



Campaign to Protect
Rural England
NORFOLK

WIND FARM APPLICATIONS - The Planning Process

As a first step developers usually submit an application for a temporary (usually 3 years) request to install an anemometer mast somewhere on the proposed site in order for them to test wind speeds and the viability of the site for a wind farm. CPRE Norfolk has tended not to respond to such an application, though we have asked that bird deflectors be placed on guy wires; this now a Condition in planning permissions.

If a company decides to go ahead, then they have to submit a full planning application accompanied by an **Environmental Impact Assessment (EIA)**, referred to as the Environmental Statement (ES), which should contain a Non-Technical Summary to enable lay persons to understand what is being proposed and its likely effects.

The applications in the past have been determined by District Councils, but we are now seeing applications come in for wind farms of more than 50MW installed capacity (that is the maximum rated output; the average in practice is a third or less). These applications are determined by the Department of Energy & Climate Change (DECC), taking as guidance the same planning policies as a District Council would; but maybe reaching a different conclusion in weighing the evidence.

There is a history of applications for wind farms refused by Councils to go to Public Inquiry; and if upheld by the Planning Inspectorate, the applicant finding a means to go through the cycle again. The longest running saga in Norfolk is at Shipham; since starting in 2003, there have been three public inquiries, and the developer will try again. So CPRE, local campaign groups and individuals should be prepared for a long haul in contesting an application for a wind farm.

The ES is a key document to be read alongside, and judged against, all the relevant planning policies. The ES is a lengthy and detailed assessment and is produced by going through a series of well defined formal steps. These are:

Screening Opinion – An applicant for planning permission for a wind farm may ask the planning authority for a screening opinion before submitting an application to determine whether a project requires an **Environmental Impact Assessment**.

Is the project going to give rise to significant environmental effects?

- Nature of the project
- Location of the project
- Size of the project

In effect, for the types of applications CPRE are interested in, this is a formality. Although wind energy is a Schedule 2 category and not automatic for an EIA, the threshold level for triggering an ES is for a project of more than two turbines, or the hub height of any turbine or other structure exceeds 15 metres. The hub heights of turbines are in the range 65-80 metres, with overall heights of 100-130 metres.

The next stage is a **Scoping Opinion**, which is submitted by the developer to the local authority and statutory consultees asking advice as to the likely significant effects on the environment that the authority wants to see addressed in the **Environmental Statement (ES)**. The ES has to address the **direct** and **indirect** effects of the development during construction, operation and decommissioning on a number of factors, including:

| | |
|-----------------------|---------------------------------|
| Human Beings | Traffic Impacts |
| Flora | Fauna |
| Soil | Water |
| Air | Climate |
| Energy & Resource use | Landscape / Cumulative Effect |
| Built Environment | Cultural Heritage & Archaeology |
| Noise | Lighting |

Local, Regional and National Planning Guidance

The response to an application requires consideration of all planning documents and policies, and evidence in the ES, which supports your arguments, can be brought into play. CPRE do this within a framework for landscape impact across a range from on or near the actual site to up to 30km away. In some cases, for example the site is a disused airfield harbouring some poultry sheds, it can be argued that the adverse impact on the immediate vicinity is not severe; but beyond this close range it is likely to be a very different situation.

The second point we take into consideration is not just the application in isolation, but the cumulative impact taken together with existing wind farms, and those entering the planning process. CPRE maintain a map of Norfolk which shows the over-lapping visual ranges of these. The cumulative impact assessment has been progressed through the activities of Scottish Natural Heritage, and taken further in studies commissioned by Fenland District Council.

We set out below a checklist of planning policy documents. Note that there is a top-down structure through the tiers national, regional and local. At national level we have a series of PPSs (Planning Policy Statements, formerly 'Guidance'), which have been regularly changed and modified by central Government. Since 2001, the planning process has seen much change in the framework and policies at all three levels, so keep up to date.

We conclude with some more detailed information on landscape and the visual assessment, and the cumulative effects. These are the foremost considerations within the CPRE remit, but a number of others may also be important, depending on the particular application.

Resident campaign groups are likely to have a differing emphasis within the range of issues. In particular the issue of noise which impacts on nearby properties and is part of their amenity loss, and can be severe. Highway and access development and usage by vehicles is another amenity issue, but may also have landscape implications which would engage both residents and CPRE.

