



East  
Northamptonshire  
Council

## Wind and Solar Supplementary Planning Document – Public participation statement under Regulation 12(a), including Post-Consultation



East Northamptonshire Local Plan

November 2014

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# Wind and Solar Supplementary Planning Document – Public participation statement under Regulation 12(a)

The wind and Solar Energy Supplementary Planning Document (SPD) was published for consultation, in accordance with the **Town and Country Planning (Local Development) (England) Regulations 2004 (Statutory Instrument 2004 No. 2204)**. A 6-weeks statutory consultation was undertaken, in accordance with Regulation 18, from 26<sup>th</sup> May to 7<sup>th</sup> July 2014. (inclusive).

With effect from 6 April 2012, the 2004 Regulations were replaced by the **Town and Country Planning (Local Planning) (England) Regulations 2012 (Statutory Instrument 2012 No. 767)**. 2004 Regulation 18 was replaced by 2012 Regulations 12(b) and 13. This “Public Participation statement” has been prepared under the requirements of the new (2012) Regulation 12(a).

## Regulation 12(a) requirements

Under the requirements of new Regulation 12(a), the Council is required to prepare a Public participation statement, to accompany the Wind and Solar Energy SPD. Accordingly, this “Regulation 12(a)” statement sets out:

- Persons or bodies consulted during preparation of the Wind and Solar Energy SPD and the statutory consultation (26<sup>th</sup> May to 7<sup>th</sup> July);
- Summary of the main issues raised;
- How each issue has been addressed.

## Regulation 12(b) and Regulation 35 requirements

In addition to the requirements of Regulation 12(a); Regulations 12(b), 13 and 35 set out the further statutory obligations regarding the consultation process for the Wind and Solar Energy SPD. The Consultation Draft was published on the Council’s website ([http://www.east-northamptonshire.gov.uk/site/scripts/documents\\_info.php?documentID=66&pageNumber=15](http://www.east-northamptonshire.gov.uk/site/scripts/documents_info.php?documentID=66&pageNumber=15)). A statutory notice and press release were placed in the Council’s own newspaper, the Nene Valley News, on 24<sup>th</sup> May 2014.

Hard copies of the Consultation Draft were also available to view at:

- Customer Service Centre, Cedar Drive, Thrapston, NN14 4LZ (8.45am-5pm, Monday to Friday)
- Customer Service Centre, Newton Road, Rushden, NN10 0PT (9am – 4.30pm, Monday to Friday)
- Customer Service Centre, Oundle Library, Oundle, PE8 4JA (10am – 1pm, Monday to Saturdays)
- Libraries at Thrapston, Rushden, Higham Ferrers, Irthlingborough, Raunds and the mobile libraries (opening times and other details are available from Northamptonshire County Council)

## Representations received (26<sup>th</sup> May to 7<sup>th</sup> July 2014)

The table below lists all individuals or bodies consulted on the Wind and Solar Energy SPD, in accordance with Regulation 12(a). It also identifies whether a representation/ response has been received.

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Consultee	Means of consultation	Response	Nature of response
<b>Adjoining Councils</b>			
Cambridgeshire County Council	Royal Mail	No	N/a
Lincolnshire County Council	Email	No	N/a
Northamptonshire County Council (Fire and Rescue)	Email	No	N/a
Northamptonshire County Council (NIA Officer)	Email	No	N/a
Northamptonshire County Council (Planning Policy)	Email	No	N/a
Northamptonshire County Council (Highways)	Email	Yes	Comments/ correction
Bedford Borough Council (Planning Policy)	Email	No	N/a
Borough Council Of Wellingborough	Email	No	N/a
Corby Borough Council	Royal Mail	No	N/a
Huntingdonshire District Council	Royal Mail	No	N/a
Kettering Borough Council	Royal Mail	No	N/a
North Northamptonshire Joint Planning Unit	Email	No	N/a
Peterborough City Council	Email	No	N/a
Rutland County Council	Email	No	N/a
South Kesteven District Council	Email	No	N/a
<b>Parish and Town Councils</b>			
Aldwinckle Parish Council	Email	No	N/a
Apethorpe Parish Meeting	Email	No	N/a
Ashton Parish Council	Email	No	N/a
Barnwell Parish Council	Email	No	N/a
Benefield Parish Council	Email	No	N/a
Blathwerwycke Parish Meeting	Email	No	N/a
Brigstock Parish Council	Email	No	N/a
Bulwick Parish Council	Email	No	N/a
Chelveston-cum-Caldecott Parish Council	Email	Yes	Comments/ correction
Clopton Parish Meeting	Email	No	N/a
Collyweston Parish Council	Email	No	N/a
Cotterstock Parish Meeting	Email	No	N/a
Deene and Deenethorpe Parish Council	Email	No	N/a
Denford Parish Council	Email	No	N/a
Duddington with Fineshade Parish Council	Email	No	N/a
Easton-on-the-Hill Parish Council	Email	No	N/a
Fotheringhay Parish Meeting	Email	No	N/a
Glaphorn Parish Council	Email		N/a
Great Addington Parish Council	Email	Yes	Comments/ correction
Hargrave Parish Council	Email	No	N/a
Harringworth Parish Council	Email	No	N/a

Hemington, Luddington and Thurning Parish Council	Email	No	N/a
Higham Ferrers Town Council	Email	No	N/a
Irthlingborough Town Council	Email	No	N/a
Islip Parish Council	Email	No	N/a
King's Cliffe Parish Council	Email	No	N/a
Laxton Parish Meeting	Email	No	N/a
Lilford-cum-Wigsthorpe and Thorpe Achurch Parish Council	Email	No	N/a
Little Addington Parish Council	Email	No	N/a
Lowick and Slipton Parish Council	Email	No	N/a
Lutton Parish Council	Email	No	N/a
Nassington Parish Council	Email	No	N/a
Newton Bromswold Parish Meeting	Email	No	N/a
Oundle Town Council	Email	Yes	Comments/ correction
Pilton, Stoke Doyle and Wadenhoe Parish Council	Email	No	N/a
Polebrook Parish Council	Email	No	N/a
Raunds Town Council	Email	No	N/a
Ringstead Parish Council	Email	No	N/a
Rushden Town Council	Email	No	N/a
Southwick Parish Meeting	Email	No	N/a
Stanwick Parish Council	Email	Yes	Comments/ correction
Sudborough Parish Council	Email	Yes	Comments/ correction
Tansor Parish Meeting	Email	No	N/a
Thrapston Town Council	Email	No	N/a
Titchmarsh Parish Council	Email	No	N/a
Twywell Parish Council	Email	No	N/a
Wakerley Parish Meeting	Email	No	N/a
Warmington Parish Council	Email	No	N/a
Woodford Parish Council	Email	No	N/a
Woodnewton Parish Council	Email	No	N/a
Yarwell Parish Council	Email	No	N/a
<b>Other Statutory Consultees</b>			
English Heritage	Email	Yes	Comments/ correction
Environment Agency	Royal Mail	No	N/a
Natural England	Email	Yes	Comments/ correction
<b>Other Consultees</b>	Email		
Bletsoe	Email	No	N/a
Carter Jonas	Email	No	N/a
Civil Aviation Authority	Email	No	N/a
Gladman	Email	No	N/a
Mccarthy and Stone	Email	No	N/a
MOD	Email	No	N/a
NFU	Email	No	N/a
North Northamptonshire Landowners Group	Email	No	N/a
Peacock and Smith	Email	No	N/a

Rapleys	Email	No	N/a
Retirement Housing Group	Email	No	N/a
RSPB	Email	No	N/a
Savills	Email	No	N/a
Thomas Eggar LLP	Email	No	N/a
Wildlife Trust	Email	No	N/a
William Davis Ltd	Email	No	N/a
Woodland Trust	Email	No	N/a

**Annex 1** to this paper provides a summary of each representation received, East Northamptonshire Council's response in each case, and any actions (amendments to the SPD) arising from each representation.

During the 6 weeks of the consultation, 18 individuals and organisations submitted representations on the Wind and Solar Energy SPD. The representations contained a total of 124 separate comments.

### **Conclusion**

The production of the Wind and Solar Energy SPD has involved extensive and ongoing consultation. This has directly influenced both early development and later refinement of the document. The process has complied with the relevant Government Regulations.

