



<b>Planning Committee Report Item LA01/2017/0082/F</b>	<b>28<sup>th</sup> March 2018</b>
<b>PLANNING COMMITTEE</b>	

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

<b><u>No:</u></b>	<b>LA01/2017/0082/F</b>	<b><u>Ward:</u></b>	<b>Dundooan</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>530m South West of 10 Magheraboy Road Portrush.</b>		
<b><u>Proposal:</u></b>	<b>Proposed replacement of an approved ACSA A27 wind turbine (with 30m hub height and 27m blade diameter ) with a Vesta V52 250kw wind turbine (with 40m hub height and 42m blade diameter)</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>19.01.2017</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>		
<b><u>Agent:</u></b>	<b>2020 Architects Main Street, Ballymoney</b>		
<b><u>Applicant:</u></b>	<b>Mr James Taylor</b>		
<b><u>Objections:</u></b>	<b>0</b>	<b><u>Petitions of Objection:</u></b>	<b>0</b>
<b><u>Support:</u></b>	<b>1</b>	<b><u>Petitions of Support:</u></b>	<b>0</b>

Drawings and additional information are available to view on the Planning Portal- [www.planningni.gov.uk](http://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 within the open countryside within agricultural lands. The site is accessed via a long laneway leading to 10 Magheraboy Avenue. The boundaries of the application site are made up of hedgerows which surrounds the agricultural field to which the turbine is located. At its northern and western boundaries the proposed turbine is located within 50 metres of the boundary hedges.
- 2.2 The proposed site is located within the open countryside. Lands surrounding the site is predominantly agricultural but there are several dwellings and a number of agricultural buildings located near to the site. Critical views of the proposed wind turbine will be found along the access laneway to the property at 10 Magheraboy Road, Magheraboy Road, Atlantic Road, Islandtasserty Road and Gateside Road.

## **3 RELEVANT HISTORY**

C/2011/0148/F, A27 225kw wind turbine with a 30m hub height.  
530m South West of 10 Magheraboy Road Portrush  
Approved 24.11.2011

C/2013/0189/F, Proposed 250kw wind turbine with hub height of 30m and rotor diameter of 27m.  
420 metres South West of 10 Magheraboy Road Portrush  
Approved 25.06.2014

Both of these turbines had a hub height of 30 metres with a rotor diameter of 27 metres. This application proposes to

change the approved wind turbine (Ref: C/2011/0148/F) to that with an increase of 10 metres in hub height and an increase of 15 metres to the rotor diameter.

## **4 THE APPLICATION**

- 4.1 Planning permission is sought for the replacement of an approved ACSA A27 wind turbine (with 30m hub height and 27m blade diameter ) with a Vesta V52 250kw wind turbine (with 40m hub height and 42m blade diameter).

### **EIA Determination**

- 4.2 Given the scale and nature of the proposed development the environmental impact is not likely to be significant. This proposal is considered to fall within Category 3 (J) of Schedule 2- The carrying out of development to provide for installations for the harnessing of wind power for energy production (wind farms).
- 4.3 Having considered The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 and taking into account the above information and selection criteria as set out in DCAN 10, it is considered that the proposed development is not EIA development and would not require the preparation of an Environmental Statement. This determination was made on 30/03/2017.

## **5.0 PUBLICITY & CONSULTATIONS**

### **5.1 External**

**Neighbours:** There are no objections to the proposal.

**Letter of Support:** There has been one letter of support for the proposed development. It was stated that the proposed development would provide for a more efficient form of renewable energy.

### **5.2 Internal**

**Transport NI:** No objection

**NIE:** No objection

**UK Crown Bodies – Defence Infrastructure Organisation:** No objection, require notification and further details if approved.

**Westica Communications Ltd:** No technical safeguarding objection.

**Arqiva:** No objection.

**EMR Integrated Solutions (following consultation with Ofcom):** No objection subject to condition.

**National Air Traffic Services:** No safeguarding objection.

**NI Water:** No objection.

**City of Derry Airport:** No objection.

**Belfast International Airport:** No objection.

**NIEA Natural Environment Division:** Raised issues which have been resolved through surveys.

**Environmental Health:** Noise Impact Assessment provided no objection.

**PSNI Information and Communication Services:** No objection

**Ofcom Northern Ireland:** No objection

**Shared Environmental Services:** No objection

## **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 & landscape character; nature conservation / built heritage interests and; environmental, economic and social benefits.

## **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, Human Health/Residential Amenity**

- 8.6 Environmental Health as the competent authority has been consulted and requested a Noise Impact Assessment which has been provided. A further consultation was sent to Environmental Health. It was stated that it is necessary to ensure that the noise output from the installed wind turbine does not exceed that as presented within the applicant's noise impact assessment reports. It was requested that, should the Planning Department be minded to grant full planning permission, that conditions should be attached to any planning permission issued. These conditions relate to noise impacts, complaints, additional assessments, monitoring
- 8.7 Through the Noise Impact Assessment provided it has been demonstrated that the proposed development would not have a detrimental impact on the amenity of neighbouring properties due to noise impact subject to conditions.

