "quota" a Local Plan has to deliver;

- clarifies that 'buffer zones' should not in themselves, be used to refuse otherwise acceptable schemes (although applying set back distances on safety grounds, when assessing applications, are legitimate);

- elaborates on how "**suitable areas**" can be identified by local authorities for renewable/low carbon energy. As a minimum, identification methods should take into account the requirements of the technology, and the (cumulative) potential impacts of it on the environment. The use of [District-level] **landscape character assessment** is suggested as the basis for assessing which technologies at which scale are appropriate in which locations, which should cover the 'sensitivity' to change of different landscapes. Outside "suitable areas" "***the expectation should always be that an application should only be approved if the impact is (or can be made) acceptable***". However note the guidance does not say that applications outside them should automatically be refused.

[2] Note this was amalgamated into the Government's overarching Planning Practice Guidance website on 6th March 2014.

- re-iterates that proposals close to National Parks having potential adverse effects, will need careful consideration;

- confirms that the 'ETSU-R-97' noise assessment methodology for wind turbines should still be used by planning authorities when assessing the acceptability of noise immissions on surroundings

- further clarifies how potential impacts of turbines upon air traffic/naval operations; and potential for electromagnetic interference must be considered, including the circumstances in which relevant organisations must be consulted.

Council Policies

2.3 The Council's 1998 Local Plan, which was superseded by the adopted March 2014 Core Strategy, contained no 'saved' Policy relating to renewable energy or climate change but did have a number of relevant 'saved' policies on landscape impact and the green belt. The most relevant policies on climate change and renewable energy are those contained in the adopted Core Strategy.

2.4 The Council's adopted Staffordshire Moorlands **Core Strategy** (dated March 2014 but including a number of post-December 2011 modifications) contains four Policies about renewable energy or climate change – Pol SD1, Pol SD2, SD3 and SD4 - the most relevant being **Policy SD2**. With regard to stand-alone renewables such as wind turbines/farms, the Policy states:-

The District will strive to meet part of its future energy demand through renewable or low-carbon energy sources (which could be through a variety of technologies, for example wind power, solar energy, biomass etc), in line with current evidence which identifies the feasibility of these forms of energy across the District. This will be achieved by supporting small- and large- scale stand alone renewable or low-carbon energy schemes, subject to the following considerations:

- **the degree to which the scale and nature of a proposal impacts on the landscape, particularly having regard to the Landscape Character Assessment and impact on the Peak District National Park (taking into account both individual and cumulative effects of similar proposals);**
- **the degree to which the developer has demonstrated any environmental/economic/social benefits of a scheme as well as how any environmental or social impacts have been minimised (e.g. visual, noise or smell);**
- **the impact on designated sites of European, national and local biodiversity and geological importance in accordance with policy NE1;**

- **the impact on the amenity of residents and other interests of acknowledged importance, including the historic environment;**
- **the degree to which individual proposals reflect current local evidence regarding the feasibility of different types of renewable or low-carbon energy at different locations across the District.**

2.5 This Policy provides for the assessment of wind turbine proposals, on a case by case basis, including consideration of cumulative impacts of turbines. **It does not set out minimum amenity or 'buffer distances' between turbines and sensitive land uses such as dwellings** (nor distances *between turbines*/*windfarms*). Applications will however be assessed according to amenity considerations (noise, topple distance, blade glint, shadow flicker etc) in the normal way as explained under *Environmental, Economic and Social Benefits and Impacts* (para 3.2) below. This is because the topographical and other aspects of every application site will be different; because the amenity impacts of turbines produced by different manufacturers may differ; and also because amenity impacts associated with turbines may change over time – this approach is considered to conform to the above DCLG July 2013 guidance.

2.6 Neither does the Policy set a *maximum number of turbines* - either throughout the District as a whole or within individual schemes. These are matters which applicants should address through their own detailed evidence, including landscape impact analysis, noise assessments etc as considered appropriate or as requested by the Council (and as explained above schemes may additionally require Environmental Impact Assessment be conducted by the applicant). In addition to addressing visual and other amenity impacts, developers may need to demonstrate that sufficient separation distance exists between existing (or approved) turbines, and additional turbines, where co-location may have implications on operational efficiency of the turbines (similarly, developers should consider spacings between proposed turbines upon multiple turbine-site proposals, as explained under *Other Considerations* para below). However the Council has commissioned renewable energy studies (see below) which also inform this process.