## ANNEX 1: Summary representations, East Northamptonshire Council's response and actions arising

No.	Name	Date	Medium	Paragraph/ section ref (S=Section)	Summary comment	Response	Action
001-01	Chelveston Parish Council	05.07.14	Letter	All	The SPD covers pictures of a wind farm not within ENC District. Suggested happy to provide some.	Add additional photos.	Add photos to document.
001-02	Chelveston Parish Council	05.07.14	Letter	S3.2	3.2 The SPD refers to wind turbines over 100m. This is dated as modern turbines are 125m to blade tip.	Update text.	Amend SPD.
001-03	Chelveston Parish Council	05.07.14	Letter	S3.3	S3.3 the SPD refers to the Burton Wold wind farm, would it not be appropriate to reference the most recent 2013 CRE farm	Comments noted and text updated.	Amend SPD.
001-04	Chelveston Parish Council	05.07.14	Letter	S5.5	Recommends use of S106 agreement rather than Community Infrastructure Levy.	The Council is progressing with the CIL. S106 will therefore be redundant for such matters.	None
001-05	Chelveston Parish Council	05.07.14	Letter	S5.7	At S5.7, the legally binding offer should include that the developer recompense any set-up costs of the chosen benefit scheme. In the case of CRE, the s106 agreement required the costs of setting up the trust to be covered, separate to the community benefits provided.	Add text to SPD.	Amend SPD.
001-06	Chelveston Parish Council	05.07.14	Letter	S9.13-9.16	Cumulative Impact is dealt with in 4 short sections (s9.13- s9.16). It is respectfully suggested that this subject needs to be developed further, as this will be one of the largest issues facing the district in the future, when either existing operators wish to expand their sites or new developers wish to enter the market at nearby locations due to the availability of wind, sun or grid power	Cumulative impact is also covered in S9.1, S9.4, S10.7, Appendix 2.7 and S5.11 on EIA. However more detail added to 9.13 and 9.16 Cumulative impact sections of the document.	Amend SPD.

					connections.		
001-07	Chelveston Parish Council	05.07.14	Letter	S13	In s13 (Flooding) it appears mainly concerned with flooding of the development, rather than by the development. Possibly s13.5 could be improved by indicating that bunding and holding reservoirs may be required?	Detail of how flood risks will be managed will be site specific depending on the scheme.	None
001-08	Chelveston Parish Council	05.07.14	Letter	S19	At s19.4 (3?)the SPD requires a bond for TV reception mitigation, but there is no equivalent bond requirement for blade flicker at s15?	The SPD section 15.5 ensures that applicants submit a detailed assessment of the likelihood of shadow flicker. It states that assessment may indicate a need to amend the location of the offending turbine(s) or use a computerised control system to switch off the turbines responsible. However add text ' Planning Conditions will be used on applications to reduce the impact of shadow flicker '.	None
001-09	Chelveston Parish Council	05.07.14	Letter	S15.3	At s15.3 the SPD unfortunately uses the positive spin promoted by the 'Wind Farm Industry in stating only properties within 130 degrees either side of north relative to the turbines can be affected by shadow flicker". Looking more objectively at this arc, it becomes apparent that 260 degrees is nearly	Taken from the National Planning Policy Guidance.	None

					three quarters of a circle (72%). From the receptors' viewpoint, the only properties that can't be affected are those within 50 degrees of south relative to the turbines.		
001-10	Chelveston Parish Council	05.07.14	Letter	S15.3	Also at s15.3 (15.5?), the SPD takes the 10 rotor diameters statement as verbatim, without considering the local topology. If the wind turbines are located on high ground (which is the norm) and the receptor is located downhill, then the shadows cast may be greater than 10 diameters. For example a property in Chelveston at approx. 11-12 diameters downhill from the turbines has been affected by blade flicker.	This figure is taken from the National Policy Statement for Renewable Energy Infrastructure (EN-3)	None
001-11	Chelveston Parish Council	05.07.14	Letter	S15	At s15 (Blade flicker), the SPD should require prompt action from the operator when evidence of flicker is established (most receptors have access to smart phones or other recording devices that can show the effect of the flicker within their homes). The industry body states it is easy for operators to programme the offending turbines to stop during periods when flicker would occur, so mitigation and resolution, as with s19 (TV reception), should be a matter of weeks rather than months.	Concern noted.	None.
002-01	Councillor Derek Capp	07.07.14	Email	All	I am sure most concerns would have been picked up but for my part given it is government policy for wind and solar is.  1. Impact on historic environment 2. Cumulative effect 3. Degraded bridle ways and footpaths even solar panels can ruin a nice walk in open countryside.	It is considered that these issues are considered within the SPD. We cannot ensure that all businesses incorporate solar panels under current legislation.	None

					4. Solar panels should be part of any industrial or agricultural building.		
003-01	Councillor Glenn Harwood	27.06.14	Email	9.12	I specifically asked that the version of the SPD document that goes out to consultation should contain some form of 'directive' to applicants on the production of their Photomontages. That 'directive' should stipulate the photographic technical standard which would be acceptable to ENC and not leave it to the applicant to decide on that standard. Any Photomontages submitted with a Planning Application are meant to give a realistic indication of the eventual size and scale of the Turbines, and therefore the real impact they are likely to have, from various viewpoints, on nearby sensitive receptors and the landscape. However; experience at ENC has shown that applicant supplied photomontages have consistently been quite disingenuous and misleading in the extreme, and bearing no resemblance at all to the actual Turbine once erected.	The SPD does refer to existing standards and states that 'Useful advice on these issues has been produced by the Landscape Institute and Highland Council'. Officers propose not to include a specific standards as different photomontages may be suitable for different sites, depending on the application.	None
004-01	CPRE	04.07.14	Letter	All	We have recently released a policy document addressing large scale solar PV schemes which we attach as an appendix. This not only contains the branch policy for responding to large scale solar PV schemes but also a review of government policy and guidelines and industry best practice. We	Noted as a useful guide	none

					request that this is considered when drafting changes to the SPD.		
004-02	CPRE	04.07.14	Letter	S1	Section 1. Renewable Energy Policy This section is rather dated and should include more recent government policy and documents such as DECC (2013) UK Renewable Energy Roadmap Update 2013, UK Solar PV Strategy parts 1 & 2 and the Renewable & Low carbon energy Planning Practice Guidance.	Update SPD to include reference to documents.	Update text.
004-04	CPRE	04.07.14	Letter	Para 3.4	Para 3.4 Large scale turbines are ideally separated by 7 rotor diameters but developers usually compromise the separation to obtain maximum output from the site. Modern turbines tend to be at least 125m to tip with rotors of at least 90m diameter. This leads to a spacing of approximately 4 turbines per square kilometre which means that the area required for 20 turbines would cover a minimum of 5 square kilometres.	Update text.	Amend wording to take out area detail.

004-03	CPRE	04.07.14	Letter	Para 3.5	Para 3.5 This section omits the large concrete bases upon which turbines stand.	Update text	
004-04	CPRE	04.07.14	Letter	Para 3.6	Para 3.6 This should also acknowledge that the output from solar cells is also significantly affected by cloud cover.	Noted	None
004-05	CPRE	04.07.14	Letter	Para 3.9	Para 3.9 Solar collectors are not always fitted to the roof although this is the most common location for them.	Add text 'usually'.	Update SPD
004-06	CPRE	04.07.14	Letter	3.12 and 8.2	3.12 and 8.2 there is no rationale for providing figures for solar PV based on a 5MW installation which gives a misleading impression of the productivity of large scale solar PV. The figures should be presented either by per MW or per acre so they can readily be scaled up when assessing applications. Based on the figures in the SPD this would give solar PV figures of 300 homes/MW or 60 homes/acre.	Concern noted.	None.

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004 -07	CPRE	04.07. 14	Letter	3.12 and 8.2	<p>We have a particular issue with figures being based upon the assertion that “the typical household uses 3,300kWh/year”. The Government DUKES database shows that the average domestic consumption is approximately 4,300kWh/year. The “typical household” cited is certainly not the average household and in our view this produces an inflated figure. It is notable that the ASA has ruled that wind energy advertising should use the average consumption.</p>	<p>The figure of 3,300 Kwh/yr was taken from Appendix B of 'Planning guidance for the development of large scale ground mounted solar PV systems', produced by BRE (ref 33 in Appendix 3 of the SPD).The following link to a recently produced DECC document (Energy Consumption in the UK (2014) however indicates that the UK average unadjusted electricity consumption per household in 2013 was 4,192 kilowatt hours (kWh),</p> <p><a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/338662/ecuk_chapter_3_domestic_facsheet.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/338662/ecuk_chapter_3_domestic_facsheet.pdf</a></p> <p>Therefore update text to reflect the recent DECC figure.</p>	Update SPD
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004-08	CPRE	04.07.14	Letter	3.12 and 8.2	Using the average consumption for solar PV we calculate that this reduces the figure to 1,030 homes for the 5MW installation (206 homes per MW or 41 homes per acre). Regardless we find the “number of homes” comparison to be a misleading metric because only 29% of electricity is consumed in homes (see DUKES database). In our responses to applications we tend to calculate the number of individual carbon footprints that the scheme would offset (10 tonnes CO2 per individual per year vs 430g CO2 saving per kWh generated). In addition to being a clear indicator of how much of the population that the scheme actually neutralises, it has the added advantage of being a metric that does not rapidly get out of date because as the grid decarbonises the individual carbon footprint would also decrease.	Whilst we accept that the suggested method could be used to give an idea of the impact on our carbon footprint, this does not invalidate the use of a figure which indicates the number of homes that could be powered by the estimated annual production. The use of the latter is used in the methodology set out at para 8.2 of the SPD and is taken from appendix B of the BRE document (ref 33 in Appendix 3 of the SPD).	
004-09	CPRE	04.07.14	Letter	Para 7.4	Para 7.4 The draft NNJPU core strategy should also be considered otherwise the SPD could soon become obsolete when this supersedes the existing Core Strategy.	We cannot include draft policy documents that have yet to be through Examination.	None
004-10	CPRE	04.07.14	Letter	Para 8.2	Para 8.2 The capacity factors quoted are not typical of East Northamptonshire. The wind resource in East Northamptonshire is one of the weakest in the UK and existing solar PV installations are	These figures are taken from the DECC. Digest of UNITED Kingdom Energy Statistics 2013.	None

