



**Causeway
Coast & Glens
Borough Council**

Planning Committee Report Item B	23rd March 2016
PLANNING COMMITTEE	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Protecting and Enhancing our Environment and Assets
Outcome	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
Lead Officer	Shane Mathers
Cost: (If applicable)	N/a

ITEM B

**Approx. 434m N W of 12 Gateside
Road Coleraine BT52 2PB**

LA01/2015/0149/F

23rd March 2016

<u>No:</u>	LA01/2015/0149/F	<u>Ward:</u> Dundooan
<u>App Type:</u>	Full Planning	
<u>Address:</u>	Approx. 434m N W of 12 Gateside Road Coleraine BT52 2PB.	
<u>Proposal:</u>	Erection of a single wind turbine with a 40m hub height, 27m blade length, associated laneway and 2 No. electricity cabinets.	
<u>Con Area:</u>	N/A	<u>Valid Date:</u> 12.05.2015
<u>Listed Building Grade:</u>	N/A	
Agent:	Strategic Planning 1 Pavilions Office Park Kinnegar Drive Holywood BT18 9JQ	
Applicant:	Mr John Lynn 12 Gateside Road Coleraine BT52 2PB	
Objections:	14	Petitions of Objection: 0
Support:	0	Petitions of Support: 0

Drawings and additional information are available to view on the Planning Portal- www.planningni.gov.uk

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **REFUSE** planning permission subject to the reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located approximately 330m NW of Gateside Road; 500m north-east of the ring road; and 900m NW of Cloyfin Road. The site, inclusive of the proposed access from Gateside Road, comprises agricultural lands. The sites boundaries are undefined on the ground.

- 2.2 The site is located in an undulating landscape. An unoccupied dwelling is located within the curtilage of 16 Gateside Road. The ground level at the site is just over 40 OD. The Gateside Road rises from about 30 OD to 60 OD travelling north; the Ring Road is about 20-30 OD; the Cloyfin Road rises from about 30-90 OD travelling east; and the Blagh Road rises from about 40-60 OD travelling north. There are a number of approved and undetermined applications in this area.
- 2.3 The site is located in the rural area.

3 RELEVANT HISTORY

C/2012/0168/F A single wind turbine with a tower height of 35m and max output of 250kw. 390m NW of 18 Blagh Road Coleraine BT52 2PG. Approved 19.12.2012

C/2013/0156/F Application to vary planning approval C/2011/0619/F to allow an increase in tower height from 30m to 37m and blade length from 16.5m to 19.5m, with max output of 250kw. Lands Approx. 385m North West of 28 Gateside Road Coleraine. Approved 12.02.2014

C/2013/0435/F Proposed 11kw Gaia Wind Turbine on Lattice Tower (18.3m Hub height, 13m Rotor, overall height 24.8m) to support Existing Farm Business. Approx. 182m WNE of 12 Gateside Road Coleraine BT52 2PB. Approved 20.06.2014

C/2013/0478/F Proposed 30m 250kw wind turbine with 27m diameter blades 334m SE of 50 Ring Road, Coleraine BT52 1QP Refused 07.03.2016

4 THE APPLICATION

- 4.1 Planning permission is sought for the erection of a single wind turbine with a 40m hub height, 27m blade length, associated laneway and 2 No. electricity cabinets.
- 4.2 On 8th July 2015 the potential impact of this proposal on SPAs, SACs and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation

(Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of the Council. Having considered this, the proposal would not be likely to have a significant effect on the features or conservation objectives of Bann Estuary SAC.

5.0 PUBLICITY & CONSULTATIONS

5.1 External

There are 14 objections to the proposal from 12 objectors. The reasons for objecting are summarised below:

- Number of turbines in this area
- Principle of another turbine
- Impact on Residential Amenity (including noise)
- Visual Impact (On Character and Cumulative)
- Shadow Flicker
- Ice Throw
- Impact on tourists
- Impact on Wildlife and Domestic Animals
- Impact on neighbour's medical condition
- Impact on flooding
- Interference with TV, radio and mobile phone signals

5.2 Internal

Transport NI: Advise that the proposal requires the construction of a vehicular access at this location. This information has not been provided.