2.7 Both the NPPF and subsequent July 2013 Planning Practice Guidance promote the identification of "suitable areas" within Districts, where, broadly, turbines may be considered acceptable in principle (but subject to full assessment of amenity impacts on a case by case basis, as before); where this approach can be justified by evidence. The Council does not currently employ this approach; it will continue to assess applications against the NPPF, Core Strategy/Development Plan, and with recourse to other local evidence (see *Current Local Evidence* explained in para 3.10).

2.8 The adopted Core Strategy can be viewed on the Council's website at http://www.staffsmoorlands.gov.uk/sm/council-services/local-development/local-planlocal-development-framework .

Greenbelt Policy

2.9 The North Staffordshire greenbelt covers approximately 30% of the District (including the Peak Park area). The NPPF maintains the position of previous national planning policy in that it says that new-build renewable energy structures (including turbines) within the greenbelt are in most cases "inappropriate development" which therefore require demonstration of "very special circumstances" by the applicant to the Council. However paragraph 91 of the NPPF states that "..*such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources*". The Council therefore has to decide on a case by case basis whether 'very special circumstances' have been demonstrated or not. Even if very special circumstances are demonstrated additional planning matters must still be considered (eg landscape impacts, neighbouring amenity, sustainability considerations).

3. DEVELOPMENT CONSIDERATIONS FOR WIND TURBINES

Impact on Landscape Character

3.1 An important element of consideration of turbine proposals is their impact upon landscape character – an important part of the District's heritage. Staffordshire Moorlands is an attractive District with extensive rural areas (much of which was previously designated as 'special landscape area' in the superseded Local Plan). Also, as the windiest areas of the Moorlands include the eastern fringe alongside the **Peak District National Park**, the Council must also consider the visual impacts upon the National Park of any turbine proposals within the Staffordshire Moorlands which are visible from the National Park - Core Strategy Policy SD2 (see above) and others (SS6c, DC3) set out the Council's position. Also, as the Council responds to more and more applications within the windiest parts of the District, the assessment of cumulative visual impacts and "intervisibility" of turbines becomes more and more important.

Landscape Character Studies

Since the adoption of the Local Plan, Staffordshire County Council published its Supplementary Planning Guidance "*Planning for Landscape Change*" covering the whole of Staffordshire in May 2001; and more recently SMDC commissioned its "Landscape and Settlement Character Assessment" in 2008 – both studies divide the District into different 'landscape character type' areas, with differing landscape protection objectives/imperatives. The Council utilises both of these

studies when assessing schemes with potential landscape impact, and it is expected that applicants follow suit in addressing the imperatives etc. Both studies can be found on the Council's website at http://www.staffsmoorlands.gov.uk/sm/council-services/evidence-base/mf-landscape-and-settlement-character-assessments . In 2013, Staffordshire County Council appointed consultants to update the 2001 study; the update, which is predicted to be completed by early 2014, will also integrate historic landscape characterisations. The work will be published alongside the other landscape studies on the SMDC website when completed. In February 2014, SMDC decided to commission a new landscape sensitivity study specific to the impacts of wind turbines, to aid assessment against the Development Plan. This is expected to be completed later in the year.

Environmental, Economic and Social Benefits and Impacts

3.2 In order to come to a balanced decision, the Council must weigh up these benefits and impacts when reaching decisions. There may be overlap between what is considered 'environmental', 'economic' and 'social' benefits/impacts. Note that Policy SD2 expects that impacts are first *minimised* when weighing up alongside benefits.

3.3 **Impacts** could include the visual impacts of the turbine as seen from private land or public highways; and any environmental health "amenity" consequences of its operation upon neighbouring residents, for example noise pollution, vibration, blade flicker, shadowing, blade 'glint', snow/ice throw etc. In the case of amenity issues, in all cases the Council will assess the evidence submitted by the applicant to address these issues – if the Council considers insubstantial evidence has been submitted additional information may be requested (irrespective of whether it is an EIA proposal or not). The Council must be minded that any amenity impacts arising (as minimised) must be within acceptable limits following consultation with the Environmental Health Officer. Such impacts may also differ between different manufacturer of turbine (eg noise emissions). Although as explained above the Council does not enforce 'buffer' distances as such, it will require that sufficient clearance between a turbine and residential properties exists to allow for sufficient amenity, on a case by case basis (in certain circumstances this may mean re-siting of proposals may be required). In addition detailed planning conditions based on Government guidance pertaining to noise immissions (such as ETSU) may be attached to approved turbines, to prevent noise immisions from the turbine exceeding certain noise tolerances when measured against existing background noise levels at sensitive receptors (eg dwellings).

