

Planning Committee Report Item F	24th February 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 F

**Lands 212m South East of 69
Tullaghans Road Dunloy
Co.Antrim**

D/2014/0120/F

24th February 2016

<u>No:</u>	D/2014/0120/F	<u>Ward:</u>	Dunloy
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Lands 212m South East of 69 Tullaghans Road Dunloy Co.Antrim		
<u>Proposal:</u>	Proposed installation of a wind turbine on a tubular tower of up to 50m (to hub height) with blades up to 69.5m (to tip height)		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	23 June 2014
<u>Listed Building Grade:</u>	N/A		
Agent:	CD Consulting, 83 Main Street, Lisnaskea		
Applicant:	Mr Pat Reid c/o Agent		
Objections:	0	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 section 7 and resolves to **REFUSE** planning permission subject to the reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is accessed off Tullaghans Road via an existing laneway which serves dwellings and agricultural land. The laneway travels north / south maintaining a fairly constant level before rising fairly steeply past No 69, the applicants address, a separate small yard and then to the agricultural lands beyond. The laneway traverses a small watercourse in close proximity to a dwelling which is not habitable and rises further towards the site.

- 2.2 The site itself consists of a small cut-out of a large agricultural field which appears to be used for grazing. Boundaries are generally defined by a mix of post and wire fencing with some fairly intermittent sparse vegetation. The site is in very close proximity (280 meters to nearest turbine) to an existing wind farm comprising 5 commercial scale turbines. This is known as Garves Wind Farm.
- 2.3 The site is located in a rural area. The landscape in the immediate locality is undulating although it is located within an upland area when viewed with the surrounding landscape.

3 RELEVANT HISTORY

D/2003/0329/F: 15 mega-watt windfarm development comprising 5 No. 3.0 mega-watt wind turbines with an overall height of 125 metres, 33kv sub-station building and associated site works (Amended scheme). Garves Mountain Farm
Granted Approval 21.11.2006

4 THE APPLICATION

- 4.1 Proposed installation of a wind turbine on a tubular tower of up to 50m (to hub height) with blades up to 69.5m (to tip height).

5.0 PUBLICITY & CONSULTATIONS

External

- 5.1 No objections

Internal

- 5.2 **Transport NI:** No objection.

MOD – Defence Infrastructure Organisation: No objection subject to Informative.

Westica Communications Ltd: No technical safeguarding objection.

Arqiva: No objection.

NATS Safeguarding: No safeguarding objection.

NI Water: No objection.

Belfast International Airport: No objection.

DOE NIEA Natural Heritage: No objection.

Environmental Health: Further Noise Impact Assessment required to consider cumulative impact.

6.0 MATERIAL CONSIDERATIONS

6.1 Article 45 of the Planning Act (Northern Ireland) 2011 states that, “where an application is made for planning permission, the council or, as the case may be, the Department, in dealing with the application, must have regard to the local development plan, so far as material to the application, and to any other material considerations.”

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 both 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

PPS 2: Natural Heritage

PPS 3 Access, Movement and Parking

PPS 18 Renewable Energy

PPS 21: Sustainable Development in the Countryside

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; nature conservation / built heritage interests; local natural resources; public access to the Countryside; visual amenity & landscape character and; environmental, economic and social benefits.

Planning Policy

8.2 The site is located within the rural area as defined by NAP.

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 provides a presumption in favour of renewable energy development provided it will not 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 In terms of shadow flicker. The nearest property is No 69 Tullaghans Road which is identified within the acoustic report as having a financial interest in the proposal. A further dwelling which is not habitable is located in much closer proximity and does not appear to be within the applicants’ control. This property would not appear to be capable of being occupied

without significant works which would require planning permission. PPS 18 Policy RE 1 defines sensitive receptors as habitable residential accommodation although not necessarily occupied. As such, the subject dwelling is not a sensitive receptor to be considered in this case. Any other neighbouring dwellings would appear to be beyond the 10 times rotor diameter figure generally accepted as the area within which there is potential for shadow flicker.

- 8.8 A Noise Impact Assessment was submitted with the application. However, Environmental Health has requested a full noise assessment which includes cumulative assessment. This has not been submitted and is required to fully assess the potential impact from the proposal as a result of noise. 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.