NIE: No objection.

MOD – Defence Infrastructure Organisation: No objection, require notification and further details if approved.

Westica Communications Ltd: No technical safeguarding objection.

Arqiva (responsible for BBC and ITV Transmission network): No objection

EMR Integrated Solutions (following consultation with Ofcom): No objection on behalf of Eircom NI

National Air Traffic Services: No safeguarding objection.

NI Water: No objection.

Belfast International Airport: No objection.

NIEA Natural Environment Division: No objection.

Environmental Health: Further data required to consider noise impact.

6.0 MATERIAL CONSIDERATIONS

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.2 The development plan is:
- Northern Area Plan 2016 (NAP)
- 6.3 The Regional Development Strategy (RDS) is a material consideration.
- 6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.
- 6.5 Due weight should be given to the relevant policies in the development plan.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7.0 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

PPS 2: Natural Heritage

PPS 3 Access, Movement and Parking

PPS 18 Renewable Energy

PPS 21: Sustainable Development in the Countryside

Supplementary Planning Guidance

PPS 18 Best Practice Guidance

Wind Energy Development in Northern Ireland's Landscapes-
supplementary Planning Guidance to accompany PPS18
'Renewable Energy'

8.0 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to: the principle of the proposed development; residential amenity; public access to the countryside; visual amenity and landscape character; nature conservation / built heritage interests; environmental, economic and social benefits; access and; other matters.

Principle of development

- 8.2 The site is located within the rural area as defined by Northern Area Plan.
- 8.3 The principle of the type and scale of development proposed must be considered having regard to the SPPS and PPS policy documents specified above.
- 8.4 The aim of the SPPS in relation to renewable energy is to facilitate the siting of renewable energy generating facilities in appropriate locations within the natural environment. It states

that particular care should be taken when considering the potential impact of all renewable proposals on the landscape.

- 8.5 PPS 18 is a permissive policy which supports proposals for generating renewable energy, provided the facilities are sited in appropriate locations. The main objectives of the policy are to ensure that the environmental, landscape, visual and amenity impacts associated with or arising from renewable energy development are adequately addressed. This is assessed by considering whether the proposed turbine will result in an unacceptable adverse impact on a number of criteria as set out in the paragraphs below.

Public Safety / Residential Amenity

- 8.6 It is unlikely the current proposal poses a public safety issue due to the separation from existing dwellings.
- 8.7 Shadow flicker is generally 10 times the rotor diameter figure which is accepted as the area within which there is potential for shadow flicker. In this proposal 10 times the rotor diameter of 54m is 540m. The nearest sensitive receptor (other than receptors within the applicant's control) is the garden area of 16a Gateside Road, located 250m to the south-east. There are further dwellings at no. 16, 18, 24 and 28 Gateside Road, and no. 50 Ring Road that are also located within this area. No shadow flicker assessment has been submitted for consideration, despite the potential for shadow flicker on these properties.
- 8.8 A Noise Impact Assessment has been submitted to support the application. Environmental Health raised concerns regarding the baseline noise monitoring referenced in the assessment. Further correspondence was submitted by Envest Environmental, dated 21st August 2015, in relation to the use of 'proxy' noise monitoring data being accepted in order to assess the noise impact of wind energy developments at a number of locations. However, Environmental Health feels that further background measurements are required. A copy of the Cadna data (Computer Aided Noise Abatement) is requested by Environmental Health to be read in conjunction with the noise assessment. In the absence of this it has not been

demonstrated that the proposal would not have an adverse impact on sensitive receptors by reason of noise.

Public Access to the Countryside

- 8.9 The proposal will not impact on public access to the countryside.

