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**MAIN CASE**

Proposal: The erection of one anemometer mast up to 61.5m in height, supported by guy wires and complete with instrumentation for a temporary period of 24 months.

Location: Berry Fen Dam Bank Drove Haddenham Cambridgeshire

Applicant: REG Windpower

Agent: Arcus Consultancy Services

Reference No: 13/01102/FUL

Case Officer: Penelope Mills

Parish: Haddenham

Ward: Haddenham

Ward Councillor/s: Councillor Gareth Wilson  
Councillor Ian Allen  
Councillor Pauline Wilson

Date Received: 13 December 2013      Expiry Date:

**[N258]**

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**1.1    EXECUTIVE SUMMARY**

- 1.1    The application seeks temporary permission for a 61.5 metre high anemometer mast with instrumentation, supported by guy wires on land at Berry Fen. To be sited for 24 months.
- 1.2    The application is accompanied by a Design and Access Statement, a discussion on potential landscape and visual issues, images showing the installation of a 60m met mast, bird deflector details, ecological information and a discussion on the potential impacts on birds.
- 1.3    The proposal has generated a significant amount of local interest and has been called to Planning Committee by Councillor Pauline Wilson.
- 1.4    The main issues for consideration are:
- The policy issues and general principles;
  - The impact on visual amenity and the character of the countryside;
  - The impact on heritage assets;
  - The impacts on ecology and biodiversity;
  - Highways Issues;

- Impacts on aviation;
- Flood risk issues; and,
- Impacts on residential amenity.

- 1.5 The development plan is silent on the issue of meteorological masts such as the one proposed in this application. The presumption in favour of development contained within the National Planning Policy Framework therefore applies, and the development must be approved unless adverse impacts would significantly and demonstrably outweigh the benefits. In this case, the benefits are considered to be measurements that it would provide to inform the design, output figures and CO<sub>2</sub> saving for any proposed wind turbines at Berry Fen, which would need to be assessed by the local planning authority should such an application be submitted.
- 1.6 The potential impacts on visual amenity, heritage assets, ecology, aviation, local highways, flooding and residential amenity have been assessed, and whilst some impacts have been identified, the specific nature of these and the fact that they would in all cases be for a temporary period, means that they would not be so significant as to outweigh the benefit of the development outlined above. The application is therefore recommended for approval, subject to conditions.
- 1.7 **A Site visit has been arranged for 11.45am, prior to the Planning Committee meeting.**

## **2.0 THE APPLICATION**

- 2.1 The application seeks permission for the siting of a mast for a temporary period of 24 months on land to the northwest of Aldreth. The mast would be made of galvanised steel, with a height of 61.5 metres and a diameter of approximately 220mm. The mast would be supported by four guy sets, each with five guys, connecting to 4 anchor points on the ground. The mast would support anemometers positioned at around 22, 40 and 61 metres as well as vanes at 20 and 57.5 metres.
- 2.2 The mast would be erected in 1 – 2 days, and dismantled in a similar time frame. There would be no foundations and no cement would be used to secure the anchors in place. The holes for the land anchors would be small and either hand dug, or dug using a small wheeled excavator.
- 2.3 Access to the site would be via existing tracks; Back Drove and Grangers Drove, and the mast would be transported to the site in sections in a single vehicle, likely to be either a commercial van or a 4x4 using a flat bed trailer.
- 2.4 The mast is proposed to provide measurements from the site to inform the design, output figures and CO<sub>2</sub> saving for wind turbines which may be proposed at Berry Fen.

## **3.0 THE APPLICANT'S CASE**

- 3.1 The Applicant's case is set out in the Design and Access Statement, and other supporting documents, which can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://anitepa.eastcambs.gov.uk/AniteIM.WebSearch/Results.aspx>. Alternatively, paper copies are available to view at the East Cambridgeshire District Council offices, on the application file.

#### **4.0 THE SITE AND ITS ENVIRONMENT**

- 4.1 The site is located approximately 800m to the northwest of the village of Aldreth, and 2.5km to the southwest of Haddenham. The development site, which is approximately 150 metres to the west of New Cut Drain, covers an area of 0.84 hectares to allow some flexibility in micro-siting the mast.
- 4.2 The site is currently undeveloped Grade 1 agricultural land on the edge of flood zone 3 of the Environment Agency's flood risk map.
- 4.3 The site does not itself have any designations. However, it is within 4km of the Ouse Washes, Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), Ramsar site and Natural England has also advised that they are aware that species such as bats, water voles and great crested newts are present in the local area.

