

F/YR12/0235/F

22 March 2012

Applicant : Mr A Jarvis

Agent : Mrs Tracey Dorling
Windcrop Ltd

Essex Farm, 235 Main Road, Parson Drove, Wisbech

Erection of 2no 14.97 high (hub height) wind turbines

This application is before the Planning Committee due to the number of neighbour objections received.

This application is a 'Minor'

1. **SITE DESCRIPTION**

The site is located on the northern side of Main Road, behind the established building line. The site is currently vacant grassland, although it appears it may have been in agricultural use in the past. The boundaries are all open and the immediate area is distinctly open countryside.

2. **HISTORY**

No planning history

3. **CONSULTATIONS**

Parish/Town Council:

Planning permission should not be granted until a full Biodiversity check has been completed.

Civil Aviation Authority:

Standard comments received – the LPA should consult NATS and the MOD.

Save Our Swans:

Not received at time of report

CCC Archaeology:

Not received at time of report

CCC Countryside Access Team:

Not received at time of report

Environment Agency:

No objections to the proposal, provides advisory comments.

Anglian Water:

No concerns from a ground water perspective

Ministry of Defence:

No objection to the proposal

Campaign to Protect Rural England:

Not received at time of report

National Planning Casework Unit:	Not received at time of report
Police Architectural Liaison Officer:	The crime impact assessment of the proposal is low. Given the possible length of underground cable and the current scrap price of copper it is advised that any cables are buried at a substantial depth (1.8m) to avoid theft.
EDF Energy:	Not received at time of report
NATS:	No safeguarding objection to the proposal
The Ramblers Association:	Not received at time of report
Save Our Skyline:	Not received at time of report
Defence Estate Organ Safeguarding Bylaws:	Not received at time of report
British Telecom:	Not received at time of report
The Wildlife Trust:	Not received at time of report
Royal Society for Protection of Birds:	Not received at time of report
Cambs Bat Group:	Not received at time of report
Natural England:	The proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development.
Chatteris Airfield:	Not received at time of report
Sibson Airfield:	Not received at time of report
Peterborough Business Airfield:	Not received at time of report
Marshals Paddock:	Not received at time of report
Town Planning Technician South East:	No objection to the application
CCC Highways:	No objection from a highway point of view. It is acknowledged that during the short construction phase a modest level of additional traffic will be generated however it is considered that this will have an insignificant effect on the approach highway.
Fenland Aerodrome:	Not received at time of report

Joint Radio Company:	This proposal cleared with respect to radio link infrastructure operated by National Grid Gas Networks.
FDC Environmental Protection:	Recommends a condition relating to noise levels and informatives relating to operating hours, remedial action, operator monitoring and cumulative impact.
Raptor Foundation:	Not received at time of report
Clerk to Wisbech St Mary Parish Council:	Not received at time of report
Neighbours:	8 letters of objection received, concerns regarding: <ul style="list-style-type: none"> - wildlife in the nearby barn - the turbines will be visible from nearby houses - noise at night - shadow flicker - disturbance to horses given the nearby bridle path - the application is commercially driven - the proposal will be a blight on the landscape - lack of biodiversity assessment - reduction in value of neighbouring properties - impact on listed buildings - loss of view - health problems - the proposal will set a precedent

4. POLICY FRAMEWORK

FDWLP Policy

E8	<ul style="list-style-type: none"> - Proposals for new development should: - allow for protection of site features; - have regard to amenities of adjoining properties; - provide adequate access.
E1	<ul style="list-style-type: none"> - To resist development likely to detract from the Fenland landscape.
Core Strategy (Draft Consultation – July 2011)	
CS12	<ul style="list-style-type: none"> - Renewable energy proposal will be supported and assessed on their merits taking account of the following factors:

			<ul style="list-style-type: none"> - The surrounding landscape, townscape and historical features - Residential amenity - Specific highway safety, designated nature conservation of biodiversity considerations - High quality agricultural land
National Planning Policy Framework (NPPF)		Paras 2 and 11	- Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
		Para 14	- Presumption in favour of sustainable development
Core planning principles		Para 17	- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants.
Meeting the challenge of climate change, flooding and coastal change		Paras 93 to 98	- The planning system should contribute to and enhance the natural and local environment by: Minimising impacts on biodiversity and providing net gains where possible.

5. ASSESSMENT

Nature of Application

This application seeks outline planning permission for the erection of 2 x 15m high (to hub) wind turbines. The application is considered to raise the following key issues;

- Principle and policy implications
- Design and layout
- Other matters

Principle and policy implications

The application is for the erection of 2 wind turbines which will allow an existing farm to generate electricity. Wind turbines are a sustainable and efficient source of renewable energy and, therefore, comply, in principle, with the provisions of the NPPF and the emerging core strategy.

Paragraphs 93 to 98 of the NPPF highlight the importance of providing renewable energy sources. Paragraph 98 states that applications should be approved, unless material considerations indicate otherwise, and that Local Planning Authorities should recognise the valuable contribution renewable energy projects have to cutting greenhouse gas emissions. This demonstrates that there is a strong presumption in favour of renewable energy projects.

