

Wind Energy Applications

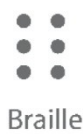
Supplementary Validation Policy

September 2012

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This document should be read in conjunction with the Council's most up to date Policy and Checklist for the Validation of Planning Applications.

For larger schemes or those which are likely to require an Environmental Statement / Environmental Impact Assessment, applicants are strongly advised to arrange a pre-application meeting with the Council's Development Control department at the earliest possible opportunity.

Introduction

Given the abundant wind resource in Rossendale and the resulting numbers of planning applications to construct wind turbines within the Borough, the Council has adopted the following policy framework and checklist for the validation of wind turbine applications. The document is supplementary to the Council's most up to date Policy and Checklist for the Validation of Planning Applications, and concerns only planning applications for wind turbines.

The checklist is intended to provide greater certainty to applicants concerning the requirements for planning applications for wind turbines, and will enable a consistent approach to the determination of such applications by the Council.

The document sets out the Council's requirements for wind turbine applications and their supporting information. If applicants require clarification as to any of the requirements in this document they should contact the Council's Development Control section prior to submission of an application.

The Council's Development Control section can be reached by telephone on 01706 252580 or by email at planning@rossendalebc.gov.uk

Checklist for Wind Energy Applications

Applicants should ensure that applications include each of the items contained in the following table:

1.	A completed application form and the correct certificates (A, B, C, D & Ag. Holding)
2.	The correct planning application fee
3.	Location Plan at 1:1250 or 1:2500 scale
4.	Site / Block Plan at 1:250 or 1:500 scale
5.	Elevation Plans of Turbines and Ancillary Equipment at 1:50 or 1:100 scale
6.	Design and Access Statement
7.	Landscape and Visual Impact Assessment
8.	Planning Statement
9.	Photomontage and/or Wireframe Diagrams
10.	Zone of Theoretical Visibility (ZTV) Maps
11.	Public Rights of Way Map
12.	Ecological Assessment
13.	Noise & Shadow Flicker Assessment
14.	Peat and Hydrology Assessment
15.	Pre-application Community Consultation (IF REQUIRED)
16.	Coal Mining Risk Assessment (IF REQUIRED)
17.	Details of Decommissioning Bond / Arrangements (IF REQUIRED)
18.	Details of proposed Community Benefits (IF REQUIRED)
19.	Environmental Statement / Environmental Impact Assessment (IF REQUIRED)
20.	Details of impacts on communications / broadcast equipment (IF REQUIRED)

Requirements for Wind Energy Applications

All wind energy applications will be required to meet the requirements listed below. Additional information may also be requested by Rossendale Borough Council prior to the validation of wind energy applications depending on the specific details and nature of the application or the nature or character of the area within which the application site is situated. Applicants or their agents are advised to seek advice on the need for such additional information from the Council at pre-submission stage.

Please note that where the document refers to turbine height, this should be taken as the maximum height to the blade tip, rather than just the height of the mast or tower.

1. Completed Application Form and Correct Certificates

All applications must include a completed 'Application for Planning Permission' form, and applicants must check that they have signed and dated the correct certificates relevant to the application, including the Agricultural Holdings Certificate.

Details of any pre-application discussions with the Council should be included in the relevant section of the form.

2. Planning Application Fee

Planning applications must be accompanied by the relevant fee. If this is not included, the application cannot be validated.

To calculate the fee, you must work out the total land area over which the blades of the turbine(s) can rotate (the total swept area), plus the area of any ancillary structures, engineering works and newly constructed access roads.

On a site of no more than 5 hectares £335 is charged for each 0.1 hectare. Over 5 hectares, a fixed sum of £16,565 is payable with an additional £100 for each 0.1 hectare in excess of the first five hectares, subject to a maximum total of £250,000.

