

AGENDA ITEM NO: 8/1(o)

Parish:	Walpole	
Proposal:	The erection of one wind turbine with a hub height of 24.8m	
Location:	Model Farm Frenchs Road Walpole St Andrew Wisbech	
Applicant:	Mr Andrew Bateman	
Case No:	15/00918/F (Full Application)	
Case Officer:	Miss G Richardson Tel: 01553 616457	Date for Determination: 11 August 2015 Extension of Time Expiry Date: 7 September 2015

Reason for Referral to Planning Committee – The proposed turbine is too high to be approved under delegated powers.

Case Summary

The application site is on the south western side of Frenchs Road, Walpole St Andrew. The site is located on land forming the Model Farm agricultural holding.

Planning consent is sought for the erection of one wind turbine with a hub height of 24.8m and a tip height of 36.6m

Planning consent was approved last year for two wind turbines with a hub height of 25.1m and a tip height of 35.1m. This application is on the site of one of the previously approved turbines.

Key Issues

Principle of development;
Planning history;
Visual impact;
Ecology;
Heritage assets;
Amenity;
Highways safety; and
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application site is located on the south western side of Frenchs Road, Walpole St. Andrew.

The proposed turbine is located on land forming the Model Farm agricultural holding. The site is accessed between the farm buildings and via a track to the rear of these buildings leading down the eastern edge of the field.

The area is rural in nature with two storey semi-detached properties located to the north east of the site, on the opposite side of Frenchs Road. Electricity pylons are located to the south west of the sites.

Planning consent is sought for the erection of a single wind turbine with a 24.8m height to the hub and a tip height 36.6m. The turbine tower will be white with blades coloured white.

SUPPORTING CASE

Model Farm is part of a modern commercial farming enterprise that is not only required to demonstrate carbon saving measures to its customers but must also remain competitive and economically viable within the increasingly difficult trading conditions of the UK's agricultural sector. The generation of electricity from a renewable source provides Model Farm with the ability to reduce both its carbon footprint and electricity overhead and derive a diversified income from the Government's Feed In and Export Tariffs. This proposal seeks to replace a previous planning consent for two wind turbines at Model Farm and gain permission for the installation of a single wind turbine on one of the previously consented locations. Extensive due diligence and pre application consultation has been undertaken prior to the submission of this application and the applicant trusts that this approach will lead to its Local Planning Authority looking favourably upon this proposal.

PLANNING HISTORY

14/00549/NMA_1: Application Refused: 24/09/14 - Non-material amendment to planning permission 14/00549/F: The installation of 2 EC55 (24m tower) wind turbines

14/00549/F: Application Permitted: 04/06/14 - The installation of 2 EC55 (24m tower) wind turbines

14/00046/F: Application Refused: 04/03/14 - Installation of two 34 metre tower wind turbines

RESPONSE TO CONSULTATION

Parish Council (Initial and further response): SUPPORT

Highways Authority (Initial and further response): NO OBJECTION

Norwich International Airport (Initial and further response): NO SAFEGUARDING OBJECTION

MOD: (Initial and further response): NO OBJECTION

NATS (Initial response): NO SAFEGUARDING OBJECTION

CSNN (Initial response): NO OBJECTION The noise assessment (including a full background assessment), indicates that noise levels likely to be experienced by any nearby receptors from the new turbine will be lower than existing at a wind speed of 5 m/s. The Shadow Flicker assessment, which although of minor concern, does indicate that some properties may be affected at certain times of the year, a condition is therefore recommended.

REPRESENTATIONS

No third party representations received.

NATIONAL GUIDANCE

National Planning Policy Framework – sets out the Government's planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM15 – Environment, Design and Amenity

OTHER GUIDANCE

The Walpole's Parish Plans

PLANNING CONSIDERATIONS

The key planning considerations relevant to the determination of this application are:

- Principle of development;
- Planning history;
- Visual impact;
- Ecology;

- Heritage assets;
- Amenity;
- Highways safety; and
- Other material considerations

Principle of development

The National Planning Policy Framework (NPPF) encourages the transition to a low carbon future in a changing climate through the use of renewable resources whilst ensuring any adverse impacts are addressed satisfactorily.