Local Natural Resources, such as air quality or water quality

- 8.9 The proposal does not appear to affect any significant designations or zonings. The access traverses a small watercourse. However, there would appear to be a small existing ford which is currently used to access the agricultural lands beyond and the application does not propose making any alterations to the watercourse such as culverting which would require separate permission.
- 8.10 The proposal it is unlikely to have a detrimental impact on local natural resources. Natural Heritage has been consulted and do not raise any objections in relation to nature conservation or identified the site as being bogland which would potentially be at risk of bog burst.

Public Access to the Countryside

- 8.11 The proposal is using the existing access lane which serves the existing turbine. The agent has indicated on the P1 Form this is to remain unaltered. Transport NI have no objections. The proposal will not impact on public access to the countryside.

Visual Amenity & Landscape Character

- 8.12 The site is identified as being within LCA 58 – Long Mountain Ridge which is described as a distinct rounded ridge shaped by glaciation and orientated north-south with complex and undulating side slopes and a strong horizontal landform when viewed from east to west.
- 8.13 This LCA also states that the gentle convex shape of the ridge and its relative simplicity of character tend to reduce the landscapes sensitivity to wind energy development with close range views generally filtered by existing vegetation. The surrounding contours indicate that the site is located not only within an undulating landscape with a general landform rising from north-west to the south-east, but is also within a particularly elevated upland location when considered against the wider landscape.
- 8.14 Tullaghans Road is a fairly straight, undulating public road, the result being that there are open and sustained views of the proposed turbine from the public road which are fairly short distance (the turbine being set 700m back from the public road).
- 8.15 The most critical views are from Tullaghans Road with open views over approximately 1km. However, some small intervening areas from which views are obscured due to existing roadside vegetation, built form and the undulating road levels. Overall, the turbine will be openly visible over a considerable distance travelling in both directions with some further views travelling south-west along Galdanagh Road towards the junction with Tullaghans Road.
- 8.16 To the east and west (Mullan Road and Bridge Road) the turbine is fairly well obscured although some medium distance views do exist from the north. Long distance views will inevitably mean the turbine is visible over the wider locality in all directions due to the upland location.
- 8.17 In terms of cumulative impact, commercial turbines exist within the immediate locality Garves Mountain Farm (D/2003/0329/F). The windfarm consists of 5 commercial turbines which define the scale of wind energy in the locality. The current proposal will have a strong visual linkage with these turbines being sited approximately 280 metres to the front of the grouping between

the wind farm and the public road. Given this small separation distance, the cumulative impact will be readily apparent.

- 8.18 The existing wind farm, typical of this type of development, uses the same type of turbine design with uniform separation distances. The effect of this is to achieve an overall, cohesive design. In this case, the wind farm adopts a clustered type layout.
- 8.19 The proposed turbine is located closer to one of the existing turbines (280m) relative to each of the turbines in the wind farm (with separation distances of approximately 450m). The proposed wind turbine has a blade tip height of 69.5m. This sharply contrasts with blade tip height of the turbines on the wind farm at 125m. The proposed turbine will jar with the scale of existing turbines. It will look particularly incongruous given the very close proximity and contrast in scale with existing turbines.
- 8.20 During the assessment of the application officials did consider the possibility of the applicant using the same model as the approved wind farm. However, the Agent has advised that they cannot source the same model. The only similar model available to the applicant is 127m to the tip with a longer rotor design. In principle, the hub height and blade length would differ making it appear similarly at odds with the existing wind farm. Notwithstanding that, this particular turbine design is not being considered as the current proposal.
- 8.21 The proposed turbine would upset the planned nature of the windfarm by appearing highly unorthodox in this context. As such, it would appear incongruous in the landscape.

Biodiversity, nature conservation / built heritage interests

- 8.22 The site is hydrologically connected to the Craigs Area of Special Scientific Interest and is in close proximity to a Site of Local Conservation Importance. Natural Heritage have been consulted and while the site and surrounding environment has been identified as containing features suitable for bats, no objections have been raised in terms of nature conservation/ biodiversity.