					predominantly in the south & south west where solar irradiation is greater. In fact large scale solar PV is only now spreading north into East Northamptonshire because the lower output from schemes meant that they were not viable at this latitude until the recent fall in panel prices.		
004-11	CPRE	04.07.14	Letter	Para 9.7	Para 9.7 The design of large solar PV schemes can exacerbate their impact when they follow the irregular field boundaries that make up the landowner's holding rather than being designed as a coherent coverage of a section of landscape.	Concern noted.	None
004-12	CPRE	04.07.14	Letter	Para 9.15	Para 9.15 If the countryside is not to be gradually industrialised cumulative impact should not just consider the impacts of a single technology and/or scale of that technology but the impact of all renewable energy schemes in the surrounding countryside.	Cumulative impact is the impact the proposal will have when considering others renewable energy schemes already in existence in the area as mentioned in 9.13.	None
004-13	CPRE	04.07.14	Letter	Para 12.4	Para 12.4 Most grade 3 sites are a mixture of 3a and 3b and the Hacheson appeal decision (APP/J3530/A/13/2193911) makes it clear that if only parts of a site are grade 3a then they should not be effectively lost to agriculture. This decision also shows that it is important that the whole site is assessed and not just the least productive areas.	Noted	None

004-14	CPRE	04.07.14	Letter	Para 12.5	<p>Para 12.5 The SPD should make it clear whether ENC consider whether the low intensity grazing that can be made available in virtually all solar farms is sufficient to justify the loss of productive arable land.</p> <p>It is the view of CPRE Northamptonshire that this is not the case in particular given the recent warning by the IPCC that food shortages are a likely consequence of climate change. The loss of food production was a consideration in the Hacheson decision.</p>	12.5 states that 'proposals on agricultural land will need to demonstrate that the solar farm will not preclude the continued use of the land for agricultural purposes and/or will provide biodiversity improvements around arrays.	None
004-15	CPRE	04.07.14	Letter	Para 14.2	<p>Para 14.2 We are concerned that the SPD should not inadvertently be used to perpetuate the use of standards such as ETSU-R-97 if these are superseded in national policy by an improved regime. We suggest that this paragraph makes it clear that noise protection from wind turbines is determined by the latest national standards and best practice and not by the SPD.</p>	Add text.	Update SPD
004-16	CPRE	04.07.14	Letter	Para 14.6	<p>It should be made clear that candidate turbines should be a worst case and that any permission given is conditional upon the chosen turbines being no worse than the candidate turbine.</p>	Noted	None
004-17	CPRE	04.07.14	Letter	Para 14.8	<p>Para 14.8 We consider that this paragraph is unnecessary since this is not a local policy statement.</p>	It is considered that reference to ETSU-R-97 and the provided summary within the SPD is useful for	None

						applicants.	
004 -18	CPRE	04.07. 14	Letter	Para 14.9	<p>Para 14.9 There have been two accepted approaches to planning conditions to control EAM (excessive amplitude modulation) – the Den Brook condition that has been tested in the high court and a narrative condition used for Swinford. Admittedly developers strongly resist such conditions because they constrain development in quieter areas where noise would cause a nuisance that is not adequately protected under ETSU-R-97. However it is not correct to say that current practice is not to assign such a condition. The Institute of Acoustics (who work closely with the wind industry) has in fact recognised that the phenomenon needs to be addressed and in their Good Practice Guidance issued in 2012 they proposed a condition to address this. Unfortunately this has been independently tested at existing problem sites and found to be ineffective and so this condition should not be used.</p>	<p>After a request for comments from our Environmental Services Team they responded with the following: 'Amplitude Modulation (AM) is a relatively new and little understood phenomena. There have been many planning appeals where AM conditions have been discussed at length and differing approaches have been taken. The suggested condition from Renewable UK as mentioned in the consultation response, to the best of our knowledge has not been independently tested at known problems sites and therefore it is possible that this condition may well be found to be ineffectual like the IOA Good Practice Guidance 2012. We would always seek to have a condition to address AM however</p>	<p>Added text 'However this would need to be agreed at the time, in line with current best practice and guidance available'.</p>

						<p>any condition used must have been tested and be the most appropriate condition that is available at the time. Environmental Services does not propose amendments to the SPD in its current form as a result of the consultation responses. The large wind farm at Chelveston that covers both East Northants and Bedfordshire Councils has conditions to cover both issues raised. These conditions were agreed with the operator and the inspector felt they were reasonable and enforceable. We would not seek to move away from these conditions however when presented with proven alternatives in the future these would be considered in line with current best practice and guidance available at the time'.</p>	
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004-19	CPRE	04.07.14	Letter	Para 14.10	<p>Para 14.10 If this is local policy it should not state 35dB(A) but should be rephrased something like: Where predicted noise levels are low at the nearest residential properties a simplified noise limit is suggested such that noise is restricted to the lowest noise level allowed under national guidance which under the current ETSU-R-95 standard is 35dB(A). If this is not local policy then it should be made clear that this paragraph relates to ETSU-R-97 and is not local policy.</p>	<p>After a request for comments from our Environmental Services Team they advised that 'Environmental Services does not propose amendments to the SPD in its current form as a result of the consultation responses'.</p>	None at present
004-20	CPRE	04.07.14	Letter	Para 14.11	<p>Paras 15.3 &amp; 15.5 It is industry good practice to add a 10% margin of error to the extent of shadow flicker and assess shadow flicker up to 11 times rotor diameter.</p>	<p>The National Policy Statement indicates (para 2.7.66) that 'Where wind turbines have been proposed within 10 rotor diameters of an existing occupied building, a shadow flicker assessment should be carried out by the applicant. The IPC should anticipate that the intensity of the shadow of the rotating blades from turbines at distances from such buildings of 10 rotor diameters and beyond is sufficiently diminished so as to have no significant impact on occupied</p>	Amend SPD.

						buildings'. Whilst there is nothing in the NPS that says that the assessment must extend to 11 rotor diameters we will check with the trade body (Renewable UK) To find out if the 10% margin of error is industry good practice.	
004-21	CPRE	04.07.14	Letter	Para 17.6	Para 17.6 The recommended BHS safety distance is 3 times turbine height for normal bridleways and 4 times turbine height for nationally promoted bridle routes as a starting point with an absolute minimum of 200m. The BHS approach is very reasonable and seeks to ensure continued safe riding rather than rigidly demanding the absolute protection of existing bridleways. They recommend a process of negotiation when recommendations cannot be met and , for example, they consider that	The SPD indicates that where the separation distance cannot be achieved, the developer should provide appropriate mitigation measures. i.e. it recognises that alternative solutions (e.g. a route diversion) may be possible depending upon the circumstances.	None

					an acceptable solution is the provision of an alternative route to bypass the site. We suggest that the SPD should more closely echo the BHS approach.		
004-22	CPRE	04.07.14	Letter	Para 17.7	Para 17.7 Again it should be made clear that this is the current picture rather than local policy.	Amend text	Amend text
004-23	CPRE	04.07.14	Letter	Para 21.4	Para 21.4 Rather than allowing below ground infrastructure to remain in the ground in the event of significant adverse environmental impacts, there should be a requirement to demonstrate that the design below of ground infrastructure is such that they can be removed without adverse environmental impact. The failure to make a scheme fully reversible should be considered to be an indicator of poor design.	Add to SPD.	Amend text
004-24	CPRE	04.07.14	Letter	S23	Section 23 Community energy schemes It would be helpful to state that although community schemes are desirable, they must still conform to planning policies particularly those that apply to the wider impacts of the scheme.	Noted amend text	Amend text