Policy CS12 of the emerging Core Strategy stipulates that proposal for renewable energy will normally be supported. Whilst it is noted that only limited weight can be afforded to the provisions of the Core Strategy, it demonstrates Fenland's direction of travel as far as development is concerned. CS12 would, therefore, suggest that the principle of the current proposal would satisfy the future aspirations of the district.

E1 of the Local Plan stipulates that development which is likely to detract from the open character of the Fenland landscape should not normally be permitted. New development for which a countryside location is essential should be of a scale which can be assimilated into the rural landscape. This policy is partially reflected in policy E8 where it is a requirement that proposal are compatible with their surroundings, but should also have regard to the amenities of neighbouring properties.

The NPPF stipulates that proposal should respond to local character. Paragraph 65 states that Local Planning Authorities should not refuse planning permission for developments which promote high levels of sustainability because of concerns about incompatibility with an existing landscape. This would suggest that if a balance were to be made, more weight should be afforded to sustainability principles than to visual appearance.

Design and layout

The application is for 2 wind turbines which are 14.97m to the hub, with a total height of 17.77m. The turbines will be located within an open field, which is not currently used for agricultural purposes.

In view of their height, the wind turbines are one of the smaller turbines available on the market. They will be positioned over 130m from the nearest residential property. With this in mind, and in view of the photo visualisation provided within the application, it is considered that neighbouring residents are unlikely to suffer from an overbearing impact as a result from the proposal.

The turbines will be sited approximately 13m apart which is considered to be of benefit as they will not be sporadically situated across the open countryside. E1 of the Local Plan requires screening where possible to mitigate the visual impact of countryside proposal. Although these provisions have been noted, it is considered unreasonable to request screening as the effectiveness of the turbines would be compromised. The NPPF promotes the provision of sustainable development and, given that the current proposal is sustainable by its very nature, paragraph 65 of the NPPF makes the proposal difficult to resist despite the visual impacts. As the proposal is of a typical design for a wind turbine, is relatively small and would not be highly visible from a public view point, it is considered that the visual impacts on the open countryside do not outweigh the provisions of the NPPF.

The proposal will be accessed via the existing access at Essex Farm and CCC Highways have raised no objections in terms of the impact on highway safety. The proposal is only likely to generate vehicular activity during the course of construction, therefore, no concerns are raised with regard to long term highway implications.

Other matters

No objections have been received from FDC Environmental Protection with regards to the impact of noise from the proposal on the nearest noise sensitive properties. They have, however, suggested conditions which should prevent noise disturbance. These suggestions may be appended to any consent given.

Comments received from Parson Drove Parish Council have been noted and, whilst it is acknowledged that biodiversity is a material planning consideration, it is considered that due to the scale of the proposals and the open nature of the site, it is unlikely that biodiversity would be compromised. The site is not within an identified nature conservation area and there are no identified or recorded habitats. The turbines have been positioned specifically away from hedgerows, ponds and waterways and as such Officers have no concerns with regard to the impact on biodiversity.

It is widely accepted in case law that the 'right to a view' and financial loss or gain, are not material planning considerations. Therefore, whilst comments to this effect received from neighbouring residents have been noted, they are afforded little weight in the consideration of this application. Comments relating to health implications and shadow flicker have been noted and given that no objections have been raised by FDC Environmental Protection, Officers do not have concerns with regard to health issues.

Officers have no concerns with regard to the comments made relating to precedent as every case is determined on its own merits. There are no identified historic assets or Conservation Areas within 1.5km of the site and as such there is no adverse impact on the historic environment.

Conclusion

The proposal is for a form of renewable energy which is supported by the National Planning Policy Framework. There are no material considerations which outweigh the benefits gained by these two wind turbines. The scale of the turbines is relatively small and given the distance to neighbouring properties, it is unlikely that nearby residents will suffer as a result of the proposal. It is considered that the proposal is an acceptable form of development, which would be difficult to resist given the presumption in favour of sustainable development. It is, therefore, recommended that the application is granted.

6. RECOMMENDATION

Grant

- 1. The development permitted shall be begun before the expiration of 3 years from the date of this permission.**

Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2. Within a period of 25 years from the date of the first electricity generation on site the development hereby permitted shall be removed from the site in its entirety and the site restored to its former condition unless otherwise agreed in writing by the Local Planning Authority.**