Visual Amenity & Landscape Character

- 8.10 Each landscape has a different capacity for accommodating wind energy development. The supplementary guidance places the site within the Coleraine Farmlands (LCA), which is identified as LCA 54. By their very nature, wind turbines are likely to be visible in the landscape. LCA 54 – Coleraine Farmlands has a “High” sensitivity due to its open character and landscape, with the south west part of this landscape more suited to development. The application site is located outside this south west part. The LCA states that particular care should be taken to avoid adverse impacts on extremely sensitive estuary and coastal landscapes, and skyline locations.
- 8.11 The turbine proposed has a 40 metre hub height, with an overall height to blade tip of 65 metres. It is situated within the more sensitive part of the LCA. There are already a number of constructed, approved, and other turbine applications that are currently under consideration. There are close range views from the Atlantic, Gateside, Cloyfin, Blagh and Ring Roads.
- 8.12 The Gateside Road is a fairly straight, slightly undulating public road; the result being that there are open and sustained views of the proposed turbine from the public road which are at a fairly close distance (the turbine being set 375m west from the public road).
- 8.13 The most critical close range views will be from are from the Gateside, Cloyfin and Blagh Roads. There will also be critical views from the Atlantic and Ring Roads.
- 8.14 The turbine will be visible travelling north and south along the Gateside & Blagh Roads. The turbine will also be visible travelling west along the Cloyfin Road. Overall, the turbine will be openly visible over a considerable distance from the road network. A marker for considering the impact of the

operational turbine (37 metre turbine with an overall height of 53.5 metres) 700 metres to the north, and the operational turbine due south (18.3 metres with an overall height of 24.8 metres). This demonstrates that the turbine will be highly visible from the road network given that both these turbines are on lower land and of a lower height. The scale of the subject turbine is unacceptable and in its own right would cause sufficient harm to visual amenity to warrant refusal.

8.15 The site is located approximately 330m west of Gateside Road; 500m north-east of the ring road; and 900m north-west of Cloyfin Road. Three wind turbines are operational within the vicinity of the subject site. These are:

- C/2012/0168/F - 35 metre turbine 600m to the north;
- C/2013/0156/F - 37 metre turbine 1.2km to the north west;
- C/2013/0435/F - 18.3 metre turbine 750m to the west.

8.16 Application LA01/2015/0149/F for a 40m wind turbine 800m due west is recommended for refusal similar to the subject application. Application C/2013/0478/F for a wind turbine 950m to the west was recently refused given the harm to visual amenity and the negative cumulative effect.

8.17 There is a further undetermined application to the north east, which is about 950 metres away (C/2014/0497/F). There is an operational turbine at the University of Ulster 1.9km away. There are 2 further turbines approved at the University. This equates to a total of 9 turbine applications either constructed, approved or under consideration over a very small area to the north of Coleraine.

8.18 In terms of cumulative impact, there is already an accumulation of turbines gathering in this area as outlined in paragraph 8.15. These can be viewed collectively on the Gateside Road, Atlantic Road, Blagh Road and Cloyfin Road. From the Ring Road, travelling north between Ballycastle Rd Roundabout and Bushmills Rd Roundabout all 3 turbines read as one entity. Notwithstanding the undetermined applications, the location of this turbine in relation to the operational turbines will have a strong visual linkage and reinforce and strengthen the

cumulative impact given the number of critical views from the road network. It should also be noted that the turbine proposed is higher than any of the 3 operational turbines closest to the site.

- 8.19 No cumulative impact assessment was submitted with the application. The proposal exceeds the threshold of acceptability regarding the number of turbines in the area with turbines becoming the defining characteristic of the area. When consideration is given to the undecided applications, in conjunction with this proposal, the cumulative impact is wholly unacceptable and has the potential to create what would effectively be a wind farm sited just to the north east of Coleraine.