005-01	English Heritage	15.07.14	Email	S15	Specifically in relation to renewable energy generation, English Heritage's policy on such development is set out in various guidance documents as part of our position on climate change issues (see <a href="http://www.helm.org.uk/climatechange">www.helm.org.uk/climatechange</a> for more information).Of particular reference to this study is our guidance note entitled Wind Energy and the Historic Environment. This provides advice on how to consider the historic environment within wind energy policies, programmes and projects, addressing issues such as direct physical impacts, the setting of historic features and visual amenity. In addition, we have recently published guidance entitled 'The Setting of Heritage Assets' which is relevant for such types of development and sets out key principles and a framework for assessing setting. Finally our document 'Seeing the History in the View' is also relevant. All documents as cited above are available at <a href="http://www.HELLM.org.uk">www.HELLM.org.uk</a> .	Add reference to document	Add reference to document
005-02	English Heritage	15.07.14	Email	S5	5. Preparing a Planning Application- English Heritage welcomes the link to the general advice in the East Northamptonshire Local List of Information Requirements setting out a level of expectancy in order to ensure clarity and transparency and avoid undue delay in the determination of applications. We particularly note the sections on Archaeological Assessment (6), Heritage Impact Assessments (11), Landscape and Visual Impact Assessment (15) and Photographs (19) in respect of potential impacts on heritage assets. We do however note some potential to update this advice to reflect the most recent versions of published	Update guidance referenced	Amend text

					guidance (Landscape and Visual Impact Assessment 3rd edition is now available as referenced in the SPD document).		
005-03	English Heritage	15.07.14	Email	S9.12	We would also recommend that consideration of specific comment on the requirements for solar farm applications is included in line with that provided in respect of wind turbine applications. We would draw your attention principally to the potential benefit of outlining requirements for photomontages for solar farms.	The document states that 'The selection and identification of viewpoints and photographic, photomontage and computer modelling standards must be agreed with the Council'. Officers propose not to include requirements for photomontages as we feel that it should be considered on a site by site basis. However detailed worded has been added to the section stating 'The Council attaches the utmost importance on the highest quality photomontages available to ensure effective decision making'. As well as 'where significant historic assets are affected English Heritage would also	None

						wish to be consulted about possible viewpoints. Designated heritage assets should be used as one of the individual viewpoints to be supplied by the applicant. The value of using a combined photomontage and wireframe should also be considered where particular issues are likely to be highlighted'.	
006-04	English Heritage	15.07.14	Email	S9.12	We would also encourage your authority to consider the need to ensure that designated heritage assets are considered as individual receptors when determining which viewpoints should be supplied by the applicant.	Added text 'however designated heritage assets should be used as one of the individual viewpoints to be supplied by the applicant' to 9.12.	Amend text.

006-05	English Heritage	15.07.14	Email	S9	<p>English Heritage notes that the draft SPD states that the Council has commissioned a landscape sensitivity study that applicants should have regard to.</p> <p>The status of this study is unclear. It is not included within the draft SPD either as part of the main text or appendices, but is included in the list of references. It is also unclear to what extent the study forms part of this consultation as it was not referred to in the letter sent to consultees or in accompanying documentation but does appear on the relevant consultation page of the council's website. We have been advised that the study is a background document to the draft SPD and the council would welcome comments upon it as part of this consultation. It should also point out that the study is in two parts; "Landscape Sensitivity to wind turbine development" and "Landscape Sensitivity to Solar PV development."</p>	<p>The two studies are referenced within the document under The SPD is the subject of the consultation. The Public Notice, letter and website clearly state that the SPD is subject to consultation, the study is identified as a background study and as such is not subject to consultation. However we did advise that if there were any pressing specific comments we would welcome those. These will however be dealt with separately to the SPD Consultation responses.</p>	None
006-06	English Heritage	15.07.14	Email	9.1	<p>Most importantly, the text of the SPD needs to explain that the study relates to relative landscape sensitivity and not to landscape capacity, and as such are not definitive statements on the suitability of locations for particular development.</p> <p>As such, we would request that paragraph 9.10 removes the reference to capacity on the second line and that the text in this paragraph outlining the above position is in bold text.</p> <p>English Heritage considers there are risks associated with referencing a specific map</p>	<p>Agree that it would be useful to clarify that the SPD covers Landscape Sensitivity and not Landscape Capacity. Concerns noted.</p>	Amend text

					based study as appears to be proposed here; experience has shown that development outside specifically defined sensitivity areas can still adversely affect setting, particularly in the case of wind turbines. In this case we would urge your authority to make clear the status and limitations of this study.		
006-07	English Heritage	15.07.14	Email	9.7	We would comment in relation to appreciation of the potential for direct loss of landscape features from wind turbine developments in 9.6 that similarly, solar PV developments can also cumulatively result in loss of, damage to or obscuration from view of landscape features (9.7).	Amend text to include comment on Solar PV also.	Amend text
006-08	English Heritage	15.07.14	Email	S10	English Heritage welcomes consideration of landscape character as a key issue which impacts on the historic environment through the contribution this makes to the significance and setting of heritage assets.	Noted	None

006-09	English Heritage	15.07.14	Email	S10	However, it should be reiterated that the desirability of the protection of listed buildings and their setting is a requirement of planning law and that the NPPF provides considerable weight to the protection of listed buildings and other heritage assets and their settings. 'Landscape character', in its own right, does not benefit from the same legislative and policy protection. It is important, therefore, for the SPD to reflect the correct legal and policy emphasis for decision making.	Clarify that the SPD covers 'Landscape character'.	Update text
006-10	English Heritage	15.07.14	Email	9.8	We would remind your authority of the need to ensure that all applications address any significant changes which may have occurred within the individual environmental character areas referred to at 9.8, subsequent to their publication in 2006 as part of the assessment of potential landscape and visual impacts (including as a result of developments of this nature).	Include text.	Update text
006-11	English Heritage	15.07.14	Email	S10.2	We would also comment that in our experience across the country we often see heritage assets such as Registered Parks and Gardens addressed separately to other designations in planning applications under Landscape and Visual Impact Assessments and would recommend that your authority is mindful of the need to ensure a consistent approach to assessment of significance, setting and potential impacts on heritage assets, regardless of where this is submitted within an application.	Noted	Update text
006-12	English Heritage	15.07.14	Email	9.13	We welcome the reference to Cumulative Impact at 9.13. This is a requirement of both the NPPF (paragraph 97) and schedule 14 of the EIA regulations. Clearly, cumulative impact can only be considered on a case by	Refer to the English Heritage document.	Update text

					case basis; however, we consider it essential for the SPD to set out expectations in relation to this issue. Part 4.5 of our document 'The Setting of Heritage Assets' makes reference to how cumulative impacts can affect the setting of heritage assets and suggests how LPAs may wish to respond to this.		
006-13	English Heritage	15.07.14	Email	S10	English Heritage welcomes the appreciation by your authority of the fact that the historic environment forms a key issue which may need to be assessed and documented either as part of an EIA where this is required, or as part of a planning application.	Noted	None
006-14	English Heritage	15.07.14	Email	S10	Whilst we accept that in every case there may not be historic environment implications, given the vast cultural heritage resource found within the District and the nature and scale of many such developments, it is likely that the historic environment will require assessment in the majority of cases, regardless of whether formal EIA is required. Specifically, paragraph 128 of the NPPF makes it clear that applicants must demonstrate what is significant about a heritage asset and its setting, whether their proposals will harm this significance, and to what degree.	Noted	None

006-15	English Heritage	15.07.14	Email	S10	<p>We consider that there is merit here in setting out more detailed information on the numbers and types of asset in the district. These are as follows:</p> <p>1407 listed buildings, including 56 Grade I (the greatest number of this type of asset in the county) and 72 Grade II*  57 scheduled monuments (the greatest number of this type of asset in the county), plus 2 shared scheduled monuments  8 registered parks and gardens, plus 2 shared registered parks and gardens  32 conservation areas</p> <p>With regard to heritage assets, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 set out the legal duties to be applied. Failure to undertake these duties, where relevant, leaves decisions vulnerable to legal challenge.</p>	Add to SPD	Update text
006-16	English Heritage	15.07.14	Email	Appendix 3	<p>The Barnwell Manor decision (Barnwell Manor Wind Energy Limited v East Northamptonshire District Council and others 2014 EWCA Civ 137) has confirmed that considerable importance and weight is to be given to the desirability of preserving the listed building or its setting to discharge these legal requirements. This applies irrespective of the level of harm.</p> <p>Reference to this nationally significant decision within the district, as well as other relevant Inspectors' decisions should be made in the SPD and included in the References at Appendix 3.</p>	Amend SPD to refer to decision.	Update text

006-17	English Heritage	15.07.14	Email	S10	While not every proposed development will require a detailed assessment for specific listed buildings, there is a need to properly consider, in both legislation and policy, impacts on listed buildings and all other heritage assets.	Noted update text.	Update text
006-18	English Heritage	15.07.14	Email	S10.8	The inclusion in the SPD to references to conserving and enhancing the historic environment in the National Planning Policy Framework (NPPF) are welcomed. These should include paragraph numbers.	Amend SPD.	Update text
006-19	English Heritage	15.07.14	Email	S10	The reference to the English Heritage guidance documents referred to above is also welcomed. However, all of these references should make it clear that the guidance being referred to comes from English Heritage, the Government's adviser on the historic environment in England. We would also wish to see the penultimate sentence of paragraph 10.15 amended to read; "Guidance on assessing heritage significance within views is provided by English Heritage."	Amend SPD.	Update text.