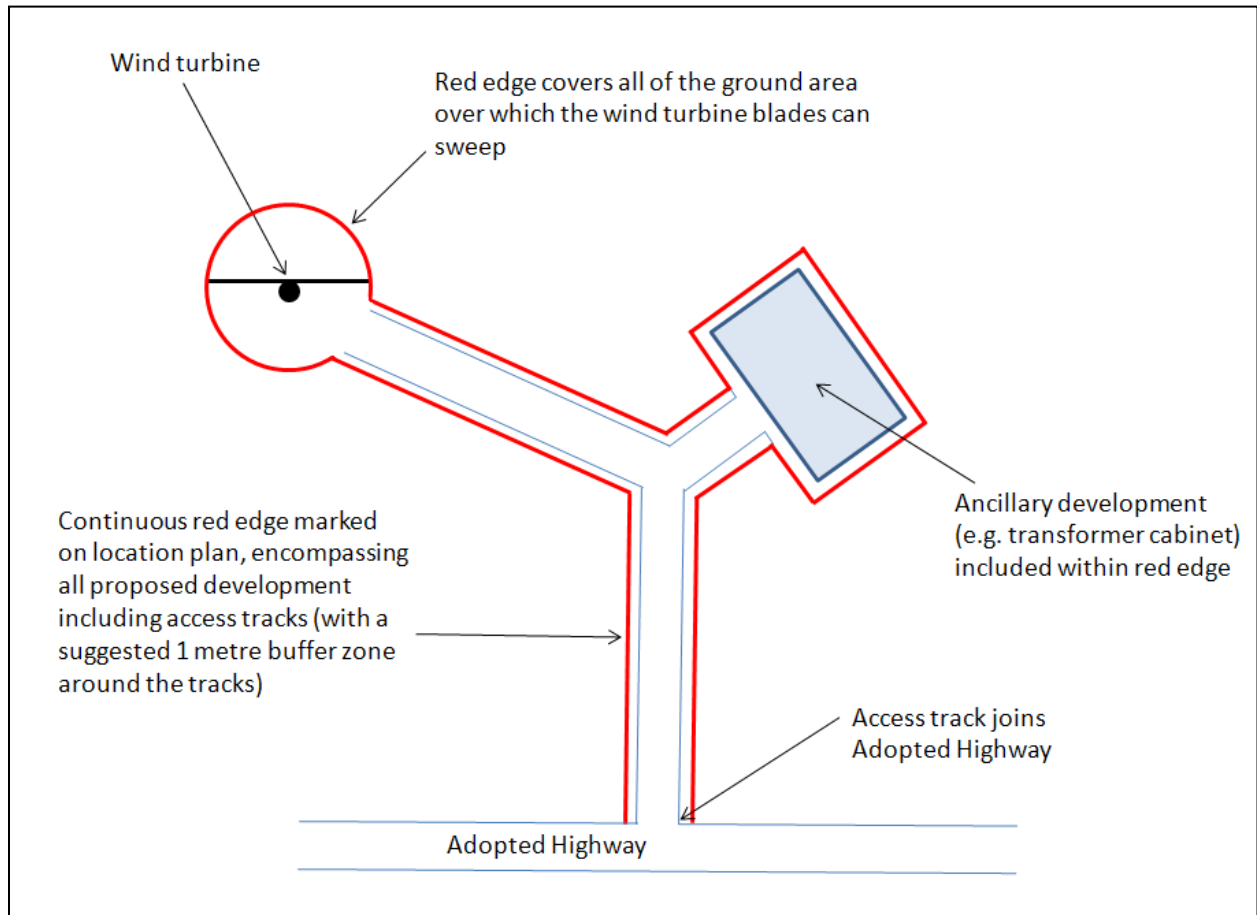
3. Location Plan

The location plan must be at a scale of either 1:1250 or 1:2500 and must include an arrow indicating the direction of north.

The wind turbine(s), ancillary equipment and any proposed new access tracks must be outlined in one continuous red line (see example on diagram below). The access road must join an adopted highway. A suitable buffer zone (suggested 1m wide) should be included within the red edge on either side of any proposed new access tracks. Any other land owned by the applicant needs to be outlined in blue.

As the fee for wind turbine developments is based on the area covered by the sweep of the turbine blades, the red line only needs to encompass this along with the ancillary works and new access tracks, rather than the whole site.

Example of a Correctly Drawn Red Edge on Location Plan



4. Site / Block Plan

The site / block plan must be at a scale of 1:250 or 1:500, and must show the position of the wind turbine(s) and the position of ancillary equipment such as cabinets and transformers, along with access roads, hard standing areas and fencing – basically anything that is proposed to be built on site, including of a temporary nature.

5. Elevation Plans of Turbines and Ancillary Equipment

Elevation drawings are required for any turbines and ancillary equipment, at a scale of 1:50 or 1:100.

6. Design and Access Statement

As well as providing the rationale behind the design and development of the proposed scheme, the Design and Access statement accompanying the planning application should demonstrate how the proposed access tracks are capable of safely accommodating the proposed traffic, including long loads. The statement should also include an assessment of landscape and visual impact (see section 7 below for further details).