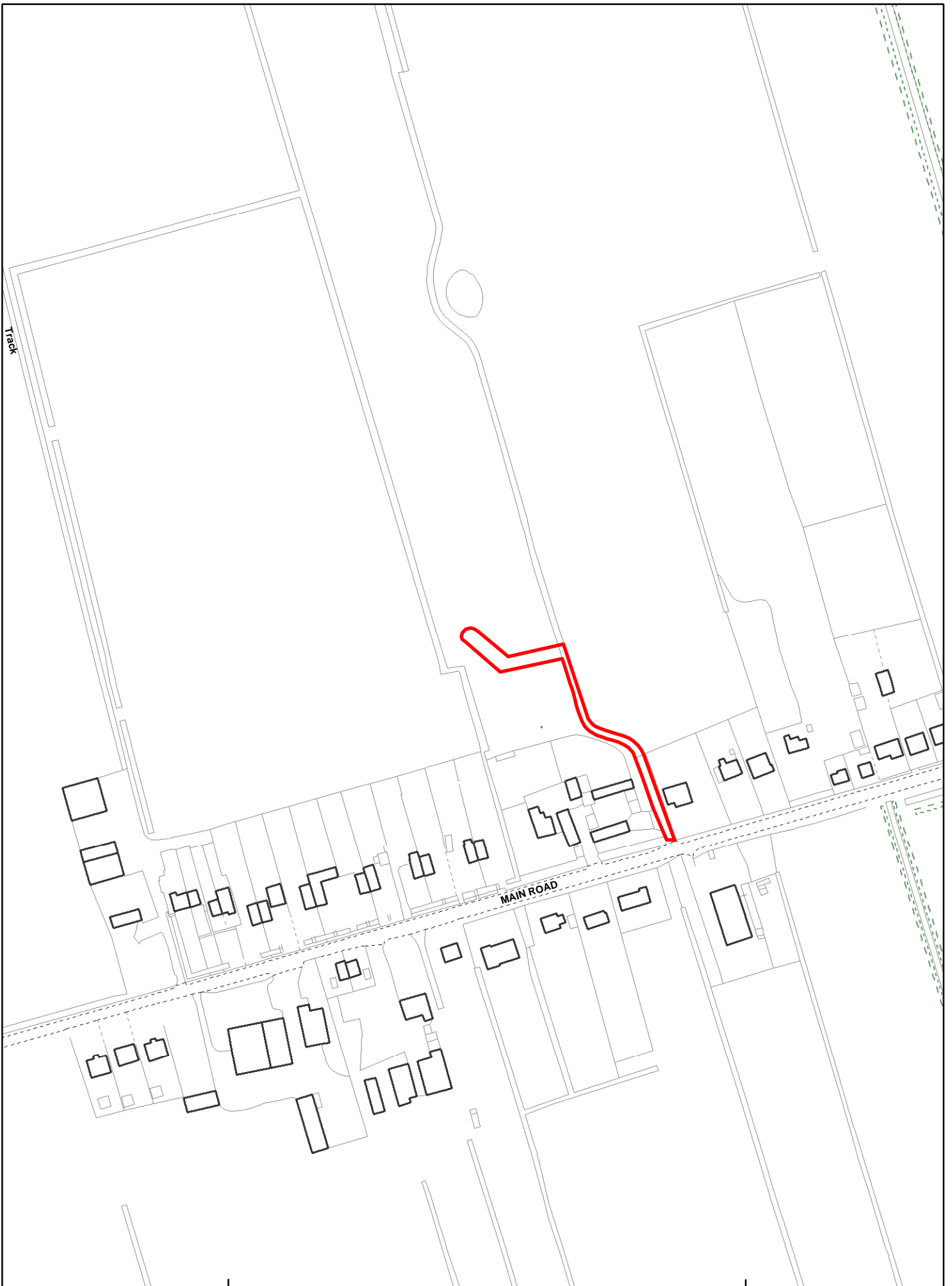
Reason - To allow the Local Planning Authority to re-assess the condition of the development in line with the potential life span of the development.

- 3. Should the turbines not be used for the production of energy for a period of six months, the turbines and support structures shall be removed in their entirety and the land shall be restored to its former condition.**

Reason - To prevent the retention of development in the countryside that is not being used for its intended purpose.

- 4. The noise emission (LA90, 10 minute) from effects of the wind turbine, as measured in free field conditions at any dwelling, shall not exceed during night hours 2300 – 0700, 43dB(A). At all other times the noise emission (LA90, 10 minute) from the effects of the wind turbine, as measured in free field conditions at any dwelling, shall not exceed the greater of 35 db(A) or 5dB(A) above the background noise (LA90, 10 minute) as measured in accordance with ETSU-R-97.**

Reason – To protect the amenities nearby residents.



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Scale = 1:2,500

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3

2

1

E

E

D

D

C

C

B

B

14970.00

D=5.6m

GROUND LINE



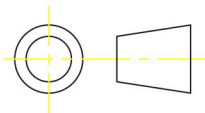
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SCALE 1:100 WEIGHT

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DATE - 04/01/12

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APPROVED -

MATERIAL

VARIOUS, MILD STEEL

FINISH

REFER DETAILS

DRAWING TITLE

TRIPOD ASSY, HY5

DRAWING NUMBER

ATC10070-1000*

SHEET 1 OF 1 A4

4

3

2

1

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Essex Farm PE13 4LF - Block Plan



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0m 10m 20m 30m 40m 50m

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