#### **5.0 PLANNING HISTORY**

- 5.1 There is no relevant planning history for the site. However, a scoping opinion was issued in relation to a proposal for a wind farm on this site, which is deemed to EIA development. The Scoping opinion can be viewed through public access using the following link: <http://anitepa.eastcambs.gov.uk/AniteIM.WebSearch/Results.aspx>

#### **6.0 REPLIES TO CONSULTATIONS**

##### **6.1 Neighbours**

At the time of writing 174 people had submitted objections to the proposal and 39 people had submitted comments in support. The issues raised are summarised in appendix 1. Full copies of the responses can be found on the working file or through public access using the following link:

<http://anitepa.eastcambs.gov.uk/AniteIM.WebSearch/Results.aspx>

##### **6.2 Ward Councillor – Bill Hunt**

- I wish to Place on record my objection to both the anemometer and the planned subsequent x4 turbine application.
- The whole issue of on shore wind 'farms' is becoming more unpopular as the rear facts become appreciated by a wider audience.
- The erection of the anemometer has not to my knowledge been properly consulted and in my view a full and complete consultation process should be conducted before the matter is even considered. The consultation should in my view include all Parish Councils and residents within a 10 mile radius (as a

minimum). The consultation period should be long enough to allow proper discussions and an awareness that Parish Councils usually meet once a month.

- Impact on landscape
  - Danger to low flying aircraft
  - Noise pollution
  - Effects on biodiversity
  - Dangers of electricity in flood risk areas
  - Effects on birds
- All of the above are valid reasons for rejection and this application must be linked to the plan for x4 huge pylons which are planned about twice the height of Ely Cathedral.
  - Any possible benefits are far outweighed by the damage this and the linked plan will cause to the environment and the area generally. I urge you to reject this application.

6.3 Ward Councillor – Pauline Wilson

- I would like to call this planning application to the Planning Committee as this has caused a lot of interest and controversy among residents of Aldreth and Haddenham. Many of them attended the Haddenham Parish Council meeting and the Parish Council voted to oppose this application.
- This application is seen as part of the application for four very large wind turbines in the Haddenham Ward (not yet submitted).
- East Cambs needs to decide its policy towards wind turbine farms and this should be discussed in public.

6.4 ECDC District Councillor – Anna Bailey

- Object to the application for an anemometer in this highly sensitive location which is a historically important area forming part of our heritage landscape.
- Driven only by desire to subsequently erect four wind turbines – Object to this longer term plan and urge the authority to take into account the longer term proposal for the site when determining this application. I believe it is important to establish the suitability (or otherwise) of this location for the erection of any tall structure, whether its use is to measure wind speed or to produce energy.
- Development will have an adverse impact on the landscape and biodiversity.
- In regard to longer term plan also concerned about noise pollution.
- In response to the question ‘can the site be seen from a public road, footpath, bridleway or any other public land?’ the answer ‘no’ is misleading and ask the planning authority to seek rectification of this.
- Contrary to policy EN1 of the Core Strategy
- Astonished that EIA not carried out and ask planning authority to request one carried out immediately.
- Case for wind energy is unproven and I believe that any benefits that this development may bring are far outweighed by the negative impact they will have on this historically important landscape.

6.5 Haddenham Parish Council – Object and raise the following points:

- The safety and impact the construction of this mast would have on the residents in the parish, particularly Aldreth, given that the construction traffic would potentially come through the villages to access the proposed site.

- The Planning Officer has stated that an Environmental Impact Assessment is not required but we would request that a full EIA is carried out to also include the following:
  - The impact the structure would have on the safety of the local bird/bat population and protected species population e.g. swan flight path; this has clearly not been investigated due to the answer 'no' at section 13 of the application form.
  - The unique and historical beauty of the visual amenity, which also attracts visitors to the parish, would be greatly compromised by the installation of this structure, thereby having an impact on the tourism business for the parish.
  - The impact and safety of low flying aircraft and balloon landings in that area of the countryside has not been considered.
- There are inaccuracies on the application form relating to who is actually the tenant of the land as the Council believes it to be a different person.
- Section 24 states that the site cannot be seen from a public road, public footpath or other public land and this is totally untrue as the site is situated in an area where public footpaths and bridleways are used by many ramblers, dog walkers and horse riders and can also be seen from other aspects such as Grangers Drove/Dam Bank Drove, etc.
- Consultation with neighbours has been inadequate and although public exhibitions were held in Aldreth on 6<sup>th</sup> December and Haddenham on 7<sup>th</sup> December 2013, there was no mention that an application for a temporary mast had already been submitted on 6<sup>th</sup> December. It was also felt that East Cambs District Council has been remiss due to the lack of consultation with neighbours in Aldreth.
- Within the Design and Access Statement there is an assertion that the area has already been deemed appropriate and we would ask by whom?
- The size of the proposed mast is completely out of context with other structures in the parish, being close to the height of Ely Cathedral.
- If the Planning Committee is of a mind to grant permission the following conditions must be attached:
  - The fen road must be used for construction traffic to reach the site, rather than the village roads;
  - Permission is limited to a period of 24 months from the date of the planning approval and removed within one month of expiry and the land restored to its former condition during this period. The mast must be removed within one month of an unsuccessful wind turbine planning application; and,
  - Bird diverters shall be fitted to the outer guy wires of the mast at five metre intervals. These features must be installed and remain in situ until the structure is removed.