Environmental, economic and social benefits

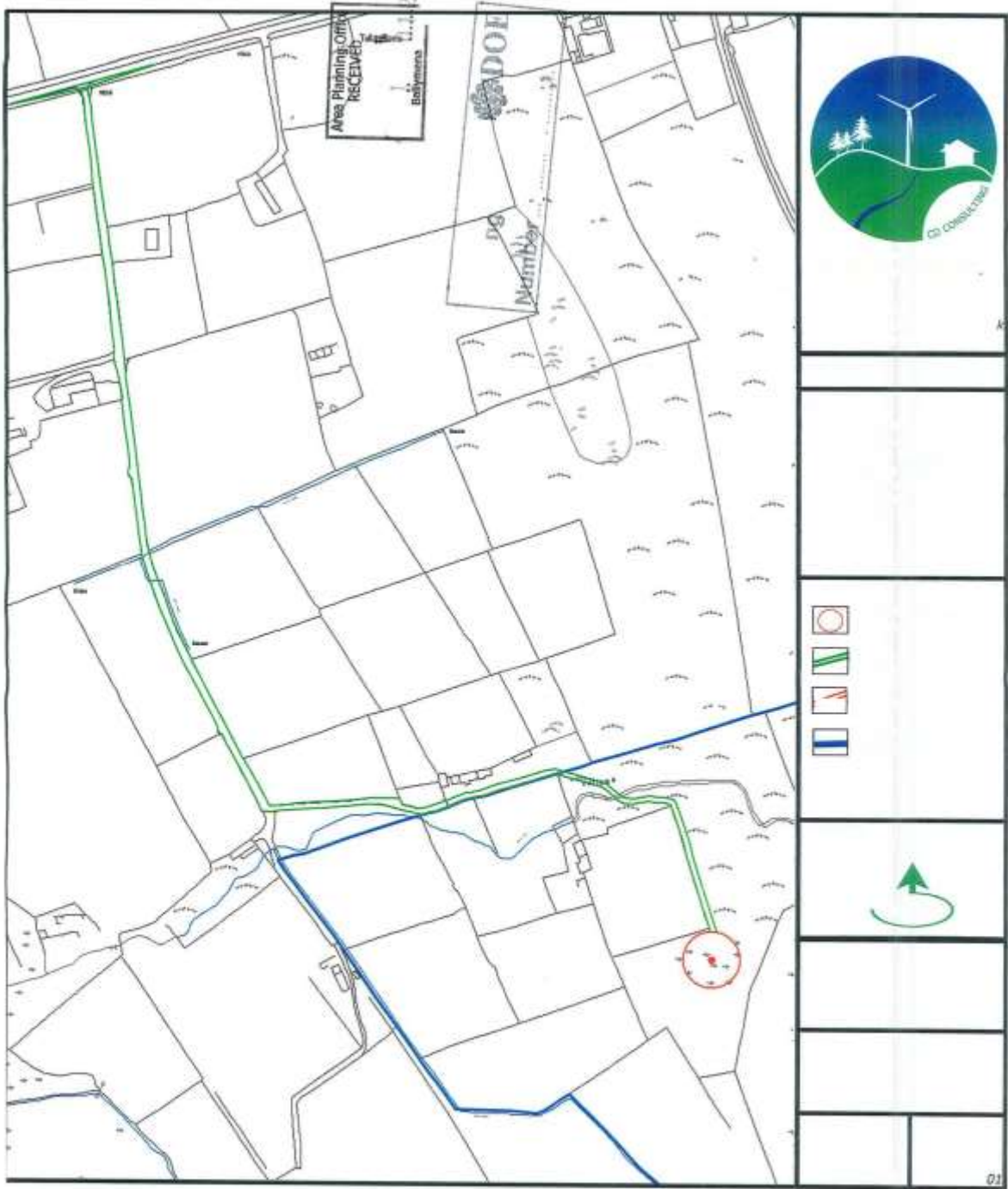
- 8.23 The SPPS states that the wider environmental, economic and social benefits of all proposals for renewable energy projects are material considerations that will be given appropriate weight. No specific benefits have been presented for consideration in this case. Notwithstanding that, having regard 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.

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 significantly detrimental impact on the visual amenity and landscape character of the surrounding area. It will be read in juxtaposition with the existing wind farm and appear incongruous in the landscape. 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 an existing wind farm and cumulatively will have a detrimental visual impact to the character of the upland 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 any sensitive receptors.



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