3.4 **Benefits** may be taken to include any incidental improvements to a development site associated with turbine proposal (eg clearance of buildings); and there may also be opportunities to recreate landscape features under Policy DC3 of the

Core Strategy, in accordance with the Council's landscape character studies. But in a wider sense, there is the benefit of the carbon "saved" generating electricity from this source from the operation of the turbine[3] as opposed to traditional sources which are more carbon intensive in operation[4] and therefore more impacting on climate change.

3.5 Turbines in the countryside are often linked to existing farms which are seeking to secure an alternative energy source – for example because self-generation is cheaper than traditional sources (and also because of associated Government funding regardless of whom the energy is for), meaning running costs are reduced. In some cases this raised profitability helps to enable wider 'diversification' on farms. However not all turbine schemes are linked to farming operations, and applicants may include others such as power companies etc (especially for wind 'farm' proposals).

3.6 Other **economic and social benefits** include any (shorter term) job creation associated with turbine installation; as well as longer term benefits to the turbine manufacturing industry. Arguably the carbon "saved" from wind turbine proposals in operation[5] has a longer-term economic benefit to the UK in that the likelihood of incurring financial penalties of not honouring EU obligations at carbon reduction is reduced.

Impact on Designated Sites

3.7 The District contains a range of designated sites protected for their biodiversity or geological attributes, including SSSIs, Special Areas of Conservation, Special Protection Areas, Regionally Important Geological Sites, tree preservation orders covering individual trees, groups of trees, and wider woodland areas; and areas of 'ancient woodland'. The higher-order designations are also protected by national legislation. Policy particularly within the NPPF and Core Strategy (Policy NE1) seeks to conserve and enhance biodiversity in a manner commensurate to the level of the designation, and achieve net gains in biodiversity. It directs that firstly, for European-level designations and SSSIs, any development having adverse effects upon the designation should normally be refused (including *cumulative* adverse effects; and irrespective of whether the site falls within/outside the designation). For other types of designation again there is the presumption that proposals having adverse effects will not be approved unless:- it has been demonstrated necessary to occur at that location; that adequate mitigatory/compensatory measures have been agreed; and more broadly that the benefits of the proposal clearly outweigh the intrinsic value of the designation.

[3] Whilst the operation of wind turbines is generally considered to be a carbon-free renewable resource, the manufacture, installation (and later decommissioning) of wind turbines will necessarily have carbon impacts, as do other forms of renewable and non-renewable energy. However, the Government continues to define wind energy as a renewable source of energy.
[4] See 2) above
[5] See 2) above

Many adverse impacts of wind turbines will need to be considered against this Policy, even where the turbine would not be located *within* a designation.

