

**Proposed erection of 2no. SD6 micro wind turbines (17.8m maximum tip height) at The Parks, Park Street, Frizington, CA26 3RB**

Planning, Design and Access Statement



## **1. Introduction**

This Statement has been prepared to support an application for planning permission involving the erection of 2 no. wind turbines with a maximum tip height of 17.8m at The Parks, Frizington.

This Statement assesses the proposal with reference to relevant planning policies and legislation.

## **2. Site Description**

The Parks/Frizington Park is a dairy farm located off Park Street, about 800m to the east of the junction with Parkside Road (A5086). Park Street, which is unadopted, also serves other properties such as Crag View, Belvedere, Chlordan, Crispoldale, West Park and The Birches to the west of The Parks.

Public footpaths 401005 and 401007 run to the west of The Parks. National Route 71 of the National Cycle Network, which makes up the western third of the Coast to Coast (C2C) route, runs to the south of Frizington Parks.

The development along Parkside Road and the initial length of Park Street part form the southern approach to Frizington.

Under the Cumbria Landscape Character Guidance and Toolkit (2011), Frizington falls within landscape character type 11a – Foothills. The application site is circa 800m south-east of the Lake District National Park (LDNP) and World Heritage Site (WHS) and sits within the National Character Area (NCA) of the West Cumbria Coastal plain.

Apart from the WHS, there are no designated heritage assets within the immediate vicinity of The Parks.

The site is also within Flood Zone 1 i.e., a less than 0.1% chance of flooding in any year.

## **3. Proposal**

The current application is seeking planning permission to erect 2no. 3 bladed wind turbines with a hub height of 15 metres. The blades have a rotor diameter of 5.6m leading to an overall tip height of 17.8m. The blades are supported on a hydraulic monopole that diminishes in width from 0.6m at the base to 0.3m at the hub. The poles are to be constructed from grey coloured galvanised steel and the blades made from a thermoplastic composite that can be black or light grey in colour.

The proposed turbines are to be in a field to the north of the main steading adjacent to the farm access road.

The intention is for the turbines to generate electricity to serve the steading (including the residential accommodation) at The Parks and thereby make the property less reliant on purchased electricity, lessen the risks of rising energy costs, and associated reduction in energy derived from fossil fuels.

## **4. Planning Policy**

Section 54a of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, require that an application be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.

At a local level, the relevant planning policies against which the application is required to be assessed are contained in the Copeland Local Plan 2013 – 2028 (CLP 2013-2028) and emerging Copeland Local Plan 2017-2038 (CLP 2017-2038).

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Under the CLP (2013-2028) the relevant policies comprise: ST1 (Strategic Development Principles); ST2 (Spatial Development Strategy); ER2 (Planning for the Renewable Energy Sector); ENV5 (Protecting and Enhancing the Borough's Landscapes); DM2 (Renewable Energy Development); DM10 (Achieving Quality of Place); and DM26 (Landscaping).

Policy ST1 emphasises the need for the creation and retention of quality places. Policy ER2 seeks to support proposals for renewable energy if they do not have a negative effect on the landscape.

Policy DM2, states that proposals for renewable energy development will be supported where they satisfy the following criteria:

- a. proposals should be developed with the Borough's community and key stakeholders in accordance with the Council's current adopted approach to stakeholder involvement;
- b. there would be no unacceptable adverse visual effects;
- c. there would be no unacceptable adverse effects on landscape or townscape character and distinctiveness;
- d. there would be no unacceptable impacts on biodiversity or geo-diversity;
- e. the proposals would not cause an unacceptable harm to features of nature or heritage conservation importance;
- f. there are no unacceptable impacts of noise, odour, dust, fumes, light or other nuisance likely to affect nearby residents and other adjoining land users;
- g. any waste arising as a result of the development will be minimised and managed appropriately; and
- h. provision is made in proposals for the removal and site restoration at the end of the operating life of the installation.

Adequate mitigation measures would be secured to minimise the potential impacts of any renewable energy development proposals and to deliver significant benefits to the community where the scheme is to be sited wherever possible.

In the case of the CLP (2017-2038), the policies of relevance are: Strategic Policy DS1PU (Presumption in favour of Sustainable Development); Strategic Policy DS2PU (Reducing the impacts of development on Climate Change); DS6PU (Design and Development Standards); and DS7PU (Hard and Soft Landscaping).

At a local level, there is also the Cumbria Wind Energy Supplementary Planning Document (2007) (SPD).

At a national level the National Planning Policy Framework (the Framework/NPPF), the updated draft of the National Planning Policy Framework, the National Planning Practice Guidance (NPPG), the "Community Engagement and Benefits from Onshore Wind Development: Good practice guidance for England" (December 2021), and "British Energy Security Strategy" policy paper (7<sup>th</sup> of April 2022) are also material to this assessment.