- 8.8 For wind farm development a separation distance of 10 times rotor diameter to occupied property, with a minimum distance not less than 500m, will generally apply. In this case the nearest residential property is located 480 metres away. Consideration has been given to the reduction in blade diameter from 52 metres to 42 metres although still an increase of 15 metres on the previous approval. Although the nearest residential receptor is located within 500 metres of the proposed turbine, (480 metres) it is located at a distance more than 10 times the rotor diameter of the proposed turbine. Given this and the acceptance of the details provided in the Noise Impact Assessment from Environmental Health, the proposed development will not have a detrimental impact on the residential amenity of the property located closest to the proposed turbine.
- 8.9 Given the separation distance of 480 metres to the nearest residential receptor it is considered that the proposal will not cause significant problems with regard shadow flicker, ice throw or reflected light.

### **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 is vulnerable to wind energy development due to its open character and elevation. 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 most critical views of the proposed wind turbine are from Magherboy Road, Atlantic Road, Islandtasserty Road and Gateside Road.
- 8.12 The turbine proposed has a 40 metre hub height, with an overall blade diameter of 42 metres. The character of this area is rural and remote. There are critical views from the surrounding road network. A turbine of the proposed scale at this location would be prominent and when added to the other approved wind turbines in the immediate vicinity, would alter

the character of the area. Overall, the proposed wind turbine would have a detrimental impact on the visual amenity afforded to this locality.

- 8.13 A visual assessment was submitted as part of the application and has been considered. Although there is an existing turbine located at the site, the increase of 10 metres in terms of hub height and an increase of 15 metres in terms of blade diameter is considered inappropriate. The impact of the previously approved turbine located near to the site under planning reference C/2013/0189/F (now erected), which is smaller than the proposed turbine adds to the dominance of the proposed turbine on the landscape by emphasising its size.
- 8.14 In terms of cumulative impact, there are 2 approved turbines (application reference C/2013/0189/F and C/2011/0148/F) which are located within proximity to the site. Although the proposed application will replace the turbine approved under application reference C/2013/0189/F it will be read with the other turbine. The proposed turbine would tower above the existing turbine and would have a significant detrimental impact on the visual amenity of the area.

### **Biodiversity, Nature conservation / built heritage interests**

- 8.15 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 of any European site.
- 8.16 Natural Environment Division has been consulted but given the limited Environmental Information available they could not provide a detailed response. Natural Environment Division requested additional information which had been submitted in the form of a Bat Survey. Within this report it was indicated that the development would pose a high risk to bats but the number involved would be very low. The Ecologist has indicated that bats are not present in sufficient numbers to be impacted by the presence of the turbine. In this case Natural Environment Division are content that the amended location for the



replacement turbine is unlikely to significantly impact the local bat population. NED raised no further concerns in regard to this proposal. Given this it is considered that the proposed development will not have a significant detrimental impact bats and other wildlife.

- 6.1 There are no listed buildings or monuments in close proximity to the site.

### **Local Natural Resources**

- 6.2 Environmental Health and NIEA have been consulted as the competent authorities and have not raised any issues with regards impacts on Natural Resources. It is not considered that the proposed wind turbine will have a significant impact on air and water quality given it involves replacing an existing turbine.

### **Public Access to the Countryside**

- 6.3 There will be no impact on public access to the countryside as the proposed site is located within private farm land.

### **Environmental, economic and social benefits**

- 6.4 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. In this case specific economic and social benefits have not been supplied for consideration. Having regard to the harm to visual amenity, set out above, general economic and social benefits associated with such proposals are considered to be substantially outweighed.

### **Telecommunications, Roads, Rail and Aviation**

- 6.5 Consultations have been carried out with the relevant competent authorities and there are no objections with regard telecommunications and unacceptable levels of electromagnetic interference. The proposed access is existing and DFI Roads has no objection to the proposal. The airport authorities are content with the proposed development. No railway lines are located close the site.

## **Other Matters**

- 6.6 There will be no risk of bog burst or landslide at the proposed site.

## **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 by reason of its scale. It will be read in conjunction with an existing, smaller wind turbine which will serve to amplify the scale of the subject proposal. Refusal is recommended.

## **10 Refusal Reasons:**

- 10.1 The proposal is contrary to paragraph 6.224 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) Planning for Sustainable Development 2015, and contrary to Policy RE 1 of Planning Policy Statement 18, in that, the proposal would result in demonstrable harm to the visual amenity and landscape character of the area.
  
- 10.2 The proposal is contrary to paragraph 6.224 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) Planning for Sustainable Development 2015, and contrary to Policy RE 1 of Planning Policy Statement 18, in that, the proposal when viewed in conjunction with other wind turbines in the surrounding locality would result in demonstrable harm to the visual amenity and landscape character of the area.

# Site Location