#### 6.6 Haddenham Parish Council – additional points raised following reconsultation:

- The addition of the proposed bird diverters and lights will make the mast more visible and of more detrimental impact to the visual amenity for local residents.
- Horses are likely to be spooked by the proposed bird diverters and lights, with the proposed structure being in close proximity to a by-way well used by horse riders.

- No ecological search or survey data has been carried out to identify the presence of habitats and species in the vicinity of the site or consideration given to the potential impact and we understand this has also been raised by Natural England.
- The proposed mast is in conflict with Core Strategy policy EN1.
- The proposed mast is in conflict with Core Strategy policy EN2.
- Aldreth and Haddenham are steeped in history with the Aldreth Causeway being the route that the Romans first entered the Isle of Ely and at a later time was the same route taken by William the Conqueror to eventually overcome Hereward the Wake. The East Cambs 'Design Principles 2012' states that the District Council is committed to preserving the abundance of historic buildings and places in East Cambs and any development that affects the historic environment should make a positive contribution and have sufficient regard for the surrounding buildings and features. It also states that development that does not respect the character, detracts from, or has a negative impact on the area, will not be supported. This mast would clearly have a negative impact, dominating and adversely altering the character of an historic landscape, which is very highly valued by residents and visitors.
- Although pictures are provided of a 4x4 vehicle and trailer transporting the sections of the proposed mast there is no indication of how many journeys these vehicles would need to make to deliver the complete structure to the site or which route would be used.
- The photos of the vehicles were presumably taken during a dry period, as they depict no grass damage on firm land that is misleading.
- The cropped photo showing the vehicle at the base of the mast is also misleading, as it does not show the full extent of the guy wires.

#### 6.7 Environmental Health

No issues to raise regarding this application

#### 6.8 NATS Safeguarding

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

#### 6.9 Civil Aviation Authority (CAA)

- At 61.5m high the mast would not constitute an aviation en-route obstruction. Therefore I have few associated observations other than to highlight the need to check any safeguarding maps lodged with the Council to identify any aerodrome specific safeguarding issues"
- Note the relative proximity of a number of aerodromes: Cambridge Airport and 3 smaller aerodromes (Michells Farm, Fen End Farm and Willingham, none of which are CAA licensed).
- To address the question of military aircraft safety, the work should be brought to the attention of the Head of Safeguarding, Defense Infrastructure Organisation Also, sensible to establish the related viewpoints of local emergency services air support units.
- Unless there are aerodrome safeguarding issues, aviation warning lighting on tall structures only becomes legally mandated for structures of a height of 150m

or more. CAA would not in isolation make a case for lighting but would have no issues with marking if proposal offered by other aviation stakeholder.

- The General Aviation Awareness Council and a number of helicopter operators have sought that the CAA relays on their behalf a request that:
  - The north, south, east and west guy wires supporting the mast such as that which is proposed are fitted with spherical orange markers. Where there are less than 4 wires, each one should be so equipped;
  - Such markers have a minimum diameter of 60cms and spaced vertically at intervals not exceeding 30m; and,
  - The highest markers are positioned as close to the top of the mast as practicable.

6.10 Environment Agency

- Given the scale and nature of the proposed development, we have no objection to the proposed development on flood risk grounds.
- Informative points regarding pollution prevention: protection for any oil-filled underground cabling; removal of any below ground cables on decommissioning; and, site operators to ensure no possibility of contaminated water entering and polluting surface or underground waters.

6.11 Ministry of Defence (MOD) Safeguarding – Cambridge Airport

The MOD has no safeguarding objections to this proposal.

6.12 Highways Officer

The traffic associated with the temporary mast would have no significant impact on the public road network so I do not intend to comment further on this application.

6.13 Archaeology

Whilst this is for a temporary structure designed to support a windfarm development for which archaeological work will be required, this single structure's location avoids areas of known or suspected archaeological evidence. We have no objection to its erection.

6.14 Trees Officer

- From the location site plan for the mast there are no obvious tree matters of concern.
- The mast will have a highly significant impact in the wider landscape and will be highly visible over relatively long distances. New landscaping to soften the visual impact will not be a practical solution.
- There is no information about getting construction materials to the site, and this will need to be considered, as depending on the route, it may impact on trees and hedgerows.
- Will the mast be dismantled and removed from site and the land reinstated once the temporary period expires?

6.15 Campaign to Protect Rural England (CPRE) Cambridgeshire and Peterborough

In the event of the application being granted, a condition should be attached that all information collected from the anemometer should be made publicly available.