Paragraph 17, 'meeting the challenge of climate change' supports the delivery of renewable and low carbon energy and recognises the responsibility on communities to contribute to 'energy generation' from renewable or low carbon sources. Paragraph 93 refers to the need to support the 'delivery of renewable and low carbon energy and associated infrastructure'. Local Planning Authorities are advised to approve applications for renewable technology (unless material considerations indicate otherwise) if its impact is acceptable. Paragraph 93 refers to the need to support the delivery of renewable and low carbon energy and associated infrastructure.

A positive stance with regards to renewable energy is also taken in the Core Strategy 2011 (Policy CS08 Sustainable Development) which supports and encourages the generation of energy from renewable sources and states that applications will be permitted unless there are unacceptable locational or other impacts that could not be outweighed by wider environmental, social, economic and other benefits.

Furthermore recent National Guidance has been issued; 'Planning Practice Guidance for Renewable and Low Carbon Energy' (issued July 2013). This document identifies issues that should be considered when determining applications for wind turbines. This includes matters pertaining to noise, safety, electromagnetic transmissions, ecology, heritage, shadow flicker and reflected light. Advice is also given on how cumulative landscape and visual impacts should be assessed. Visual impact is covered in more detail below; in relation to cumulative impact, there are no other turbines in the immediate vicinity of the site.

The site is located within countryside and more than 10km away from designated statutory site.

Policy DM20 – Renewable Energy - of the Pre-Submission Site Allocations & Development Management Policies Document also applies, and places emphasis on the significant loss of agricultural land. However the land-take of these turbines is relatively minimal and does not greatly affect agricultural production.

On the 18th June 2015 a ministerial statement was released in relation to wind turbines this advised that:

“When determining planning applications for wind energy development involving one or more wind turbines, local planning authorities should only grant planning permission if:

- the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and
- following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.

In applying these new considerations, suitable areas for wind energy development will need to have been allocated clearly in a Local or Neighbourhood Plan. Maps showing the wind resource as favourable to wind turbines, or similar, will not be sufficient. Whether a proposal has the backing of the affected local community is a planning judgement for the local planning authority.

Where a valid planning application for a wind energy development has already been submitted to a local planning authority and the development plan does not identify suitable sites, the following transitional provision applies. In such instances, local planning authorities can find the proposal acceptable if, following consultation, they are satisfied it has addressed the planning impacts identified by affected local communities and therefore has their backing.”

The Borough Council does not have any areas identified in the Local Plan. In this instance, however it is appreciated that there is an extant planning consent in place that could be implemented tomorrow and could result in the erection of two turbines, albeit at a slightly lesser height. In this instance substantial weight is attached to this fact.

Planning history

An application was approved by the Planning Committee last year for two turbines on this site. The current application seeks consent for one turbine on one of the sites previously permitted. The single proposed turbine occupies one of the sites previously utilised. The proposed turbine has a lower hub compared to that previously considered acceptable but has longer blades giving an overall tip height which is 1.5m greater. This application seeks to permit this change.

Visual impact

The provision of two wind turbines has already been consented and the permission is still capable of implementation on the current application site and one to the north west. The current application seeks consent for one turbine on the site of one of the previously approved turbines, with a slight increase in the overall height due to the length of the blades.

Approval of this proposal would still allow the 2nd of the two turbines previously approved to be constructed as well as the turbine that is the subject of this application. The presence of 2 turbines of slightly different proportions and overall tip heights in close proximity is not considered to result in increased visual harm to this locality.

Ecology

As part of this current application an addendum to Wild Frontier's ecology assessment for the consented application has been submitted. Its conclusion states “no significant impacts on ecological receptors, both from the reduction of the proposal from two to a single turbine, and from the minor increase of the rotor diameter from 20 to 23.5m”.