Impact on Interests of Acknowledged Importance

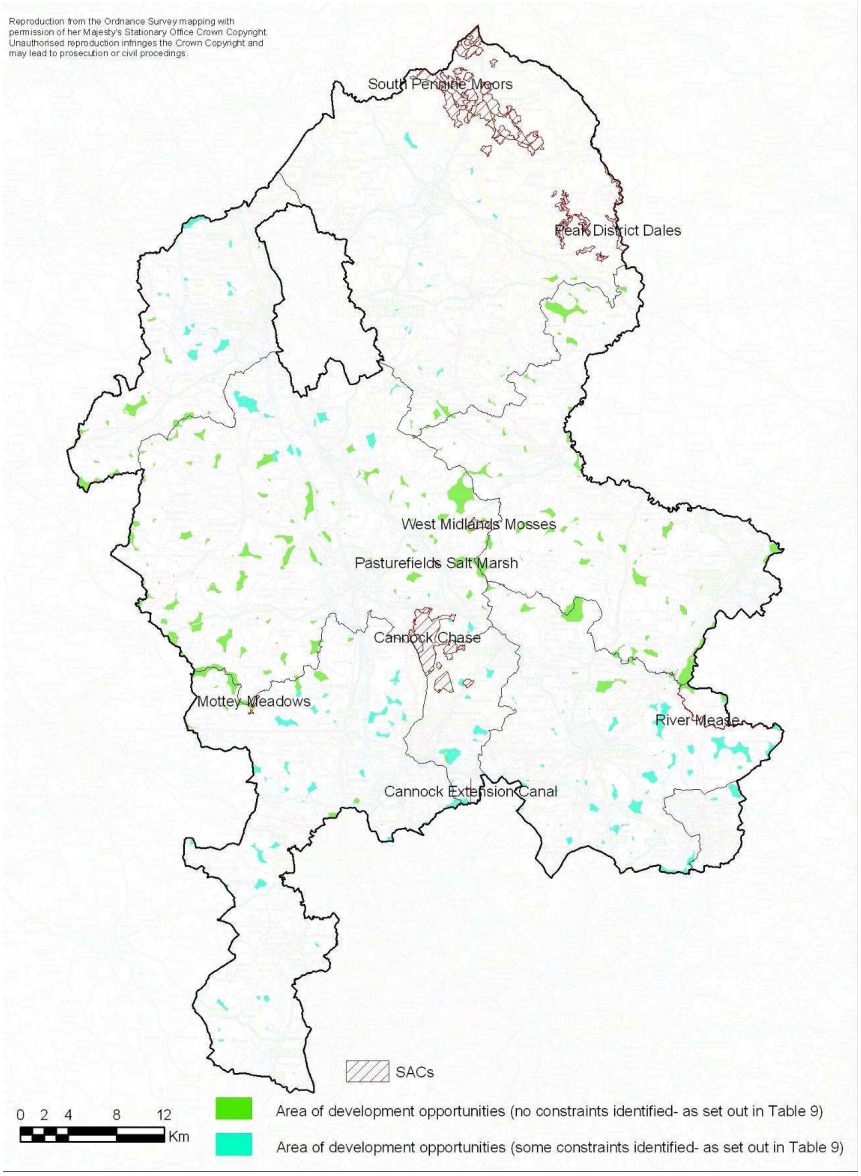
3.8 Other interests of acknowledged importance not highlighted above include heritage assets such as listed buildings, conservation areas, Registered Parks and Gardens, and scheduled ancient monuments etc a number of which occur across the Staffordshire Moorlands. In accord with Policy and the legislative duty to 'conserve and enhance' heritage assets in a manner appropriate to their significance, the Council will have to consider any effects of turbine proposals *within*, or affecting the *settings* of these designations. Paragraph 134 NPPF states that "*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation*". Where in the opinion of the Council 'harm' would result to the heritage asset (including its setting, where this contributes to its significance), 'clear and convincing justification' will be required for the proposal, and this harm must be weighed against demonstrated public benefits. Proposals resulting in 'substantial harm' to the heritage asset will normally be refused unless this 'harm' is necessary to achieve substantial public benefits. In the case of turbines this is likely to mean consideration of the visual or other impacts of turbines when in the vicinity of heritage assets. Further advice is available in two English Heritage Documents '*Wind Energy and the Historic Environment*' (2005) and '*The Setting of Heritage Assets*' (2011) – which although both pre-date the NPPF and are consequently in need of review, both are relevant when considering planning proposals which may impact on heritage assets.

3.9 Further interests include the preference in Policy generally for recycling brownfield land ahead of greenfield land; the use of lower grades of agricultural land before higher grades; and remediation of contaminated land. However in the case of stand-alone renewables, there is no policy requirement for brownfield prioritisation – this is because renewable energy can largely only be generated where the natural resource exists. In the case of wind a primary consideration is *average wind speeds and certainty of wind* at that location – for this reason the majority of applications arise in rural, greenfield (and uncontaminated) locations. Where for example adjacent fields have differing agricultural grades at an application site, the Council will have a preference for development upon the lowest agricultural grade, all else being equal, where the principle is acceptable.