Additional information which will be required includes:

- The proposed total number of lorry and crane movements and routes of travel
- Details of what measures will be required to accommodate oversize loads on the road network
- Details of the proposed engineering design and construction of access tracks, including details of their permanence or removal once the wind turbine(s) are erected, and source of materials.
- Details of crane hard standings
- Details of any concrete mixing to be carried out on site, and details of disposal of excess concrete and washing out of equipment
- Location and design of construction compound where appropriate
- Design and location of any electricity transmission equipment
- Proposed hours of construction

7. Landscape and Visual Impact Assessment

The Design and Access Statement should include a landscape and visual impact assessment which demonstrates how visual impacts have been minimised / mitigated and how the proposed turbine(s) will fit into the landscape. The assessment should include details of the following:

- Alternative sites which have been considered for the development
- Alternative turbine amounts / layouts / configurations which have been considered
- Alternative turbine heights / models / appearances which have been considered
- Alternative access arrangements / routes which have been considered
- Landscaping arrangements which have been considered to mitigate the visual / landscape impact of the proposed turbine(s)

For each of the above, it should be clearly demonstrated why the chosen arrangements represent the best option in terms of visual and landscape impact minimisation.

The cumulative visual impact of the proposed turbine(s) with other existing operational or permitted turbines, or turbines currently subject to a planning application should be fully addressed in the Landscape and Visual Impact Assessment.

Landscape and visual impact assessments should make reference to the *Landscape Capacity Study for Wind Energy Developments in the South Pennines* (Julie Martin Associates, 2010) – which is available for download on the Council’s website:

http://www.rossendale.gov.uk/downloads/WEB_Landscape_Capacity_Study_for_Wind_Energy_Developments_in_the_South_Pennines.pdf

The study forms part of the evidence base for the Council’s Core Strategy, and is used as a tool for assessing the landscape impacts of wind energy developments within the Borough.

The Council will also expect applications to include an assessment of the impacts of the proposed turbine(s) on significant cultural, recreational or heritage assets which could potentially be affected. This should include any potential sub-surface archaeological issues. For turbines with a total height of under 40m, this should cover assets within a minimum radius of ten times turbine height (the Council reserves the right to request an assessment of the impacts on significant assets outside this radius if it is deemed necessary). For proposed turbines with a total height of 40m or above, the assessment should extend to significant assets within a radius of 5km of the nearest boundary of the site. For schemes of greater than 100 metre total height the 5km distance may be extended.

Cultural assets may include Listed Buildings, Conservation Areas, archaeological assets, Scheduled Ancient Monuments, parks and public gardens, recreation areas, cemeteries and any other nearby assets which could potentially suffer harm due to the presence of wind turbines.

8. Planning Statement

A statement should be included with the application to demonstrate how the proposed scheme fits into the current national, regional and local planning policy context.

9. Photomontages and Wireframe Diagrams

The Council will expect all wind turbine applications to be accompanied by a representative range of photomontages and/or wireframe diagrams to demonstrate how the proposed turbine(s), ancillary equipment and access roads will fit into the landscape. Photomontages and wireframe diagrams should be created by a suitably qualified person or organisation.

Locations for photomontage and wireframe diagram viewpoints should be agreed with the Council at the pre-submission stage.

10. **Zone of Theoretical Visibility (ZTV) Maps**

Unless the application is for a single turbine with a height of 25m or less (which is not within 1km of any other operational or permitted turbines, or turbines currently subject to a planning application), the Council will expect applications to be accompanied by two Ordnance Survey based maps showing the ZTV of the proposed turbine(s):

- The first of the maps should show the ZTV of the proposed turbine(s) only.
- The second map should show the cumulative ZTV of the proposed turbine(s) along with any other operational and permitted turbines (and those currently subject to a planning application). Applicants should contact the Council to obtain an up to date list of such turbines.

The radius of the ZTV maps required depends on the proposed height of the turbine(s) in the application and other factors. The following table sets out the Council's general requirements:

Turbine Height (to blade tip)	Number of Turbines	Is the site within 1km of any other operational or permitted turbines, or turbines currently subject to a planning application?	Required Radius of ZTV Maps
0-25m	1	No	Not required
0-25m	1	Yes	2km
0-25m	2-5	No	10km
0-25m	2-5	Yes	15km
0-25m	6-10	No	20km
0-25m	6-10	Yes	20km
0-25m	10+	No	20km
0-25m	10+	Yes	30km
26-60m	1	No	20km
26-60m	1	Yes	30km
26-60m	2+	No	30km
26-60m	2+	Yes	30km
Over 60m	1	No	30km
Over 60m	1	Yes	30km
Over 60m	2+	No	30km
Over 60m	2+	Yes	30km

In addition, any recognised long distance recreational routes or recreational routes of local significance (e.g. The Rossendale Way, The Pennine Bridleway, etc) should be plotted on the ZTV maps. If the ZTV maps indicate that the proposed turbine(s) will be visible from along such recreational routes, the applicant will be expected to provide photomontages showing the predicted view of the turbine(s) from points along the route. This may include an assessment of sequential visibility. The exact location of such photomontage viewpoints should be agreed with the Council at the pre-submission stage.