6.16 Natural England

#### Requested further information

- Absence of ecological search or walkover survey to identify presence of habitats and species in the vicinity of the proposal. No consideration of the potential for adverse effect on these.
- Site is within 4km of the Ouse Washes SSSI, SPA Ramsar site and we are aware that farmland in the area is used for roosting and foraging by wildfowl and wader species which are qualifying features of the Ouse Washes.
- Bats, water voles and great crested newts are also present in the area.
- Whilst the proposal, given its scale and nature, is unlikely to pose a significant risk to these species your authority should be satisfied that the applicant has submitted sufficient information to demonstrate that development will not have an adverse ecological impact.
- As a minimum, the applicant should identify, through a desk-study, the habitats and species present in the vicinity of the proposal. The applicant should be requested to identify mitigation measures to be implemented to minimise any adverse impacts through the construction and operational phases of development – for example to minimise impacts on nesting birds vegetation clearance should be undertaken outside of the bird breeding season. Where impacts are identified, efforts should be made to avoid impacts and provide full mitigation where avoidance is not possible.
- To minimise impacts on foraging bats the proposal should be located a minimum of 50m from suitable habitats such as trees, hedgerows, watercourses and buildings.
- The applicant should consider the potential impacts that the guy ropes may pose to birds and consider minimising impacts through the attachment of bird deflectors.

#### 6.17 Natural England – additional comments following reconsultation

- The letter and report from SLR, dated 27th February 2014, provides details of the ecological data search, survey and assessment work undertaken in support of this application.
- We are satisfied that this includes recognition of the proximity of the development site to the Ouse Washes, SSSI, SPA, Ramsar site and includes consideration of the effects of the proposal on qualifying species of the Ouse Washes.
- The report also includes consideration of the effects of proposals on other species in the area including bats, water voles and great crested newts. Natural England is satisfied with the conclusions of the assessment that the proposal is unlikely to have a significant effect on habitats and species, including bird species associated with the Ouse Washes SSSI, SPA and Ramsar site.
- Should your authority be minded to approve this proposal we recommend that a suitably worded planning condition(s) be attached to address the following:
  - An ecological mitigation plan should be submitted to provide details of measures to be implemented during the construction phase to minimise impacts on habitats and species, including reptiles, water voles and nesting birds;
  - The proposal, including guy wires, must be located a minimum distance of 50m from suitable habitat such as trees, hedgerows,



watercourses and buildings, in accordance Natural England's Technical Advice Note 51 (TIN051) Bats and onshore wind turbines - interim guidance, to minimise impacts on foraging bats;

- The applicant should be required to ensure that reflective bird deflectors are attached to the mast guy wires, at regular intervals, as recommended in the report.

- Based on the above we are satisfied that the proposal is unlikely to have a significant effect on the Ouse Washes SPA and Ramsar site, hence further consideration of this proposal under the Conservation (Habitats and Species) Regulations 2010 (the Habitats Regulations) is not required.

#### 6.18 Royal Society for the Protection of Birds (RSPB)

- Design and Access Statement recognises only that the mast does not lie within an area that has any specific designation.
- The application form indicates that there are no important biodiversity features present or nearby. This is not the case. The Ouse Washes SSSI, SPA and Ramsar is within 5km. There is a likelihood that the application site may be used by species associated with this designated site by merit of this proximity, and that other protected bird species use the site, including raptors listed on Schedule 1 of the Wildlife and Countryside Act 1981.
- Whilst the mast may be very small in scale and temporary, the RSPB recommends that measures to avoid or eliminate such risks to species afforded special protection are applied, to ensure that the risk is minimised as much as possible. There are standard approaches and measures that can be considered to achieve this for mast development. Existing data sources and/or targeted field survey can provide information to confirm the presence of species either breeding or otherwise using the site, these sources include information from the local Environmental records Centre, County Bird Recorder and local conservation groups. Information obtained from these sources can inform micro-siting of the mast to avoid or reduce risk of effects such as collision with guy wires or displacement from breeding sites due to presence of a novel structure. Application of reflective deflectors on guy wires is also a measure to prevent collision with wires.
- The RSPB recommends that the applicant seeks the advice of its ecological consultants to advise on the best means to avoid collision or displacement impacts on protected species and that a plan to detail the most appropriate measures to be employed for the specific situation of the site is consulted one.
- The RSPB recommends that, should the Council be minded to grant permission for the application, a condition should be attached to secure this provision, before construction commences.

#### 6.19 RSPB – additional comments following reconsultation

- RSPB maintains the recommendation submitted in our earlier comment for bird deflectors to be fitted to the mast, as mitigation.
- It is noted that this mitigation has been committed to, and that the deflectors will be visible at night. Although some brief, summary, information of the programme of ornithological surveys so far conducted for the site in relation to the wind turbine proposal is included in the additional information note, it does not specify that nocturnal activity surveys were carried out. We trust this is the case but either way continue to recommend such deflectors are applied as

mitigation, should permission be granted. This will be important as species associated with the Ouse Washes Special Protection Area (e.g. wintering lapwing and golden plover) are likely to be present in the area and active at night, with use of fields by these species (and therefore potential collision risk) differing potentially substantially between night and day.

- Although ornithological data for the proposal site is referred to, it does not appear this has been used to investigate options to microsite the mast, to ensure the lowest risk location is selected to maximise efforts to avoid negative effects on wildlife. The RSPB remains of the opinion that it would be beneficial for this process to be carried out and demonstration of this presented. If locations of breeding birds and flight line maps and outcomes of surveys for other wildlife (e.g. bats) are available for the proposal site it would be a straightforward exercise.