Current Local Evidence

3.10 Both the NPPF and its predecessors (PPS1, PPS22) state that Councils can prepare evidence regarding the applicability of different forms of renewables in an authority (and across different locations of it) - to augment/guide planning policy about renewables. The Council has been involved with consultants in the preparation and publication of two such studies: the **CAMCO [2010] and SQW**

[2011] Studies, both of which examine the applicability and viability of various forms of renewable and low-carbon energy across Staffordshire/the West Midlands. Whilst the two are prepared to differing methodologies, both apply the 'DECC Methodology' approach in that they start off assessing the "naturally available" renewable resource in the County (District), then narrow this down according to spacing/buffer distance issues, and legal and planning constraints of land – with the CAMCO study then making assumptions about economic viabilities of renewables deployment at District-level. Both studies supplement the District's renewables policies/Development Plan, and it is recommended applicants for turbines (etc) review the findings. Both studies are available on the Council's website: http://www.staffsmoorlands.gov.uk/sm/council-services/evidence-base/mi-renewable-energy-and-climate-change .



3.11 Excerpt above from CAMCO Study "Zones of varying constraint within the study area" in relation to wind turbines, http://www.staffsmoorlands.gov.uk/sites/default/files/documents/pages/Staffordshire_LDF%20Evidence%20Base%20Report_V6_ISSUED%20FINAL.pdf page 76. It is important to understand that the above image is only overlaying theoretical planning constraints (including an arbitrary buffer from all dwellings), alongside areas of (theoretically) insufficient wind speed - it is for information purposes only. This map forms part of the evidence base to the Council's Core Strategy Policies, but it is not Policy as such. Further it is not defining "suitable areas" [see para 2.7 above] either.

Other Considerations

3.12 Whilst each case must be assessed on its own merits, the Council will also have particular regard to the following considerations when assessing turbine/windfarm proposals:-

- whether sufficient "buffer" distances between proposed turbines and dwellings/sensitive uses have been factored in during siting - to allow for the maintaining of reasonable levels of amenity. This applies to noise emissions and disturbance; shadow flicker; blade glint; and potentially snow/ice 'throw' from turbines – the distance will vary according to scale of turbine. In particular demonstration that the noise tolerances set out in ETSU-R-97 guidance (or any more recent guidance endorsed by central Government) have been satisfied. Note that this guidance applies different (higher) noise-level limits in the case of properties where residents have a financial involvement (eg the applicant's property).
- Whether sufficient "buffer" distances between proposed turbines and trees, hedgerows, ponds and walls (which may contain bird/bat habitat) have been factored in on ecological protection grounds; and also whether siting is appropriate with regard to any bat/bird migratory patterns.
- Whether sufficient "topple distance" has been factored in between a turbine and other turbines; or nearby roads/rights of way/bridleways on public safety grounds. Potential snow/ice throw from the turbine may also be a consideration.
- Where an additional turbine is proposed within the vicinity of an existing one (especially where the two are under separate ownership/control) the Council will need to be satisfied that sufficient distance exists between the two to avoid any loss of power generation to either turbine associated with wind turbulence/interference. Where multiple turbines are proposed by the same applicant (eg windfarms) 'spacing' would normally be the applicant's consideration – there are 'rule of thumb' industry standards regarding spacing; however optimum spacing may vary depending on the manufacturer of turbine. The Council will also consider the proximity to

pylons, telecommunications masts etc and whether there is scope for interference (or topple damage).

- Because of the predicted operational "lifetime" of turbines, the Council may limit a turbine approval to a set number of years (eg 20 or 25 years), via planning conditions. At the end of this period, an applicant will therefore have to decommission the turbine according to the conditions; or either apply to vary decommissioning conditions, or apply for a new turbine in the normal way. The Council will also normally attach conditions expecting that any turbine which ceases operation at any point in time, be removed. These decommissioning conditions also require that land on-site is restored to pre-application appearance.
- As a requirement of validation for any wind turbine application, the applicant must submit sufficient visual impact analysis. This typically includes Zones of Theoretical Visual Impact, and fully verifiable computer generated photomontages in accordance with National Landscape Institute photomontages.
- The applicant should demonstrate how the proposed turbine colour scheme is appropriate on landscape character grounds, eg by submitting visual aids etc. Colour schemes should be considered given close consideration to the aim of minimising prominence and achieving the best assimilation possible in its particular setting.
- Where nearby roads are narrow or busy the Council may require (via the implementation of conditions) that construction (and/or decommissioning) traffic be limited to certain hours of operation etc.
- The Council's accompanying guidance document *Wind Turbine Proposals Guidelines for Applicants* includes a detailed list of guidance documents relating to the siting, spacing, colour etc of proposed individual turbines or windfarms – this document can be found on the Council's website at www.staffsmoorlands.gov.uk/sm/council-services/climate-change-and-renewable-energy/councils-policy-on-climate-change-and