11. Public Rights of Way

The Council will expect a plan to be submitted which identifies all Public Rights of Way within a radius of 10 times turbine height from the centre of the turbine.

The impact on locally and sub-regionally significant or recreational routes or long distance trails should be fully addressed where the turbine(s) will be located within 1km of such a route. Such routes could include the Pennine Bridleway, The Rossendale Way, The Burnley Way, etc. Other routes exist however, and applicants are advised to contact the Council's Development Control department for clarification where they are unsure if such a route exists in proximity to the proposed turbine(s).

12. Ecological Assessment

The Council will expect a clear methodology to be followed – a preliminary desk-based assessment should be carried out to determine whether or not there is a need for further more detailed ecological investigation. The desk-based assessment should include information on nearby locally or nationally designated ecology or biodiversity assets, protected species and habitats, and should demonstrate how the proposed wind turbine(s) will avoid causing harm.

Where the desk-based exercise concludes that further ecological investigation is required, the Council will require clear evidence of an ecological survey by a suitably qualified person or organisation, which addresses the site-specific issues identified and provides clear recommendations.

To avoid doubt and clarify the requirements for individual proposals, applicants are recommended to contact the Council at pre-application stage.

13. Noise and 'Shadow Flicker' Assessment

For all wind energy applications the Council will expect that a plan is submitted which identifies any occupied buildings situated within a radius of ten times turbine height from the centre of the proposed turbine. In exceptional circumstances a greater distance may be prescribed.

Site-specific noise assessments for all buildings within the identified radius should be carried out and full details and recommendations included within a report accompanying the planning application. The report should demonstrate that any noise is compliant with ETSU-R-97.

Depending on the size of the proposed turbine(s) and the proposed location, submission of manufacturers' standard noise output specifications for a given turbine model may or may not be sufficient, as such specifications do not generally address site-specific conditions. Applicants should contact the Council at pre-application stage to confirm the likely requirements for information relating to noise.

In terms of shadow flicker effect, the Council will expect a report to be submitted which demonstrate that the impact on occupied properties within a radius of 10 times turbine height and if necessary any mitigating measures. Shadow flicker effects on horses using bridleways within a 10 times turbine height radius should also be addressed. Such reports should be carried out by a suitably qualified person or organisation, and set out clear recommendations.

14. Peat and Hydrology Assessment

Peat is recognised as an important store of carbon, which if damaged can dry out - leading to oxidization of stored carbon, resulting in the release of carbon dioxide into the atmosphere. Poor siting of turbines risks damaging peat and undermining the role of wind turbines in providing energy with low carbon emissions. Peat also plays an important role in retaining water on the Borough's moorlands, helping to prevent flooding further down in the valleys following periods of heavy rainfall.

In order to conserve the Borough's peatlands, the Council will expect applications for single wind turbines over a height of 25m (or multiple turbines of any height) to identify whether peat exists on the site and demonstrate how the turbine(s) has been sited to avoid it – including details of measures proposed to avoid damage to underlying peat by any proposed access tracks. Where peat is identified on site, the Council reserves the right to request further investigation to determine its extent.

The Council will also expect applications to demonstrate how the construction of any access tracks or trenches for cables will be achieved without substantially altering the hydrological regime of the site – i.e. how tracks, trenches and any other associated infrastructure have been designed and sited to avoid draining peat and avoid creating new channels for surface water to run off the site.

Disturbance to underlying peat by wind turbines has the potential to cause adverse impacts on the quantity, quality and colour of water supplies which are replenished by water draining from moorlands. Where underlying peat is identified on site, the Council

will expect applications to demonstrate how adverse impacts on the quantity, quality and colour of any potentially affected water supplies will be avoided.

15. Pre-application Community Consultation

Where a proposed wind energy development could have a significant impact on local communities, the Council will expect the applicant to consult the potentially affected communities prior to submitting a planning application. The subsequent planning application should then detail how the feedback from local communities has influenced the siting, design and layout of the proposed scheme.