006 -20	English Heritage	15.07. 14	Email	S10	<p>When in receipt of requests for initial comments on potential schemes, English Heritage advises that a number of considerations will need to be taken into account when proposals of this nature are being assessed. This includes consideration of the impact of ancillary infrastructure, such as tracks, fencing, and grid connections, as well as the turbines or panels themselves:</p> <ul style="list-style-type: none"> <li>•The potential impact upon the landscape, especially if a site falls within an area of historic landscape;</li> <li>•Direct impacts on historic/archaeological fabric (buildings, sites or areas), whether statutorily protected or not. All grades of listed buildings should be identified;</li> <li>•Other impacts, particularly the setting of listed buildings, scheduled monuments, registered parks and gardens, conservation areas etc., including long views and any specific designed views and vistas within historic designed landscapes. In some cases, intervisibility between historic sites may be a significant issue;</li> <li>•The potential for buried archaeology;</li> <li>•Effects on landscape amenity from public and private land;</li> <li>•Cumulative impacts.</li> </ul> <p>We also advise that such information would usually be expected to be presented as part of any planning application in a document such as an Environmental Assessment or Visual Impact Assessment, including the production of a Zone of Theoretical Visibility (ZTV) in line with the appropriate guidance. The ZTV of the proposed development should initially be based on topographical data before the impact of existing trees and</p>	Amend SPD.	Add text.
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					<p>buildings etc. on lines of sight is assessed. Finally, the effects of proposed mitigation measures on the ZTV should be demonstrated. We also recommend that photomontages are produced for key viewpoints. English Heritage would wish to be consulted about possible viewpoints where significant historic assets are affected. When preparing an application, the value of using a combined photomontage and wireframe should be considered. This has proved one of the most effective assessment techniques, but should be applied only selectively where particular issues are likely to be highlighted.</p>		
006-21	English Heritage		Email	10.2	<p>We welcome the clarification that heritage assets can be either designated or non-designated (10.2) and would recommend that further reference to the wealth of, and contribution of, non-designated heritage assets to the character of the area should also be made.</p>	Amend SPD.	Add text.

006-22	English Heritage		Email	10.9	<p>We would recommend that it is made clear that use of the online mapping service referenced in section 10.9 should not form a substitute to formal consultation of the detailed records in the Northamptonshire HER. We would also recommend that the National Heritage List for England is noted as the main source of information on designated heritage assets.</p> <p>(<a href="http://www.english-heritage.org.uk/professional/protection/process/national-heritage-list-for-england/">http://www.english-heritage.org.uk/professional/protection/process/national-heritage-list-for-england/</a>).</p>	Amend SPD.	Add text.
006-23	English Heritage		Email	10.11	<p>In relation to Section 10.11 we assume that reference to Northamptonshire Archaeology is intended to indicate the County Archaeological Advisor and Assistant Advisor, since Northamptonshire Archaeology (now MoLA (Northampton) is a separate commercial unit? English Heritage would recommend that your authority highlights the need for appropriate assessment of archaeological potential of development sites, prior to determination of planning applications, in discussion with the County Archaeological Advisors.</p>	Amend SPD.	Add text.
006-24	English Heritage		Email	10.14	<p>We welcome the reference in Section 10.14 and elsewhere to the requirement for appropriately qualified and experienced historic environment professionals to undertake assessment of heritage impacts.</p>	Noted	None
007-01	Environment Agency		Email	S13	<p>We welcome the Council's approach to the SPD, with a section highlighting flood risk, given the recent increase in planning applications relating to wind and solar power development.</p>	Noted	None

007-02	Environment Agency		Email	S13	Advice for preparing Solar Farms flood risk assessment (FRA)- Given that solar arrays have the potential to concentrate surface water run-off in localised areas, this issue should be considered as part of the FRA. For example, surface water draining off and around both the individual panels and whole rows will drip off the lower edge of the panels and through the gaps between each individual panel. This has the potential to build up surface water run-off in the areas directly below the edge of the panels. And depending on ground conditions, this may lead to localised areas where the infiltration capacity of the ground is exceeded, resulting in overland flows. Cut-off swales or French drains may be required to intercept overland flows to ensure that flood risk is not increased to the surrounding area and third parties.	Add text.	Update SPD
007-03	Environment Agency		Email	13.4	Based on recent updates, we recommend the following amendments in the SPD: Section 13.4: The Environment Agency website has moved to the GOV.UK single government website. The Flood Map for Planning (river and the sea), Risk of Flooding from Reservoirs Map and Risk of Flooding from Surface Water Map can be accessed via the following page - <a href="https://www.gov.uk/planning-applications-assessing-flood-risk">https://www.gov.uk/planning-applications-assessing-flood-risk</a>	Update text	Update text
007-04	Environment Agency		Email	13.6	Section 13.6: The Environment Agency website has moved to the GOV.UK single government website. The link to the FRA guidance notes should be updated to read - <a href="https://www.gov.uk/planning-applications-assessing-flood-risk">https://www.gov.uk/planning-applications-assessing-flood-risk</a>	Update text	Update text

008 - 01	Great Addington Parish Council		Email	1.2	1.2 In the document it shows the national target of 15% generation of energy from renewables by 2020, with a current level of renewable generation of 4%. This gives a gap of 11% What is the target or the share of the national target that ENC believes should be their contribution by 2020 for wind/solar generation, in numbers (turbines) and square meters (PV)? This needs to be in the document. This target will provide the framework for identifying whether there is or is not a need for further renewable developments and the urgency assuming the SPD is in place through to 2020. Some local authorities by nature of geography and location will lend themselves to wind and or solar developments and so the national target would not be equally distributed.	It is not considered suitable and consistent with national policy and guidance to have a local target.	None
008 -02	Great Addington Parish Council		Email	5.4	5.4 What is the definition of Local?	Local in this instance is Local Authority level, so East Northamptonshire.	None
008 -03	Great Addington Parish Council		Email	5.5	5.5/5.6 What is the definition of community? – this is pertinent to who will be considered for comment and in the event of any financial reward those beneficiaries can be clearly identified. When agreeing to any financial benefit scheme it must be shown that it is reaching the majority of the “Community” so the starting point needs to be who is the “Community”?	Add detailed definition	Add text.
008 -04	Great Addington Parish Council	7.2	Email	7.2	7.2 How does the Council treat incremental developments that would exceed 50Mw? For example 10 turbines are granted development permission and at a later date a further 10 are added, at which point it may then exceed the 50Mw threshold for referral	The Council would deal with each application as it came in. If a decision had already been made on the application, additional turbines	None

					to the Secretary of State. By the same token, does granting permission for 1 in one location make it easier for then 2,3, or 4 to be added incrementally.	would be treated as a new application. But cumulative impact would always be considered. Only application which exceed 50MW would be referred to the Secretary of State.	
008-05	Great Addington Parish Council		Email	5.8	5.8 EIA should be required for any turbine that exceeds the specification for wind turbines, stand-alone development (Permitted development). Currently there is a requirement for an EIA where any development with a hub height above 15m is proposed but nothing below this. Regulations for Permitted Developments finish at above 3.8m2 blade sweep and a maximum blade height from ground to the top of the blade of 11m. This leaves a gap for exploitation between the 2.	The Council follows EIA thresholds set in national policy by the Government.	None
009-01	Nene Valley Improvement Area		Letter	S11	My comments on this draft SPD relate specifically to chapter 11 on biodiversity. Overall I find the chapter rather confusing reading as the subject jumps back and forth between wind and solar applications. The effects of each on biodiversity are very different and separating the two topics might make the text more easily understood.	Comment noted	Consider updating texts into two sections
009-02	Nene Valley Improvement Area		Letter	S 11	Chapter 11 emphasises avoidance and mitigation measures with respect to wind turbines but does not mention biodiversity enhancement. References to enhancement in paragraphs 11.1 - 11.3 relate specifically to solar PV installations. Biodiversity gain should be a feature of all development. It should be made clear that requirements for	Noted, add text.	Amend SPD.