## 6.20 Conservation Officer

- The fact that this application is for a temporary consent means that this has to be given due consideration when assessing the impact on the heritage assets.
- The introduction of a vertical mast measuring 61.5 metres will undoubtedly have a visual impact on the landscape and the surrounding heritage assets.
- The applicant has referred to other vertical features found within the landscape; however, I fail to see the correlation between telephone poles and an anemometer.
- The proposed anemometer is located a considerable distance from any listed buildings; the closest being Haddenham Mill (Grade II), therefore it will have a minimal impact on the setting, character or appearance of listed buildings.
- In terms of the impact on the Conservation Area in Haddenham, views out of the village highlighted in the Conservation Area Appraisal will be altered. However, again it should be recognised that this application is for a temporary structure and should it be followed by an application for a permanent structure then this would be assessed on its own merits.
- A search of the Historic Environment Record shows archaeological remains within close proximity to the site. However, from the information provided, it does not appear that any extensive ground works are required.
- At this time, as the application is for a temporary structure, there would be no substantial harm caused to the significance of either designated or non-designated heritage assets.

## 7.0 THE PLANNING POLICY CONTEXT

### 7.1 East Cambridgeshire Core Strategy 2009

CS1	Spatial Strategy
CS8	Access
EN1	Landscape and settlement character
EN2	Design
EN4	Renewable energy
EN5	Historic conservation
EN6	Biodiversity and geology
S6	Transport Impact

7.2 East Cambridgeshire Local Plan Pre-submission version (February 2013)

GROWTH 2	Locational strategy
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 6	Renewable energy development
ENV 7	Biodiversity and geology
ENV 11	Conservation Areas

**8.0 CENTRAL GOVERNMENT POLICY**

8.1 National Planning Policy Framework 2012

Core Planning Policies

- 10 Meeting the challenge of climate change, flooding and coastal change
- 11 Conserving and enhancing the natural environment
- 12 Conserving and enhancing the historic environment

**9.0 PLANNING COMMENTS**

**Policy issues and general principles**

- 9.1 Neither the Core Strategy nor the draft Local Plan contains any policies specifically relating to this type of development. The National Planning Policy Framework (NPPF) also contains no policies specifically relating to scientific masts such as the one proposed in this application.
- 9.2 At the heart of the NPPF is a presumption in favour of sustainable development. This presumption means that when a development plan is silent in relation to a particular proposal, permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or, if specific policies in the NPPF indicate the development should be restricted.
- 9.3 The proposed mast would provide measurements from the site to inform the design, output figures and CO<sub>2</sub> saving for wind turbines that may be proposed at Berry Fen. The provision of such data would help to inform the local planning authority on the potential energy output of a proposed wind farm. Planning Practice Guidance states such information should form part of the consideration in determining applications for wind energy.
- 9.4 Whilst the proposed development is linked to a proposal for wind turbines in so far as it would provide the data required to inform that proposal, the consideration of wind monitoring masts must be separated from the consideration of any possible future wind turbine application.

- 9.5 The numerous concerns regarding the possible future wind farm at this site have been noted. However, a single mast with a temporary permission would not in any way set a precedent for, or presumption in favour of, a wind farm development at this location. Any application for a wind farm in this locality would have to be considered on its own merits at that time, against the relevant local and national policies.

### **Impacts on visual amenity and the character of the countryside**

- 9.6 Given the temporary nature of the development, it is considered that a full Landscape and Visual Impact Assessment is not required in this instance. However, the applicant has submitted a discussion on landscape and visual effects, prepared by Chartered Landscape Consultants, in support of the application.
- 9.7 The discussion acknowledges that the mast would introduce a high vertical form into the landscape. However, the slim form of the mast means that it is likely that it would only be perceived from relatively close proximity, within 1 -2 km of the site. The discussion considers that the proposal would not affect the key characteristics of the nearby 'fen island' villages or detract from any local landmarks. It goes on to conclude that the large scale landscape and the slim form of the mast means that it would not result in a change in landscape character beyond the scale of the site and its immediate surroundings.
- 9.8 The key groups of people who are identified as being affected by changes in view include: community and residents of Aldreth; community and residents of Haddehnham, residents and workers at scattered farmsteads, motorists on local roads, motorists on minor roads walkers and horse riders on local public rights of way; and, recreational walkers on the Ouse valley Way.
- 9.9 Whilst the groups identified above will experience some changes in view, it is considered that given the slender nature of the mast and the fact that it would be sited for a temporary period, the effects would not be significant.
- 9.10 The landscape and visual effects discussion does not refer to the use of either bird deflectors or markers for aircraft. These would increase the visibility of the mast to some degree, but it is considered that these would not increase it to such an extent that the affect on the landscape would be significant.
- 9.11 On balance it is considered that the proposal would not be contrary to policies EN1 or EN2 of the Core Strategy, as there would be no permanent change to the landscape character. Of the area and all visual impacts associated with the development would be temporary.