In addition to Section 54a of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, paragraph 2 of the NPPF highlights that planning policies and decisions must also reflect relevant international obligations and statutory requirements.

Section 19(1A) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to include in their local plans "*policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change*".

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The Climate Change Act 2008 establishes a target to reduce the UK's greenhouse gas emissions by at least 80% in 2050 from 1990 levels.

**5. Assessment**

In this context, it is considered that the key issues revolve around:

- the principle;
- the effect of the proposal on the character and appearance of the area including the setting and character of the Lake District National Park and the World Heritage Site;
- the effect of the proposal on the living conditions of neighbouring residents (noise/shadow flicker); and,
- the extent of any benefit arising from renewable energy generation.

*Principle*

Paragraph 7 of the NPPF explains that the objective of sustainable development is “meeting the needs of the present without compromising the ability of future generations to meet their own needs”. This is in the context that the planning system has three overarching objectives (economic, social, and environmental) that are interdependent and to be pursued in mutually supportive ways to secure net gains across each.

Section 14 of the NPPF clarifies the overall approach to determining applications for renewable and low carbon development. Paragraph 152 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate. In this, the NPPF clarifies that there should be support for renewable and low carbon energy.

Paragraph 158 of the NPPF goes on to state that:

*“When determining planning applications for renewable and low carbon development, local planning authorities should:*

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and*
- b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.”*

Paragraph 158 also includes a reference to footnote 54 which provides that:

*“Except for applications for the repowering of existing wind turbines, a proposed wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing.”*

The Department for Levelling Up, Housing, and Communities held a consultation on reforms to national planning policy between the 22<sup>nd</sup> of December 2022 and 2<sup>nd</sup> of March 2023 and published a draft version of a new NPPF. An aspect of the consultation exercise is the intention to amend policy concerning onshore wind energy that provides local authorities more flexibility to respond to the views of their local communities. Regarding wind turbines, footnote 54 (to become footnote 63) has been updated to read:

*“Except for applications for the repowering of existing wind turbines, a proposed wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable*

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*for wind energy development in either the development plan, or a supplementary planning document identifies an area as suitable for wind energy development (where the development plan includes policy on supporting renewable energy); and, following consultation it can be demonstrated that the planning impacts identified by the affected local community have been satisfactorily addressed and the proposal has community support.”*

The NPPG explains that increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. Planning has a vital role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable. (Paragraph: 001 Reference ID: 5-001-20140306). Whether the proposal has the backing of the affected local community is a planning judgement for the local planning authority. (Paragraph: 033 Reference ID: 5-033-150618)

In this instance, the development plan supports proposals for wind energy development throughout the district subject to compliance with relevant criteria. This is in the context that Map 8 of the Cumbria Wind Energy SPD identifies the area as having a Low/Moderate Capacity (i.e., for schemes involving up to 3-5 turbines). In effect, the proposal is also consistent with footnote 63 of the updated draft NPPF. Furthermore, under the NPPG, whether the proposal has the backing of the affected local community is a judgement for the local planning authority.

*Character and appearance including the LDNP and WHS*

Policy ENV5 and criterion b) and c) of Policy DM2 of the CLP (2017-2038), seek to ensure that the landscapes will be protected from inappropriate changes and that the distinctiveness of the area is upheld.

Although the application site is close to the LDNP and the WHS, these designated areas do not include a buffer and the application site is therefore outside any area covered by a statutory status. Nor is the site identified in the Development Plan.

The Cumbria Landscape Character Guidance and Toolkit (2011) explains, in the case of the 11a: Foothills sub-type, that:

*“In west Cumbria this is a broad type transitional in character between the general countryside and the distinctive open moorland and fell found mainly in the Lake District between 100-250m AOD.”*

In addition, the Cumbria Wind Energy SPD identifies the area as having a Low/Moderate Capacity (i.e., for schemes involving up to 3-5 turbines). There is no indication that this assessment was incorrect or that matters have materially altered in the intervening period.

In light of the potential indirect effects on the landscape in part of the National Park and direct effects on the character/visual amenity of the area, a Landscape Visual Assessment (LVA) accompanies the application. The LVA, when considering “character sensitivity” notes the existing frequent presence of utility, infrastructure/industrial elements, contemporary structures, and functional human made land use patterns.

As such, the “Magnitude of Change” to the landscape character represented by the proposal was “Small” i.e., showing elements that may be prominent but not necessarily uncharacteristic. On this basis it is considered that the proposal will not detract to any significant degree from the understanding and enjoyment of the special qualities of the LDNP.