On this basis it is recommended that the previous ecology condition to be attached. This provides for construction or decommissioning works associated with the development to be timed to avoid the bird breeding season.

Heritage assets

The site is not within a Conservation Area, nor is it adjacent to listed buildings.

The nearest listed building is to the south east of the site close to the junction of Folgate Lane and Walpole Bank; Shepherds Cottage, Folgate Lane, which is Grade II. This property is some distance away from the site. It is therefore considered that the proposal will not have a harmful impact upon designated heritage assets.

Amenity

The Council's Community Safety and Neighbourhood Nuisance Team (CSNN) have reviewed and assessed the information submitted with the application, and confirmed that they have no objection to the proposal in terms of noise. A condition is suggested in terms of shadow flicker as the submitted report indicates that some properties maybe affected at certain times of the year. This was not considered necessary previously due to the design (rotor diameter) and was in accordance with National guidance.

In terms of the cumulative effect of the turbine being considered and that of the consented 2014 scheme, it is recognised that the current application makes use of one of the existing locations of the 2014 scheme and as such there would only be two turbines of different sizes on site should both approvals be commenced. The 2014 consent required by condition that a noise survey of the application site to demonstrate compliance with the Councils Guidance for Small Scale Wind Turbines. In contrast this application is accompanied with a noise survey, which is considered acceptable. Therefore should the second turbine be installed the applicant would need to discharge the noise survey condition and this survey would need to take into account the other turbine, thus the cumulative impact is considered acceptable.

Highways safety

Norfolk County Council, Highways have confirmed they would not seek to restrict the grant of permission.

Other material considerations

There are no issues relating to contaminated land or air quality.

There are no issues relative to 'crime and disorder'.

CONCLUSION

Recent ministerial advice has been issued since the approval of the last wind turbine scheme on this site. This advice stated that we should only grant permission for wind energy development involving one or more wind turbines if the development site is in an area identified as suitable for wind energy development in a local or Neighbourhood Plan; and after consultation it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and the proposal has their backing.

In this case there is an extant consent that permits the installation of two wind turbines; the current proposal seeks to replace one of these turbines with one that is taller in terms of the overall height to blade tip. The earlier consent is still extant so a maximum of two turbines could still be erected on the land. The previous planning decision is attached significant weight in this instance, and in principle officers do not consider an objection can be sustained. In terms of planning impacts, the proposal is considered to be acceptable in terms of visual impact and there are no material adverse implications relating to: noise, shadow flicker, ecology, heritage assets and air traffic control.

On this basis it is recommended that planning consent is approved subject to condition.

In summary it is considered that the proposed development accords with the provisions of the National Planning Policy Framework and its guidance relating to development at risk of flooding, and Development Plan Policies CS01, CS08 and CS12.

There are no material considerations to suggest that the proposed development should not be approved subject to the following conditions.

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: BR_5327_EX10_01, BR_5327_EX10_02 and drawing titled E-4660 Elevation, 24m Tower, Class II.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Within 2 months of the cessation of electricity production from the turbine hereby approved, the unit shall be decommissioned and the structures and all their above ground associated infrastructure shall be removed from the site.
- 3 Reason In the interests of the visual amenity of the locality in accordance with the NPPF.
- 4 Condition No construction or decommissioning works associated with the development hereby permitted shall be carried out between 1st March and 1st August (inclusive) of each year.
- 4 Reason To avoid the bird breeding season when birds would be more sensitive to disturbance; in accordance with the provisions of the NPPF.
- 5 Condition Before any works commence on site, details of measures to overcome potential shadow flicker problems at the identified receptors shall be submitted to, and approved in writing, by the Local Planning Authority; thereafter the approved measures shall be brought into operation and shall continue throughout the operation of the wind turbine except as may be agreed in writing by the Local Planning Authority.
- 5 Reason To prevent noise related nuisance in the interests of the amenity of the locality.