4. MATTERS WHICH CANNOT BE TAKEN INTO ACCOUNT WHEN ASSESSING TURBINE APPLICATIONS

MATTER	REASON
The need for renewable energy (or the justification for energy generation arising from a turbine over and above the needs of the applicant)	The NPPF, the 'National Planning Statements' (covering the assessment of major energy schemes by the Planning Inspectorate), and other recent Government publications all acknowledge the *urgent need for renewable energy* across the UK generally, and that applicants must not be required to demonstrate need for (even smaller scale) renewables. Also it should be borne in mind that not every turbine application will be linked to a property or farm as such, therefore there will be no issue of quantifying the *applicant's need* for energy.

The choice of wind energy over other forms	Whilst evidentiary studies (such as the CAMCO and SQW studies referred to above) can be used to highlight where the best resources for different renewable forms exist (and conversely where planning constraints occur), the Council's interpretation of the NPPF is that as the NPPF seeks to maximise renewables generally, the Council has no basis for showing prejudice towards/against wind energy schemes with respect to other renewable forms. However, obviously it must fully assess all impacts (such as visual impacts) for each proposal - which may of course differ between different forms of renewable.
Reduction in neighbouring property values	This is not a matter covered by the Planning Acts.
Loss of views from neighbouring properties	Whilst visual and landscape impacts of turbines are of course part of assessment in the public interest (which may include impacts as viewed from individual properties), there is no automatic 'right to a view' under the Planning Acts.
Commercial competition between wind energy companies	This is not relevant to the assessment of wind (renewables) proposals.
Motives/morals of applicant	Each application is assessed on its own merits based on the information put to the Council, irrespective of identity of applicant. This principle applies equally whether or not an applicant has history of for example, unauthorised behaviour, under the Planning Acts.

BEST PRACTICE

4.1 Since 2002 at least 20 separate wind turbine schemes across the District have been approved [this figure includes schemes subsequently allowed by appeal inspector]. These have varied in scale from micro-scale roof mounted turbines under 2m high, to larger stand-alone structures anywhere between 18m to 36m high. Whilst the Council has never considered an application for a "windfarm", it has considered applications for additional turbines on sites already containing one (although in some cases approving only with a condition that the first turbine be first removed for reasons of landscape impact).

4.2 The following case studies are intended to illustrate recent schemes approved by the Council, considered to show good practice with respect to design, amenity, visual amenity issues etc and how the considerations in policy SD2 have been addressed.

Wind turbine at Forest Farm, Swinscoe, Ashbourne

Type of Turbine – Single turbine, hub height 24.6m (34.2m to blade tip), 50kw installed capacity

4.3 Approval was sought for the above turbine in April 2012 on land at a farm in the SLA, also very close (410m) from the Peak Park National Park boundary to the north. The output of the turbine was stated to be equivalent of the electricity needs of at least 57 households (saving 12.5 tonnes carbon annually). According to SCC County landscape character work the site lies within an area of "moderate to high quality landscape" behoving "*landscape maintenance*" where there should not be a loss of characteristic features. Also there are extensive areas of woodland and fields designated as County "*Sites of Biological Importance*" protected for their biodiversity, within 400m to the east and south of the site. However Council Officers concluded the scheme raised no biodiversity conservation concerns. Also, as the siting was over 50m from the nearest hedge, wall, or tree; and given that an isolated single turbine was proposed – the (low) risk from direct collision of bats/birds was considered acceptable according to Natural England advice.