					enhancement apply to both solar and wind energy applications.		
009-03	Nene Valley Improvement Area		Letter	Paragraph 11.3	Paragraph 11.3 noted that the location of the SPA can be found on the ENC website, while other designated sites are on the County Council website. It would be much simpler for applicants to be able to find all of the information in one place. To this end I have asked that the SPA and other environmental layers (Local Nature Reserves, Local Geological Sites, Protected Wildlife Verges and Potential Wildlife Sites) be added to the County Council website.	Noted	None
009-04	Nene Valley Improvement Area		Letter	Paragraph 11.4	Paragraph 11.4 - As stated, biodiversity impacts will depend on ecological features and their sensitivity to the proposed changes. They will also depend however on the type of development. Turbines tend to have more species-related impacts, while solar farms tend to affect habitats. Wind turbine and solar PV installations impact biodiversity in very different ways, and this should be mentioned in the document.	Noted, add text.	Update text.
009-05	Nene Valley Improvement Area		Letter	11.12	Paragraph 11.12 The first sentence of this paragraph is not entirely accurate or consistent with the North Northamptonshire Biodiversity SPD. Proposals for biodiversity enhancement should where possible contribute to local priorities identified in the Northamptonshire Biodiversity Action Plan. However enhancements are likely to be most effective where they add/contribute to existing habitat networks. As stated in paragraph 1.25 of the SPD, 'enhancements that increase connectivity for wildlife will have	Update text	Update text.

					a bigger positive impact on biodiversity than enhancements that are considered in isolation'. Enhancements which increase connectivity are particularly important for applications located within the Nene Valley NIA, and I would like to see this point added to paragraph 11.12.		
010-02	Highways Transport and Infrastructure Northamptonshire Highways		Email/letter	17.6	Add work 'ideally' to below text; Item 17.6 Horses may react adversely to blade shadow, although this is not a problem if the turbine is to the north of the right of way. Blades that start to turn while in a horse's sight line or turning blades that first come into view at eye level can also frighten horses as can the noise made by wind turbines, particularly with higher wind speed or in high speed tests. <b>Ideally</b> a minimum separation distance of 200m with a preferred distance of three times the overall height of the turbine (i.e. the height of the turbine to the tip of the blade) is recommended by the British Horse Society advisory note42. This separation distance should be applied to any route, including local roads and permissive routes, used by horses where riders and their mounts might be endangered by the presence of turbines. Where the separation distance cannot be achieved, the developer should provide appropriate mitigation measures.	Add word ideally.	Update text.

010-03	Highways Transport and Infrastructure Northamptonshire Highways		Email/letter	17.7	Add additional text highlighted below; 17.7 Road network: To mitigate the risks to the safety of road users arising from structural or mechanical failure of wind turbines, Government policy in relation to the strategic road network <sup>43</sup> indicates that a minimum setback from the highway boundary of height + 50 metres or height x 1.5, whichever is the lesser, shall be applied. <b>However this Government policy shall also be applied throughout Northamptonshire, from the rear of the adopted highway network, maintainable at the public expense. Please note that no over-sailing of the Adopted Highway or any designated Public Rights of Way routes by the wind turbine blades is to be introduced.</b>	Add additional text	Update SPD
010-04	Highways Transport and Infrastructure Northamptonshire Highways		Email/letter	18.2	Add additional text highlighted below; Item 18.2 The coverage and detail to be included in the plan will depend upon the scale of the development and likely highway impacts. Applicants should consult the highway authority (Northamptonshire County Council) <b>also the Highways Agency (for Trunk Roads and Motorways)</b> at the pre-consultation stage to determine its requirements. The assessment will need to consider the highway impacts with respect to the construction, operation and decommissioning phases.	Add text	Update SPD.
010-05	Highways Transport and Infrastructure Northampton		Email/letter	18.4	Add additional text highlighted below; Item 18.4 Sites are often served by minor roads and management of HGV movements will be crucial if adverse impacts on the <b>National Strategic and County Strategic / local</b> highway network are to be satisfactorily	Add text	Update SPD.

	shire Highways				mitigated. The delivery of wind turbines to a site, for example, will often require a route that can accommodate long and wide loads including rotor blades (which may be 30m to 45m in length) and cranes. Individual components to be transported to the site may also exceed 100 tonnes in weight.		
010-06	Highways Transport and Infrastructure Northamptonshire Highways		Email/letter	18.5	Item 18.5 The applicant will need to submit details of potential routes from the <b>National Strategic and County Strategic / local strategic</b> road network to the site for the delivery/removal of materials and components; provide an assessment of their suitability; and indicate the preferred route. This should include consideration of the environmental effects of this and other construction/decommissioning traffic on local communities and on the width of roads and strength of bridges to accommodate required loads.	Add text	Update SPD.
011-01	National Trust	07.07.14	Email	All	The Trust welcomes the production of both the draft SPD and the landscape sensitivity assessment which has been produced for the Council. We have a few minor comments to make but on the whole support the SPD as drafted.	Noted	None
011-02	National Trust	07.07.14	Email	3.4	Paragraph 3.4 suggests that land can be returned to its previous use once turbines are dismantled. It could be useful to mention here that removal of the turbines and other infrastructure will be required by planning condition, as described in section 21 of the SPD.	Amend Text	Update SPD.

011-03	National Trust	07.07.14	Email	3.7	Paragraph 3.7 suggests that solar panels maximise production with a 45 degree tilt towards the sun. The Energy Savings Trust suggests that the optimum tilt for solar PV is 30 degrees and provide a useful table of how performance changes with both orientation and tilt, see <a href="http://www.energysavingtrust.org.uk/Generating-energy/Choosing-a-renewable-technology/Solar-panels-PV/Choosing-a-site-and-getting-planning-permission">http://www.energysavingtrust.org.uk/Generating-energy/Choosing-a-renewable-technology/Solar-panels-PV/Choosing-a-site-and-getting-planning-permission</a>	Amend text to reflect Energy Saving figure.	Update SPD
011-04	National Trust	07.07.14	Email	9.12	Paragraph 9.12 addresses the presentation of landscape and visual impact assessments. The guidance by Highland Council and the Landscape Institute cited here emphasises the importance of providing data about the visualisations included in the assessment. It would be useful for the Council's SPD to include a list of the information that should be presented with a visualisation. Highland Council's guidance is also prescriptive on matters such as camera focal length and image size, and thereby the viewing distance of the image. We would welcome similar guidance. Guidance in relation to visualisations could perhaps be presented as an appendix to the SPD.	The SPD does refer to existing standards and states that 'Useful advice on these issues has been produced by the Landscape Institute and Highland Council'. Officers propose not to include a specific standards as different photomontages may be suitable for different sites, depending on the application.	None
011-05	National Trust	07.07.14	Email	10.1	Paragraph 10.1 identifies the section 66 duty in relation to the settings of listed buildings. As the Court of Appeal noted in the Barnwell Manor judgment, the section 72 duty in relation to conservation areas is a parallel requirement. We suggest that this too should be reported in the SPD.	Add to SPD	Update SPD.

011-06	National Trust	07.07.14	Email	10.4	Paragraph 10.4 outlines the consideration of harm to designated heritage assets. We suggest that at the end of this paragraph it would be appropriate to add, "The Court of Appeal has confirmed that the decision maker must give considerable importance and weight to the desirability of preserving the settings of listed buildings even where the harm would be less than substantial."	Amend text	Update SPD.
011-07	National Trust	07.07.14	Email	10.5	Paragraph 10.5 addresses consideration of impacts on non-designated heritage assets. We suggest that the balancing exercise outlined should also have regard to the public benefit of the development.	Amend text	Update SPD.
011-08	National Trust	07.07.14	Email	10.8	Paragraph 10.8 advises applicants of the need to describe the significance of heritage assets affected. It might be useful at this point to quote the NPPF definition of heritage significance and to refer people to the English Heritage conservation principles.	Add link to EH conservation principles.	Update SPD
011-09	National Trust	07.07.14	Email	16.2	Paragraph 16.2 describes potential glint and glare effects from solar installations. We suggest that it would be useful to remind applicants of potential heritage impacts from glint and glare.	Add text	Update SPD
012-01	Natural England	30.06.14	Letter	S9 and S11	Natural England generally welcomes the SPD and considers that it provides useful guidance on wind and solar energy projects for planners, developers and members of the public, particularly in respect of landscape and biodiversity considerations	Noted	None
012-02	Natural England	30.06.14	Letter	5.8	We welcome the section on Environmental Impact Assessment but advise that an additional paragraph is inserted which outlines the requirements for a Habitats	Amend text	Update SPD.