### **Impact on heritage assets**

- 9.12 Objections have raised concerns over the impact on the historic environment, particularly views out of the Haddenham Conservation Area and the impact on the historic landscape more generally.

- 9.13 The proposed anemometer is located a considerable distance from any listed buildings; the closest being Haddenham Mill (Grade II). The Conservation Officer has therefore confirmed that in her view, there would be a minimal impact on the setting, character or appearance of listed buildings.
- 9.14 Whilst the mast would be sited in an area of known archaeological potential, this specific location avoids areas of known or suspected archaeological evidence. The County Archaeological Team therefore has no objection to the proposal.
- 9.15 The Conservation Officer acknowledges that the mast would have an impact on the landscape and the surrounding heritage assets and that, views out of the Haddenham, highlighted in the Conservation Area Appraisal, would be altered. However, this impact would be temporary and as such there would be no substantial harm caused to the significance of either designated or non-designated heritage assets.
- 9.16 On balance, whilst there would be a temporary impact on the views out of the Conservation Area and on the wider historic landscape, it is considered that the impacts would not be significant.

#### **Impacts on ecology and biodiversity**

- 9.17 Objections have raised concerns over the potential adverse effects the mast would have on a number of different species, some of which are protected. Concerns also highlight the absence of ecological information in support of the application.
- 9.18 The site is within 4km of the Ouse Washes SSSI, SPA Ramsar site and Natural England have stated that farmland in the area is used for roosting and foraging by wildfowl and wader species which are qualifying features of the Ouse Washes. They have also confirmed that bats, water voles and great crested newts are also known to be present in the area.
- 9.19 Given the ecological sensitivities of the site, both Natural England and the RSPB shared the concerns expressed by residents over the initial lack of environmental information, and requested further information. In response to this request, the applicant submitted details of the ecological data search, survey and assessment work undertaken in support of this application
- 9.20 Following the submission of the additional information, Natural England has confirmed that they are satisfied that there has been a recognition of the proximity of the development site to the Ouse Washes, SSSI, SPA, Ramsar site and a consideration of the effects of the proposal on qualifying species of the Ouse Washes.
- 9.21 The submitted report includes consideration of the effects of proposals on other species in the area including bats, water voles and great crested newts. Natural England has confirmed that they are satisfied with the conclusions of the assessment and that the proposal is unlikely to have a significant effect on habitats and species, including bird species associated with the Ouse Washes SSSI, SPA and Ramsar site.

- 9.22 In light of the additional information, Natural England does not object to the proposal. However, they have recommended a number of planning conditions, which would be attached to any planning permission. These include the use of bird deflectors fitted to the guys.
- 9.23 The RSPB also recommends the use of bird deflectors to be fitted to the mast as mitigation. The applicant has stated that the deflectors used would be visible at night. This is important, as species associated with the Ouse Washes Special Protection Area are likely to be present in the area and active at night.
- 9.24 The RSPB has recommended that the ornithological data should be used to investigate 'micro-siting' the mast, to ensure the lowest risk location is selected to maximise efforts to avoid negative effects on wildlife. This should be shown, pictorially on a map of the site and surrounding area, highlighting locations of breeding birds, flight line maps and outcomes for surveys of other wildlife, including bats. The RSPB has confirmed that this should be a straight-forward exercise and could be secured by condition.
- 9.25 The accuracy of the ecological and in particular the ornithological data submitted by the applicant, has questioned by members of the public and the 'Stop Berry Fen Wind Farm' Action Group. The information has been compiled by competently qualified individuals and has been reviewed by the relevant statutory body as well as the RSPB. Neither of these expressed concerns over the accuracy of the data submitted and on this basis the local planning authority could not object to the detail submitted.
- 9.26 On balance, it is considered that there would be no significant adverse effects on wildlife as a result of the mast, which could not be successfully mitigated by conditions. As such the proposal would comply with the requirements of policy EN5 of the Core Strategy 2009 and with policy 11 of the NPPF.

### **Impacts on aviation**

- 9.27 Given the height of the proposed mast it was necessary to consult with outside bodies associated with aviation, to ensure that the mast would not cause any obstruction or raise any safety issues.
- 9.28 The proposed development has been examined by National Air Traffic Services from a technical safeguarding aspect, and does not conflict with their safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal. The Ministry of Defence also has no safeguarding objections to the proposal.
- 9.29 The Civil Aviation Authority (CAA) has confirmed that at 61.5 metres, the mast would not constitute an aviation en-route obstruction. However, the CAA response did make observations in relation to aerodrome specific safeguarding issues. To this end the proximity of three small aerodromes were identified: Michells Farm, Fen End Farm and Willingham, none of which are CAA licensed.