In relation to visual amenity, of the 8 viewpoints assessed in the LVA, the proposal was considered to have a negligible impact on six.

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From Route 71 of the National Cycle Network, circa 340m from the nearest turbine, the visual effect was determined to be moderate. In effect, the proposal will cause limited harm to the appearance of the area, but the landscape is more than capable of assimilating the proposed turbines without significant harm to its essential character. Thus, it is considered that the enjoyment of rights of way would not be significantly affected by the proposal.

As expected, within the immediate proximity of the unadopted access road (Park Street) the visual effect was "Major/Moderate".

Overall, the Magnitude of Visual Impact has been assessed as very 'small' with the development resulting in a barely perceptible change in the existing view, and/or without affecting the overall quality and/or would form an inconspicuous minor element in the wider landscape that may be missed by the observer or receptor.

When considering the effect on the visual amenity of the residents within the vicinity, it is considered (because of the limited scale of the proposal and intervening separation distances of plus 360m) that no property would experience such an overbearing effect on visual amenity that the dwelling would become an unattractive place in which to live.

*Living conditions*

When assessing the impact of the proposal on the living conditions of residents, shadow flicker and noise are material to the proposal.

Shadow flicker occurs when the sun shines onto the rotating blades/turbine and casts a flickering shadow onto another property. Shadow flicker is dependent upon: a) the orientation of the property relative to the turbine(s) – in the UK it is within 130 degrees either side of true north; and b) distance – flicker effects take place within 10 rotor diameters of the blades.

In this instance, the rotor diameter of the proposed blades is 5.6m which equates to a suitable separation distance of 56m. There are no neighbouring properties located within this distance.

On the matter of noise, paragraph 185 of the NPPF states:

*"Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;*
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation."*

The application is accompanied by an Acoustic Performance Test of the proposed SD6 model of turbine the results of which are that for a hub height wind speed of 9m/s, the sound pressure level at a slant distance of 160m from the rotor centre is 35Db(A). This distance reduces to 80m for a wind speed of 5m/s. Based on the

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respective separation distances with local properties (over 360m), it is considered that noise associated with the proposal should not be at a level that warrants the refusal of permission.

*Other Matters*

The application site is within Flood Zone 1 and there is no risk of flooding on or off site as a result of the proposal.

The proposed turbines have composite blades and therefore any failure is unlikely. This aside, the application site is in a field along an unadopted road that leads to The Parks. As such, the proposed turbines are considered to be safe.

It is expected that the proposed turbines will be refurbished or replaced beyond their design life. If the turbines are no longer required for the generation of electricity, they will be removed from the site and the land restored.

The proposal involves the retention of existing landscape features.

There are no protected or wildlife or nature sites within proximity of the proposed turbines that would be affected by the proposal. The proposal relates to pasture land of limited ecological value that is away from any farm buildings.

*Benefits*

Under the “British Energy Security Strategy” policy paper, the Government has committed towards net zero, which is fundamental to energy security. By 2030, 95% of British electricity could be low carbon; and by 2035, the national electricity system should be completely decarbonised, subject to security of supply.

At a general level, the environmental benefits of wind energy are linked to the reduction in greenhouse gases and associated benefits to the landscape and biodiversity. Wind energy can also bring about social and economic benefits.

The on-site demand for energy at The Parks is around 80,00 Kw/year. Each proposed turbine is expected to produce 11,000 Kw/year. This proposal will help to support a business that employs 3 full time and one part time member staff.

**6. Conclusion**

The NPPF highlights that the purpose of the planning system is to contribute to the achievement of sustainable development (para. 7); and that achieving sustainable development means that the planning system has three overarching objectives (economic, social, and environmental), which are interdependent and need to be pursued in mutually supportive ways.

In this instance, the proposal represents a modest scheme for two relatively small wind turbines. The development plan supports proposals for wind energy development throughout the district subject to compliance with relevant criteria. This is in the context that Map 8 of the Cumbria Wind Energy SPD identifies the area as having a Low/Moderate Capacity (i.e., for schemes involving up to 3-5 turbines).

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When considering the effect on the visual amenity of the residents within the vicinity, it is considered (because of the limited scale of the proposal and intervening separation distances of plus 360m) that no property would experience such an overbearing effect on visual amenity that the dwelling would become an unattractive place in which to live.

Based on the respective separation distances, it is considered that the proposal will not be detrimental to the living conditions of local residents sufficient to merit the refusal of permission.

The proposal will bring wider economic, social, and environmental benefits.

Furthermore, the proposal is not at odds with the underlying objectives of any other relevant policies.