					Regulations Assessment where a proposal has the potential to impact on a Special Area of Conservation (SAC), a Special Protection Area (SPA) or a Ramsar site.		
012-03	Natural England	30.06.14	Letter	S9	We also suggest that you could make reference to the National Character Areas (NCAs) which divide England into 159 distinct natural areas. Each is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision making framework for the natural environment. East Northamptonshire District falls within the following NCAs: 92: Rockingham Forest 89: Northamptonshire Vales 88: Bedfordshire & Cambridgeshire Claylands For further details see our website at: <a href="http://www.naturalengland.org.uk/publications/nca/northamptonshire_vales.aspx">http://www.naturalengland.org.uk/publications/nca/northamptonshire_vales.aspx</a>	Add to SPD	Update SPD
012-04	Natural England	30.06.14	Letter	S11	11. Biodiversity Natural England welcomes this section however we suggest that in paragraph 11.3 that Rutland Water Special Protection Area/Ramsar/SSSI is also mentioned. Whilst it is not within East Northamptonshire itself, it is only about 6km from the district boundary. This site supports exceptional numbers and diversity of passage and wintering birds. The bird populations which are attracted to this protected site may well be affected by wind energy developments within East Northamptonshire and appropriate assessments and surveys are likely to be	Add to SPD	Update SPD

					required.		
012-05	Natural England	30.06.14	Letter	11.6	We acknowledge the reference to the Natural England Guidance on Birds and Bats and on the guidance on maximising environmental benefits of Solar Parks.	Noted	None
013-01	Oundle Town Council		Letter	Appendix 1	Bearing in mind the extent of the Oundle Conservation Area and the number of listed buildings in the town and in order to help those considering applications relating to the installation of wind turbines and/or solar panels we think that Appendix 1 should be made more user friendly. This could be achieved by the use of a flow chart or grid which would have the added benefit of being more in line with the approach of the National Planning Portal.	Amend layout of appendix to improve ease of reading.	Update SPD
013-02	Oundle Town Council		Letter	Appendices	Further as the requirements relating to installations on or in the curtilage of listed buildings and in conservation areas are different it would be helpful if there could be a separate part of the Appendix dealing specifically with these situations perhaps appearing immediately after the introduction (or at any rate earlier in the document).	It is not considered appropriate to separate out the requirements as they are all related and depending on the scheme may link to other requirements.	None
013-03	Oundle Town Council		Letter	S5	We do, however, welcome the guidance to applicants that impact assessments should be presented in a clear and logical manner and be capable of being understood by a non-specialist.	Noted	None

013 -04	Oundle Town Council		Letter	Appendix 1	Oundle Town Council has previously had a policy of objecting to the installation of solar panels on roofs in the conservation area if they are at all visible whether from within the conservation area or from outside it. The current wording of Appendix 1 that provides that the installation of solar PV or solar thermal equipment is permitted development not requiring an application for planning permission "Where the development is within a conservation area" (provided that) "no part of the installation is nearer to any highway which bounds the curtilage than the part of the dwelling or block of flats which is nearest to that highway" (and that) "The installation must be sited, so far as is practicable, to minimise the effect on the amenity of the area" is insufficiently robust to adequately protect a conservation area. We would urge the removal of the words "so far as is practicable" and the inclusion of a requirement that any installation should not ordinarily be visible. We also have concerns about installations on Collyweston slate roofs and feel that such roofs should not have any such installations whether visible or not.	This is in line with current permitted development rights. It must be noted that a large amount of Collyweston slate roofed properties are Listed. Listed Buildings will be further protected as installation on a listed building would require listed building consent.	None
013 -04	Oundle Town Council		Letter	S7.6/ 7.7	In relation to paras 7.6 and 7.7 we welcome the mention of the RNOTP policies 9 and 10 and would call for mitigation of short term local impact during the construction phase.	Noted	None

014 -01	RES UK	01.07. 2014	Letter	2.1	<p>The SPD recognises the Government's commitment to renewable energy, which is reinforced through the National Policy Statement for Energy and the NPPF. However, paragraph 2.1 of the SPD does state that one of the main reasons the SPD has been prepared is to address public concerns relating to impact of renewable energy proposals. This is a negative starting point for the SPD and conflicts with the positive approach to renewable energy promoted by the NPPF. Whilst RES acknowledges that some large renewable development can be subject to local opposition; this should not be the sole justification for preparing an SPD. There should be a sound planning rationale for the need for supplementary planning guidance.</p>	<p>Para. 2.1 highlights the expectation that there is a continuing drive to expand renewable energy capacity as well as public concerns. The SPD has been prepared to highlight guidance so that developers, Parishes and the public are aware of ENC's approach to development.</p>	None
015 -02	RES UK	01.07. 2014	Letter	S7.6/ 7.7	<p>The purpose of supplementary planning document is to provide additional planning advice in relation to specific local plan policies. The draft SPD refers to the North Northamptonshire Core Spatial Strategy policies 13 and 14, which are general sustainable development and energy efficiency policies, neither policies make specific reference to renewable technologies. Therefore, without the SPD, there would appear to be a policy vacuum on renewable energy development and linking the SPD to CSS policies 13 and 14 does seem tenuous.</p>	<p>Opinion noted. However it is considered that Policy 14 and 13 are sufficient hooks as they cover renewable energy and sustainable development generally.</p>	None

015 -03	RES UK	01.07. 2014	Letter	All	The NPPF makes it clear the role that SPD should play in decision -making and they should not be used as a means to over complicate the planning process. Paragraph 153 states:-“Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development”. Evidently SPDs should be prepared on the premise that they assist the applicants in producing successful planning applications and they should not be an explanatory narrative on the merits of the wind and solar proposals. The draft SPD would appear to have been written with the layman in mind and deviates from the than planning considerations relating to wind and solar proposals which is mainly i.e. landscape and visual impacts.	Opinion noted.	None
015 -04	RES UK	01.07. 2014	Letter	All	RES also query the value of the SPD as a planning document as it largely reiterates national advice contained in the Planning Practice Guidance and does not add any local distinctiveness or relate specific to East Northamptonshire.	The SPD brings together information in one place and refers to technical background studies which are district specific.	None

015 -05	RES UK	01.07. 2014	Letter	S8.1	<p>Whilst RES are content to estimate the potential energy generating capacity of their wind and solar power projects as part of the planning application submission, the NPPF makes it clear that planning applications should not be assessed on their ability to generate power or their need, paragraph 88 states:</p> <p>“When determining planning applications, local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small -scale projects provide a valuable contribution to cutting greenhouse gas emissions”</p> <p>RES are therefore concerned that section 8 makes reference to predicted wind and solar resources being a key consideration which is thereby contrary to the NPPF which advocates wind and solar power as being part of the overall energy mix. The scale of its contribution is therefore immaterial. In any event, renewable energy companies, like RES would only explore sites which are commercially viable, it would be nonsensical to develop sites which do not optimise wind or solar gain potential.</p>	<p>Section 8.1 of the SPD states that 'The NPPF indicates that an applicant is not required to demonstrate the overall need for renewable energy'. The NPPG, however advises that the likely energy generation of a proposal can be a material consideration when a decision on a planning application is finely balanced.</p>	None
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015-06	RES UK	01.07.2014	Letter	S9	<p>Landscape and visual impact is one of the most significant planning consideration in the determination of planning applications for ground mounted solar PV installations and wind turbines developments. Nevertheless, as part of the assessment of landscape impact it has to be accepted that wind turbines, by their very nature of the design, will be visible in the landscape so what needs to be evaluated in the landscape and visual impact assessment is how the landscape can accommodate the development.</p> <p>The lack of reference to any specific landscape advice relating to East Northamptonshire in the SPD is noted. However, it is helpful that the Council have commissioned a landscape sensitivity study, which defines landscape character areas and therefore establishes a common evidence base, which can be used by the local planning authority and applicants in the planning application process. Reference to the landscape guidance prepared by the Highland Council and the Landscape Institute is helpful and establish a level playing field.</p>	Noted	None
015-07	RES UK	01.07.2014	Letter	S10.3	<p>The need to protect designated heritage assets is well documented. However, RES are concerned that paragraph 10.3 refers to the need to protect non-designated heritage assets including: buildings, monuments, sites, areas or landscapes. Therefore, there is scope for any landscape or area to be classified as a non -designated heritage assets which could potentially preclude development. It needs to be recognised that wind turbines and solar energy developments are important infrastructure</p>	This comes directly from the NPPF and doesn't necessarily preclude development.	None

					requirements which are necessary to support urban areas; their presence in the countryside needs to be accepted and it needs to be noted that they can be accommodated in the landscape without harming heritage assets or their setting. RES therefore request that reference to non - designated heritage assets is removed as it is misleading and not applicable to energy developments.		
015-08	RES UK	01.07.2014	Letter	S14	RES agree that the guidance provided by ETSU -R-97 and the Institute of Acoustics Good Practice Guide (IoA GPG) should be followed in order to assess the impact of noise from proposed wind turbines given that these are endorsed for use in England by national planning policy (NPPF).	Noted	None
015-09	RES UK	01.07.2014	Letter	14.12	<p>Whilst RES is satisfied that they would locate their wind turbines where they would be ETSU-R-97 compliant, RES has concerns regarding two aspects of the consultation document that differ from the approach recommended in ETSU -R-97 and the IoA GPG:</p> <p>(1) Paragraph 14.12 of the consultation document suggests that measurements of operational noise levels should be made prior to exporting electricity from the wind farm. RES are concerned that non -complaint driven measurements impose unnecessary cost on the developer and can raise needless concern amongst, in addition to causing disruption to, local residents. Furthermore, neither ETSU -R-97 or the IoA GPG recommend measurements prior to the export of electricity with adequate protection for local residents instead provided by</p>	<p>Environmental Services provided the below response: Environmental Services does not propose amendments to the SPD in its current form as a result of the consultation responses.</p> <p>Environmental Services does not support the suggestion that all measurements of operational noise levels should only be driven by complaints. All measurements provided with the application are</p>	None