- 9.30 In response to this observation the applicant has conducted a thorough review of the available aviation publications, charts etc and can find no evidence to support the existence of an active airstrip at Fen End. The applicant has also stated that the other aerodromes listed, at Willingham and Mitchells Farm, are private unlicensed airstrips and are outside of the CAA recommended consultation distance as stipulated in Civil Aviation Publication 764 – CAA Policy and Guidelines on Wind Turbines. The local planning authority has also attempted to make contact with the aerodromes listed and has been unable to obtain a response.
- 9.31 Given the height of the mast, below the threshold to constitute an aviation en-route obstruction, and the distance of these airstrips from the mast. It is considered that there is unlikely to be any aerodrome specific safeguarding issues associated with the development.
- 9.32 Unless there are specific aerodrome safeguarding issues, aviation warning lighting is only legally required for structures of 150m or greater. There have been no requests for warning lighting from the CAA or any other aviation stakeholders, and as such this would not be required for this proposal. However, The General Aviation Awareness Council and a number of helicopter operators have requested, through the CAA, that markers are fitted to the guy wire supports.

### **Highways Impacts**

- 9.33 Concerns have been raised by objectors relating to the impact on the local highway network from traffic associated with the mast.
- 9.34 The erection of the mast is a low impact operation and would not require a significant number of construction vehicles. It is proposed that access would be achieved using Back Drove and Granger's Drove and along existing farm tracks. Ongoing visits would be limited to occasional visits for maintenance and decommissioning.
- 9.35 The Highways Officer has stated that the traffic associated with the temporary mast would have no significant impact on the public road network. It is therefore considered that the proposal would comply with policies CS8 and S6 of the Core Strategy, which seek to ensure that transport impact is fully assessed to avoid unsustainable and unsafe transport movements.
- 9.36 The Parish Council has requested a condition stipulating that construction traffic take a particular route to the site. However, given the very limited nature of traffic associated with the development and the lack of any concerns from the Highways Officer, such a condition could not be sustained on highway safety grounds.

### **Flood risk issues**

- 9.37 The mast would be located on the edge of flood zone 3 of the Environment Agency's flood risk map. The Environment Agency has therefore been consulted on the proposal.

- 9.38 The Agency has confirmed that, due to the scale and nature of the development, they have no objection on flood risk grounds. The proposal is therefore considered to comply with Core Strategy policy EN7 and NPPF policies on flood risk.
- 9.39 Informative points regarding pollution prevention contained within the Agency response would be added as an informative to any planning approval for mast.

### **Impacts on residential amenity**

- 9.40 Concerns have been raised by local residents over the potential adverse effects on residential amenity. The concerns included noise from the guy ropes, the overbearing impact; loss of privacy; overshadowing; impacts on psychological well-being; and, disruption from construction.
- 9.41 The nearest residential dwellings to the mast are over 600 metres away, and in many cases are separated from the site by trees and hedges as well as open agricultural fields. Given the degree of separation and the physical nature of the mast, it could not be argued by the local planning authority that the development would raise significant adverse effects on residential amenity by virtue of being overbearing or by introducing overlooking or over shadowing.
- 9.42 The Council's Environmental Health Officer has reviewed the proposal and has raised no concerns in relation to noise associated with the mast. The limited traffic movements associated with installation of the mast also means that there would be no significant disruption to local residents from construction traffic.
- 9.43 The local planning authority has noted that the mast application has heightened the level of anxiety surrounding the potential for a wind farm application on the site. As previously explained, the consideration of this mast must be considered on its own merits, separately from any potential wind farm application. However, the Council recognises that many of the residents of Aldreth and Haddenham and wider area are concerned that this application would in some way set a precedent for turbines on the site. This is not the case, and an informative would be added to any planning approval highlighting this fact.

### **Other material matters**

#### Need for Environmental Impact Assessment (EIA)

- 9.44 The proposed development was 'screened' by the local planning authority when the application was submitted, in accordance with the Town and Country (Environmental Impact Assessment) Regulations 2011. The development was deemed not to be EIA development. A copy of this screening decision can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://anitepa.eastcambs.gov.uk/AniteIM.WebSearch/Results.aspx>. Alternatively, a paper copy is available to view at the East Cambridgeshire District Council offices, on the application file.



### Need for Appropriate Assessment

- 9.45 Based on the information submitted with the application, Natural England has confirmed that they are satisfied that the proposal is unlikely to have a significant effect on the Ouse Washes SPA and Ramsar site. As such, further consideration of this proposal under the Conservation (Habitats and Species) Regulations 2010 (the Habitats Regulations) is not required.

### Tourism impact

- 9.46 Representations have referred to the effect of the development on tourism. The design and impact of the proposed mast has been assessed as acceptable with regard to landscape and visual impacts and it is not considered that it would significantly affect tourism in the area.

### Other requested conditions

- 9.47 The Parish Council requested a condition requiring the removal of the mast should an application for a wind farm on the site be refused. This would not meet the tests of a valid planning condition as it would relate to a development other than the one propose in this application. Furthermore, such a condition would be unreasonable on the basis that any refusal of planning permission can be subject to appeal.
- 9.48 CPRE requested a condition requiring any data obtained from the mast be made publicly available. This condition could not be supported on planning grounds and would not meet the tests for a valid condition, set out in Planning Practice Guidance.