4.4 The farm itself sits at the top of a small concealed valley – the site for the turbine was chosen 100m further south within a more contained landscape in the valley ie 15-20m lower altitude than the nearest public road, helping (along with some intervening foliage screening) disguise most of the elevation. Any remaining public views were therefore deemed to be limited to the upper sections of the turbine, against a sky backdrop. The colour scheme (white) was considered acceptable in landscape terms. Also public views of it were deemed mostly fleeting, given the fast movement of traffic upon nearby highways. As the nearest dwelling (aside from applicant's house) was over 400m away, Council Officers concluded that the location was acceptable on environmental health (noise) grounds (subject to standard conditions on approval limiting operational noise to that specified by ETSU-R-97 maxima). There was no public safety concern arising from proximity to nearby highways/rights of way – because in this case the nearest highway far exceeded 'topple distance'.

Wind turbine at Old Engine Farm, Birchenfields Lane, Dilhorne

Type of Turbine – Single turbine, hub height 18.3m (24.8m to blade tip), 11kw installed capacity.

4.5 Approval was sought in July 2012 for this turbine located at a farm in the greenbelt and SLA midway between Cheadle and Dilhorne. This followed an approval by appeal inspector against the Council's refusal in 2010 of a slightly smaller structure at the farm, 140m away – the Inspector disagreed that very special circumstances had not been demonstrated. This was firstly because of the contribution the original turbine would have made to renewable energy production and greenhouse gas mitigation; and secondly as the slender design was deemed to have only a "slight" impact on greenbelt openness.

4.6 The applicant resubmitted the proposal for the second turbine – but with an undertaking to *not construct the first* were approval granted for the second. This was because both together were unnecessary for the applicant's needs, however new accommodation on the farm meant the second turbine having greater output was preferred. The stated output was equivalent to electricity needs of 5-6 households (saving approx 11 tonnes carbon annually). The scheme was accepted as a legitimate form of "farm diversification", given concerns of

continued farm viability without the financial savings/income of the turbine – it was estimated approximately half the energy generated would be sold back to the grid.

4.7 A lattice tower structure (as opposed to traditional 'tower') was proposed in a field in this slightly undulating landscape about 400m from the nearest highway but only 50m from a public right of way. The nearest (non-applicant) properties are 400+m away. The SCC landscape policy for the location focuses on retrieving lost qualities rather than safeguarding existing landscape features. The Council concluded that – as per the original inspector's approval – although the structure was considered 'alien' to the landscape, its slimness and open-sided nature, its remote position from other structures, and the fact that there is intervening foliage screening, minimised its impact. Also public views from moving vehicles 400+m away were judged be fleeting (although the structure had more visual impact upon pedestrians on the nearby right of way). Further, given the second turbine (albeit larger) made a greater contribution to mitigating climate change this was considered to represent the justification needed in the greenbelt. This was supported by the fact that in accordance with SCC landscape character objectives, additional foliage planting was required by condition. Noise/public health impact on neighbouring dwellings; 'topple distance' issues; and effects upon nearby ecology were deemed acceptable given the distance from these elements. A standard 'ETSU' condition was attached to control future noise emissions.

5. WHO TO CONTACT FOR FURTHER INFORMATION

5.1 If you are thinking of submitting a planning application involving wind turbines and need any advice regarding Council Policy or design guidance, or what content an application should include, contact the Planning Department at the address below. Detailed questions about specific proposals may have to be dealt with as formal 'pre-application' enquiries, to which charges apply, see - http://www.staffsmoorlands.gov.uk/sm/council-services/planning-permission/pre-application-advice .

5.2 If you are unsure if development involving turbines requires planning permission please contact the Council at the address below, or see - http://www.staffsmoorlands.gov.uk/sm/council-services/planning-permission/do-i-need-planning-permission .

Planning Department,
Staffordshire Moorlands District Council,
Moorlands House,
Stockwell Street,
Leek,
ST13 6HQ.

Tel:- 0345 605 3013
Electronic planning enquiry form:- http://www.staffsmoorlands.gov.uk/sm/council-services/planning/planning-contact-form

LINKS

1. For Permitted Development Rights for Microrenewables etc see http://www.staffsmoorlands.gov.uk/sm/council-services/do-you-need-planning-permission/interactive-guidance
2. The Council's Landscape Character studies can be viewed here http://www.staffsmoorlands.gov.uk/sm/council-services/evidence-base/mf-landscape-and-settlement-character-assessments
3. The Renewable Energy Studies published by the Council can be viewed here http://www.staffsmoorlands.gov.uk/sm/council-services/evidence-base/mi-renewable-energy-and-climate-change