					<p>complaint -driven planning conditions.</p> <p>(2) Paragraphs 14.12 and 14.13 of the consultation document suggest that the wind farms should comply with the predicted noise levels presented in the Environmental Statement. RES believe that this is inconsistent with the guidance endorsed by national planning policy, where the ability to meet noise limits derived according to ETSU -R-97 determines the acceptability of the proposal, and is therefore considered unreasonable.</p>	<p>predictions using ETSU-R-97 and to a lesser extent the IOA Guidance. We do not feel it is unreasonable for any wind farm developer to demonstrate by compliance monitoring that predicted noise levels can be achieved prior to exporting electricity to the grid. This is a proactive measure that should ensure the wind farm will not be a disamenity to the residents and that it meets the planning conditions imposed.</p>	
015-10	RES UK	01.07.2014	Letter	14.13	<p>A further minor correction noted by RES is also suggested to the text in paragraph 14.13: 'noise emission' is used to refer to the levels of noise experienced at a complainant's property where the correct term should be 'noise immission'.</p>	Amend text.	Amend SPD.

015-11	RES UK	01.07.2014	Letter	S15.6	Like noise, shadow flicker is another issue that can be disproportionately represented which can give the public unnecessary cause for concern. RES are therefore concerned that this has been singled out as an issue in the SPD thus needlessly highlighting its importance. Whilst it will be easy for RES to demonstrate that shadow flicker is not an issue in a planning submission, its reference in the SPD over emphasises the extent of the risk, which is minimal. We therefore request that this text is removed or at the very least rewritten and reference made to the Epilepsy Society research which indicates the low level of risk.	It is considered that Shadow Flicker is an important issue worthy of a specific section within the SPD. Add reference to the Epilepsy Society.	None
015-12	RES UK	01.07.2014	Letter	S17	Section 17. The title of the section is unduly alarming as it infers that safety is at risk. Whilst RES acknowledges that there are best practice guidelines in relation to the siting of turbines these are practical considerations rather than prescriptive health and safety standards.	Comment noted.	None
015-13	RES UK	01.07.2014	Letter	S17.3	RES would like to emphasise the importance of considering each planning application on its merits and not applying one stringent rule to all. For example, separation distances should be applied flexibly. The SPD cites a minimum separation distance of between turbines and buildings equal to the fall over distance (i.e. the height of the turbine to the tip of the blade) plus 10% should be provided. This figure has been sourced from the Planning Practice Guidance. However, there may be distances in industrial localities where the distance between wind turbines and buildings does not need to be so great.	This figure is taken from the Planning Practice Guidance therefore is considered in line with national guidance and best practice.	None

016 -01	Stanwick Parish Council	25.06. 14	Letter	S14	The Council notes that the Department of Energy and Climate Change [DECC] considers ETSU-R-97 the appropriate standard and fit for purpose as at the current time. However the Parish Council has also seen reports that this opinion has been challenged by other governments notably Denmark, Canada and Australia. It is therefore the view of this Parish Council that East Northamptonshire Council should take this opportunity to adopt a Supplementary Planning Document that has robust noise policies that make up for the deficiencies in ETSU-97-R	National Planning Practice Guidance for this country states that ETSU-R-97 should be used by LPA's when assessing and rating noise.	None
017 -01	Sudborough Borough Council	27.06, 14	Email	All	We would like to start by congratulating Karen Britton on constructing a very comprehensive document.	Noted	None
017 -02	Sudborough Borough Council	27.06. 14	Email	S14	Does not take into account that there is a Court of Appeal directive that states how amplitude modulation should be dealt with alongside ETSU-R-97. This is commonly known as the Den Brook condition. Also, there is new evidence coming from Australia that says that if turbines are built with less than 7 rotor diameters separation downwind of each other, then the likelihood of A.M. is increased.	Environmental Services does not propose amendments to the SPD in its current form as a result of the consultation responses.  Environmental Services responded 'Amplitude Modulation (AM) is a relatively new and little understood phenomena. There have been many planning appeals where AM conditions have been discussed at length and differing approaches have been taken. The suggested	None.

						condition from Renewable UK as mentioned in the consultation response, to the best of our knowledge has not been independently tested at known problems sites and therefore it is possible that this condition may well be found to be ineffectual like the IOA Good Practice Guidance 2012. We would always seek to have a condition to address AM however any condition used must have been tested and be the most appropriate condition that is available at the time'.	
017-03	Sudborough Borough Council	27.06.14	Email		There is no mention of how ancient woodland should be treated. We believe that a 50 meter wide separation is suggested by the Woodland Trust as a minimum, but this was not a condition in the Barnwell Manor case. Gearbox fires on turbines of the height now generally used are usually left to burn out. This is also a consideration for <u>all</u> woodland. This should be taken into account when determining separation distances.	Advice from the Woodland Trust is that 'There is no clear evidence that we are aware of for impacts on ancient woodland. We usually argue for a separation distance of 50m or even better 100m because of general concerns about effects of flicker if the shadow of a turbine	Update text. Section 11.6 on Biodiversity covers the impact on bats and birds.

						falls on an area of ancient woodland and possible disturbance of the species present. There is also some concern about bats or birds striking turbines, which indicates that they should be sited away from known routes which bats or birds use'	
017-04	Sudborough Borough Council	27.06, 14	Email	S9.12	<p>Mention was made of the Highlands Council. According to the book Wind farm Visualisation, Perspective or Perception [1], the HC have also imposed a condition regarding photomontages after discovering that turbines looked much bigger than had been suggested in planning applications. The book suggests that turbines can actually appear to be up to 4 times higher than the photomontage suggests. This is further adversely affected by allowing panoramic views to be used.</p> <p>As a result the HC have moved away from the normal 50mm focal length used by the wind farm industry to a focal length of 75-105 mm. dependent upon the landscape.</p> <p>The CPRE also suggest that panoramic photomontages should not be allowed. Wind farm visualisation, Perspective or Perception by Alan Macdonald RIBA ISBN 978-184995-053-4</p> <p>Is aimed at architects and LA planning officers. ENC might already have a copy.</p>	The SPD does already refer to existing standards and states that 'Useful advice on these issues has been produced by the Landscape Institute and Highland Council'. Officers propose not to include a specific standards as different photomontages may be suitable for different sites, depending on the application.	None

018-01	Turley	4.07.14	Email	S22.2	Generally, WPD would expect developers of a site to pay to divert less strategic electricity circuits operating at 11,000 Volts (11kV) or below. This may include undergrounding some 11kV and low voltage overhead lines as necessary.	Update text.	Amend SPD.
018-02	Turley	4.07.14	Email	S22.2	WPD would normally seek to retain the position of electricity circuits operating at 132,000 Volts (132kV) and 66,000 Volts (66kV) and in some cases 33,000 Volts (33kV). WPD does not generally have any restriction on the type of development possible in proximity to its strategic overhead lines but it would be sensible for planning guidance and layout of developments to take WPD's position into account and consider uses compatible with the retention of strategic overhead lines. It is worth noting that any existing circuits crossing the proposed development areas in the document may run both overhead and underground. In any case WPD should be consulted on detail at an early stage, so that constraints can be taken into account and sites planned in the most effective way. Where WPD have substations on land being considered for development, WPD should be consulted on the detail of proposals in good time to ensure that the required access can be maintained and catered for and that other requirements for development in the vicinity of substations are taken into account.	Update text	Update SPD

018 -03	Turley	4.07.1 4	Email	S22.2	<p>With regard to the draft Wind and Solar Power SPD, Paragraph 22.2 currently states:</p> <p>“Where overhead lines would have a significant visual impact, undergrounding will be required, despite the higher cost, unless outweighed by other environmental considerations”.</p> <p>WPD consider that this text should be reworded so that the reference to undergrounding of overhead lines does not state “undergrounding will be required” and instead states “undergrounding should be considered”.</p>	<p>Disagree as this wording would give developers an opt out. Change text to state ' where overhead lines would have a significant visual impact, undergrounding will be required, unless outweighed by other environmental considerations or viability evidence supplied by the developer.</p>	Amend SPD.
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