(relevant planning policy documents overleaf)

Local

LDF Core Strategy Policies

Landscape Character Assessments

King's Lynn & West Norfolk Borough Council Landscape Character Assessment – (Chris Blandford Associates, 2007)

Land Use Consultant's Report on Wind Turbine Development (2003) produced jointly for Breckland District Council and King's Lynn & West Norfolk Borough Council.

Regional

East of England Plan (RSS)

Norfolk Structure Plan (1999) – **T.2** – traffic implications of new development

National

PPS1: Delivering Sustainable Development (2005) + Companion Guide – Climate Change

PPS5: Planning for the Historic Environment (2010)

PPS7: Sustainable Development in Rural Areas (2004)

PPS9: Biodiversity and Geological Conservation (2005) + Companion Guide

PPS22: Renewable Energy (2004) and PPS22: Companion Guide

PPS24: Planning and Noise (1994)

PPS25: Development and Flood Risk (2006)

Very useful references on cumulative effect:

Scottish Natural Heritage: Guidance on Cumulative Effect of Windfarms (2005)

Fenland District Council: Wind Turbine Development in Fenland (2009)

CPRE

Position Statement on Onshore Wind Farms (May 2009)

Tranquillity Map for Norfolk (2007)

Intrusion Maps for East of England (2007)

Dark Skies Map for Norfolk (2002)

Cumulative Impact – Norfolk map (2011)

Landscape and Visual Assessment

- **Landscape Character Assessments** are a material consideration when responding to planning applications.
- **PPS5 Planning for the Historic Environment** – includes landscape as a Heritage Asset.
- **PPS22 Renewable Energy** - notes that the 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; and notes that of all renewable technologies, wind turbines are likely to have the greatest visual and landscape effects.
- **PPS7: para 24** under the heading ‘Local landscape designations states “The Government recognises and accepts that there are areas of landscape outside nationally designated areas that are particularly highly valued locally ... and that tools such as landscape character assessments should provide sufficient protection for these areas”.
- **PPS7 para 8.10** emphasises the continuing need to protect the countryside for the sake of its intrinsic character and beauty.
- **PPS22 Companion Guide para 3.31** – Landscape character is defined as ‘a distinct and recognisable pattern of elements that occur consistently in a particular type of landscape”.
- **PPS1 Planning and Climate Change (The Companion Guide) para 4.16** - “Landscape character assessments should provide sufficient protection to highly valued landscapes outside of nationally designated areas”.
- **East of England Plan (RSS) Policy ENV2** – “Planning authorities and other agencies should recognise and aim to protect and enhance the diversity and local distinctiveness of the countryside character areas identified”.
- **PPS22 Companion Guide**
 - See Landscape Character (para 3.30)
 - See Landscape and Visual Effects (pages 59-63)
 - Analysing landscape/visual effect of individual applications (para 5.19)
 - Landscape Sensitivity (page 37 & para 3.35)

Para 3.35 makes the point that any landscape character area may be more sensitive to change resulting from one renewable technology than another, and adds that in assessing the potential for renewable energy generation, strategic planners should consider the widest possible range of alternative technologies. CPRE are supportive of this statement.

Cumulative Landscape and Visual Effects

PPS22 Companion Guide, see para 5.22 and para 5.23

Cumulative landscape effects are the effects of a proposed development on the landscape fabric, character and quality and so concerns the degree to which renewable energy development becomes a significant or defining characteristic of the landscape.

Cumulative visual effects concern the degree to which renewable energy development becomes a feature in particular views (or sequences of views), and the effect this has upon the people experiencing those views.

Cumulative effects of wind energy development can relate to a wider range of social and economic, as well as environmental effects.

Scottish Natural Heritage 'Guidance – cumulative effect of windfarms' (13.04.05)

- “Cumulative effects should consider proposed development within a wider context of existing, approved and proposed development”.
- Zones of Visual Influence (ZVI) analysis to be taken out to 30km from a wind farm.
- Advises that where a formal scoping opinion has been provided and thus the proposal is within the public domain, then it can become a material consideration and used in assessing cumulative landscape and visual effects.

To find this document: Go to Google’s Search box and type in **SNH Guidance – cumulative effect of windfarms**. Click **Renewable Energy – Wind Energy**

The **Fenland District Report** – though it deals with the fenland landscape, gives a great deal of information and references to other relevant documents that are very useful in considering an application for a wind farm. Just going to the titles of each section guides you to the main points that need to be considered.

To find this document: Go to Google’s Search box, type in **Fenland District Council** then in the Search box at the top right of the page, type in **Wind Turbine Development Policy Guidance (June 2009)**.

For further information:

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