### **Summary**

- 9.49 Both the Core Strategy and the draft Local Plan are silent on the issue of meterological masts such as the one proposed in this application. As such, the presumption in favour of development contained within the NPPF applies and the development must be approved unless adverse impacts would significantly and demonstrably outweigh the benefits.
- 9.50 The benefit of the proposed mast is the measurements that it would provide to inform the design, output figures and CO<sub>2</sub> saving for any proposed wind turbines at Berry Fen. It would therefore facilitate the provision of the appropriate scientific data for the local planning authority to assess, should such an application be submitted.
- 9.51 The potential impacts on visual amenity, heritage assets, ecology, aviation, local highways, flooding and residential amenity have been assessed. Whilst some impacts have been identified, the specific nature of these and the fact that they would in all cases be for a temporary period, means that they would not be so significant as to outweigh the benefit of the development outlined above. The application is therefore recommended for approval, subject to conditions.

## 10.0 **RECOMMENDATION**

RECOMMENDATION: Approval, subject to the following conditions: -

- 1 The development hereby permitted shall be commenced within 1 year of the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 2 The mast hereby approved shall be for a temporary period of 24 for months commencing from the date the mast is first erected on the site. At the end of the 24 month period the mast, and all associated support structures shall be dismantled and removed from the site in their entirety and the site returned to its former state.
- 2 Reason: The impacts of the mast were deemed to be acceptable on the basis that it would be a temporary development, for a 24 month period only.
- 3 Prior to the commencement of development, an ecological mitigation plan shall be submitted to the local planning authority and agreed in writing. This plan shall provide details of measures to be implemented during the construction phase to minimise impacts on habitats and species, including reptiles, water voles and nesting birds. All work shall be carried out in strict accordance with the agreed plan.
- 3 Reason: To ensure appropriate mitigation measures are undertaken to safeguard ecology and biodiversity in accordance with policy EN5 of the Core Strategy 2009 and policy 11 of the National Planning Policy Framework 2012.
- 4 Prior to the commencement of development, details of the number, type and position of the reflective bird deflectors, to be attached to the mast guy wires, shall be submitted to the local planning authority and agreed in writing. The deflectors shall be fitted in accordance with the agreed details and remain in place for the life of the anemometer.
- 4 Reason: To ensure appropriate mitigation measures are undertaken to safeguard ecology and biodiversity in accordance with policy EN5 of the Core Strategy 2009 and policy 11 of the National Planning Policy Framework 2012.
- 5 Prior to the commencement of development, details of a micro-siting exercise, informed by ornithological and other ecological data, shall be submitted to the local planning authority and agreed in writing. This exercise shall be shown pictorially on a map of the site and surrounding area, highlighting locations of breeding birds, flight line maps and outcomes for surveys of other wildlife, including bats. The mast shall be sited in accordance with the agreed details.

- 5 Reason: To ensure the lowest risk location is selected to maximise efforts to avoid negative effects on wildlife in accordance with policy EN5 of the Core Strategy 2009 and policy 11 of the National Planning Policy Framework 2012.
- 6 Prior to the commencement of development, measures to aid the visibility of the tethering cables for aviation, such as the use of spherical markers, shall be submitted to the local planning authority and agreed in writing. Any measures agreed shall be installed in accordance with the submitted details and shall remain in place for the life of the mast.
- 6 Reason: In the interests of aviation safety.
- 7 The proposal, including guy wires, must be located a minimum distance of 50m from suitable habitat such as trees, hedgerows, watercourses and buildings, in accordance Natural England's Technical Advice Note 51 (TIN051) Bats and onshore wind turbines - interim guidance, to minimise impacts on foraging bats.
- 7 Reason: To ensure appropriate mitigation measures are undertaken to safeguard ecology and biodiversity in accordance with policy EN5 of the Core Strategy 2009 and policy 11 of the National Planning Policy Framework 2012.

## 11.0 **APPENDICES**

### 11.1 Appendix 1 – Summary of representations

<b><u>Background Documents</u></b>	<b><u>Location(s)</u></b>	<b><u>Contact Officer(s)</u></b>
Application file 13/01102/FUL	Penelope Mills Room No. 011 The Grange Ely  <a href="http://anitepa.eastcambs.gov.uk/AniteIM.WebSearch/Results.aspx">http://anitepa.eastcambs.gov.uk/AniteIM.WebSearch/Results.aspx</a> .	Penelope Mills Senior Planning Officer 01353 665555 penny.mills@eastcambs.gov.uk
Core Strategy	The Grange Ely  <a href="http://www.eastcambs.gov.uk/sites/default/files/csadoptmain.pdf">http://www.eastcambs.gov.uk/sites/default/files/csadoptmain.pdf</a>	

Draft Local Plan     The Grange  
                                 Ely

<http://www.eastcambs.gov.uk/local-development-framework/draft-local-plan>

NPPF and  
Planning  
Practice  
Guidance

<http://planningguidance.planningportal.gov.uk>