Generally, the requirement for community consultation will only apply to wind turbine developments over 25m in height to blade tip. However, there may be situations where the Council will require applicants to consult local communities on smaller wind energy proposals.

Applicants for wind energy developments of any height should liaise with the Council at the earliest possible stage to discuss the requirements for community consultation, and seek advice on the most appropriate channels of communication with local communities.

16. Coal Mining Risk Assessment

Rosendale contains a number of Coal Mining Referral Areas - these are areas, based upon Coal Authority records, where the potential land stability and other safety risks associated with former coal mining activities are likely to be greatest. They include, for example, areas of known or suspected shallow coal mining, recorded mine entries and areas of former surface mining.

A map of Coal Mining Referral Areas can be found at the following website:

http://coal.decc.gov.uk/assets/coal/whatwedo/Rosendale_District_Referral.pdf

If any part of the proposed wind energy development (including access tracks and other associated infrastructure) is located within a Coal Mining Referral Area, the applicant should contact the Coal Authority and discuss the requirement for submitting a Coal Mining Risk Assessment. If a Coal Mining Risk Assessment is deemed to be required by the Coal Authority, a copy should be submitted to the Council to accompany the planning application.

For all other areas in the Borough which are not situated in a Coal Mining Referral Area, the Coal Authority's standing advice applies, which can be found at the following website:

[http://coal.decc.gov.uk/assets/coal/whatwedo/New%20Standing%20Advice%20\(2010\).pdf](http://coal.decc.gov.uk/assets/coal/whatwedo/New%20Standing%20Advice%20(2010).pdf)

17. Decommissioning

An indication of how decommissioning will be undertaken should be provided.

For all single wind turbines over a height of 40m (or multiple turbines of any height), the Council will expect that evidence is provided to demonstrate that a bond has been put in place with the Local Authority to cover the entire costs of decommissioning and removing the wind turbine(s) from site once they have reached the end of their 25 year operational period. This should be done through a Unilateral Undertaking.

This is necessary to prevent redundant wind turbines from remaining in the landscape once the end of their operating life has been reached, and acts as a safeguard in case of any financial constraints which may prevent the owner / operator of the turbine(s) from carrying out decommissioning works in future.

18. Community Benefits

Applicants for wind energy developments with a total generating capacity of 250kW or above should indicate how consideration has been given to compensating the community for the negative effects of the proposal. Provision of a community benefit scheme to compensate the communities likely to be most heavily impacted by proposed turbines will be expected for proposals generating 1Mw of power or greater, in line with Policy 20 of the Council's Core Strategy.

Best practice guidance exists for applicants on community benefits, published by Renewable UK in its *Community Benefits Protocol*, which can be found on the following website:

<http://www.bwea.com/pdf/publications/CommunityBenefits.pdf>

Examples of schemes elsewhere in the UK can be found in the following Renewables Advisory Board publication:

http://www.decc.gov.uk/publications/basket.aspx?FilePath=What+we+do%5cUK+energy+supply%5cEnergy+mix%5cRenewable+energy%5cORED%5c1_20090721102927_e%40%40_DeliveringcommunitybenefitsfromwindenergyAToolkit.pdf&filetype=4#basket

19. Environmental Statement / Environmental Impact Assessment

Wind energy developments of a certain size, or in certain locations may need to be accompanied by an Environmental Statement / Environmental Impact Assessment.

Applicants are advised to contact the Council to seek a screening opinion as to whether this is required, prior to putting together their application.

Where the Council identifies that an Environmental Statement / Environmental Impact Assessment is required, applicants are advised to arrange a pre-application meeting with the Council's Development Control department at the earliest possible opportunity.

20. Aviation, Communications, Broadcast Equipment and Radar

The Council will consult the Ministry of Defence (Defence Infrastructure Organisation) and National Air Traffic Services (NATS) on wind turbine applications. As such, there is no requirement for applicants to consult with these two bodies prior to submission of an application.

However, it is the responsibility of the applicant to demonstrate that the proposed turbine(s) will not cause any interference to the operation of any communications or broadcast equipment, through consultation with the operators of any masts or antennae which may be subject to adverse effects from the proposed turbine(s). Consultation responses from any such individuals or organisations should be submitted to the Council alongside the planning application.

Applicants should also demonstrate that any possible effects on telecommunications equipment, including television reception, have been considered and if necessary mitigation measures taken.