Nature conservation / built heritage interests

- 8.20 The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features or conservation objectives of Bann Estuary SAC or any other European site.
- 8.21 Natural Heritage has been consulted and do not raise any objections in relation to nature conservation interests There is no issue in relation to impact on bats as there is a 50m buffer between existing habitat features and the blade tip. There are no hedges / trees / watercourses / buildings / quarries / caves within 50m of blade tip. There are no listed buildings or monuments in close proximity to the site.

Environmental, economic and social benefits

- 8.22 The SPSS states that the wider environmental, economic and social benefits of all proposals for renewable energy projects are material considerations that will be given appropriate weight. The agent has submitted some general information relating to the socio-economic benefits of wind energy, but has not submitted any specific socio-economic justification for this particular turbine. Notwithstanding this, having regard to the

harm to visual amenity set out above, general environmental, economic and social benefits associated with such proposals are considered to be substantially outweighed.

Access

- 8.23 Transport NI state that a formal access with 2.4 x 70m visibility splays will be required. In order to achieve this a revised site location plan showing the proposed visibility splays and was not accompanied by a revised section 27 of the P1 form, amended to reflect the increased red line. The application would then require re-advertisement and neighbour notification on the revised red line.

Other Matters

- 8.24 Matters of concern raised by the objectors include impact on domestic animals, mainly horses and impact on flooding.
- 8.25 The British Horse Society has issued guidance on matters relating to Wind Turbines and Horses. In this guidance it states that there is no evidence to establish horses' responses to turbines, only anecdotal reports. There are also many variables that need to be taken into account but does say that horses and riders can be affected. There is no equestrian centre, or business where horses are kept or trained in the immediate locality. The policy statement seeks a minimum distance of 3 times blade tip or 200 metres between a turbine and any route used by horses. No evidence has been submitted to state this is a route used by horses, or businesses with horses, and in any case, the turbine is over 200 metres from the road network.
- 8.26 This site is not located within a floodplain. Although a photograph was submitted to show the field was waterlogged, this is most likely to be from intense and long periods of rainfall, rather than from fluvial sources. It is unlikely this turbine will impact on flood water, or increase or exacerbate the risk of flooding elsewhere.
- 8.27 Personal information has also been submitted from one of the objecting properties. The outstanding information outlined in

Paras 8.7 regarding shadow flicker is necessary to help consider this further. The personal information can be made available to Members by request.

9.0 CONCLUSION

9.1 Given the prominent location of the turbine and the fact that there will be critical views of the development from various vantage points, the proposed turbine will have a significant detrimental impact on the visual amenity and landscape character of the surrounding area. In this case given the location and scale of the proposed wind turbine, harm to visual amenity is sufficient to warrant refusal in its own right. Furthermore, it will be read in conjunction with three existing immediately adjacent wind turbines and will have an unacceptable impact on the landscape by reason of the accumulation of wind turbines. Matters in relation to impact on residential amenity have not been adequately addressed. Refusal is recommended.

10 Refusal Reasons:

- 10.1 The proposal is contrary to paragraphs 6.224, 6.225 and 6.230 of the Strategic Planning Policy for Northern Ireland (SPPS) and Policy RE 1 of Planning Policy Statement 18: Renewable Energy in that the development would, if permitted, have an unacceptable adverse impact on visual amenity through the size, scale and siting of the proposed turbine.
- 10.2 The proposal is contrary to paragraphs 6.224, 6.225 and 6.230 of the Strategic Planning Policy Statement and Policy RE 1 of Planning Policy Statement 18: Renewable Energy, in that the development will be viewed with 3 existing wind turbines and cumulatively will have a detrimental visual impact to the character of the sensitive location.
- 10.3 The proposal is contrary to paragraph 6.224 of the Strategic Planning Policy Statement and Policy RE1 of Planning Policy Statement 18: Renewable Energy in that it has not been demonstrated that the proposal will not cause significant harm to the safety or amenity of sensitive receptors.