

Application Number: FYR13/0924/F

Minor

Parish/Ward: Benwick/Coates/Eastrea

Date Received: 13 December 2013

Expiry Date: 7 February 2014

Applicant: Mr A Cade

Agent: Miss M Stacey, Hallmark Power Ltd.

Proposal: Erection of a 36.6 metre (hub height) 50 kW wind turbine and kiosk.

Location: Land North of 118, Marriots Drove, Whittlesey.

Site Area: 00.10 hectares

Reason before Committee: This proposal is before the Planning Committee as it is in the wider interest.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This is a full application for a proposed single wind turbine at land to the North of 118, Marriots Drove in Whittlesey. The proposed wind turbine has a hub height of 36.6 metres with the blades taking it to an overall height of 46.3 metres. The proposal is considered to accord with national regional and local planning policy in contributing to the need for renewable energy.

2. HISTORY

There are no historical applications relevant to this proposal.

3. PLANNING POLICIES

3.1 National Planning Policy Framework:

Paragraph 2: Planning law requires that applications for planning permission must be determined in accordance with the development plan.

Paragraph 14: Presumption in favour of sustainable development.

Paragraph 93: Meeting the challenge of climate change, flooding and coastal change.

Paragraph 98: Need for renewable energy and acceptable impacts.

Paragraph 109: Conserving and enhancing the natural environment.

3.2 Fenland Local Plan Core Strategy: Submission Version – September 2013

CS14: Responding to climate change and managing the risk of flooding in Fenland.

CS16: Delivering and Protecting High Quality Environments across the District.

3.3 Fenland District Wide Local Plan:

EMP1: Proposals will normally be favoured for new, or the extension or expansion of existing firms ... outside DABs the expansion of existing firms will only be permitted where certain criteria are satisfied.

E1: To resist development likely to detract from the Fenland landscape. New development should meet certain criteria.

E8: Proposals for new development should: allow for protection of site features, be of a design compatible with their surroundings, have regard to amenities of adjoining properties and provide adequate access.

E20: To resist any development which by its nature gives rise to unacceptable levels of noise, nuisance and other environmental pollution.

E3: To retain existing trees and hedgerows. To impose, where appropriate, conditions on planning applications requiring landscaping and tree planting schemes. To request the submission of a landscaping scheme with planning applications on visually important sites.

3.4 Fenland Resource Use SPD – Consultation Draft January 2014.

This is a new document that has very recently entered the consultation stage. As such the document does not yet carry any weight and applications cannot yet be considered against the guidance within this document. It does represent the direction in which the LPA are travelling in terms of renewable energy considerations. With regards to wind turbines the document provides a variety of advice ranging from the colours that turbines should be to the visual impact and noise considerations of schemes.

4. CONSULTATIONS

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|-----|--------------------------------------|---|
| 4.1 | <i>Town Council:</i> | Recommend refusal as the evolving core strategy opposes individual turbines therefore reject the application on these grounds. |
| 4.2 | <i>Natural England</i> | No objections as the proposal is unlikely to protect any statutorily protected sites or landscapes. Provides advice in relation to their standing advice. |
| 4.3 | <i>MOD</i> | Objects to the proposal as the turbine may be detectable by, and cause potential interference to ATC radar.

These comments have been forwarded to the Agent in order that they can work towards a resolution of these concerns with the MOD. |
| 4.4 | <i>Network Rail</i> | No observations to make in respect of the proposal. |
| 4.5 | <i>Anglian Water</i> | No concerns from a groundwater perspective. |
| 4.6 | <i>NATS/NERL Safeguarding</i> | No safeguarding objection to the proposal. |

- 4.7 ***Cambs Police Architectural Liaison*** The only risk prevalent is the theft of cabling. Therefore it is recommended that all cables are buried to a minimum depth of 1.8 metres below ground level.
- 4.8 ***CCC Highways*** The development will generate relatively few vehicle movements comprising vehicles of no greater implication than could normally be expected in an agricultural environment. The routing from the A1 to B1093 all comprise highways suitable for the nature and duration of vehicle movements and therefore no objections. The construction route from the B1093 is a public by-way for the first 1.4km to Plantation Farm. A condition survey of the highway/right of way may be required to be completed before commencement of the development to ensure any damage to the highway occurring through a period of construction is rectified at the applicant's expense.
- 4.9 ***FDC Environmental Protection*** Recommend that conditions be attached to any permission given relating to day-time and night-time noise levels, remedial action and monitoring.
- 4.10 ***Middle Level Commissioners*** Will be commenting.
- 4.11 ***Environment Agency*** The submitted FRA is acceptable for the scale and nature of the proposed development. No objections and provide advisory comments in relation to pollution prevention.
- 4.12 ***Local residents/interested parties*** None received.

5. **SITE DESCRIPTION**

- 5.1 The site is situated on an area of arable land to the north of 118 Marriots Drive in Whittlesey. The site is relatively flat and open and adjoining sites consist predominantly of agricultural land with some farm premises and some isolated dwellings. The site is approximately 3-4 km from the small settlements of Ramsey Mereside and Pondersbridge, and is approximately 5km from Whittlesey. In addition, Glassmoor Wind Farm sits approximately 1km west of the application site.

6. PLANNING ASSESSMENT

6.1 Nature of Application

The application seeks full planning permission for the erection of a 3 bladed wind turbine with a hub height of 36.6 metres and an overall height of approximately 46.3 metres to blade tip. The turbine consists of a tower, nacelle and 3 blades. The turbine will be connected directly to the existing farm and the electricity generated would serve the farm and the 3 residential properties associated with the farm. Any excess energy produced would be fed to the National Grid. Access to the site will be via the existing farm access.

The following key issues have been considered;

- Relevant Policy
- Visual Impact/Landscape Impact
- Design and access

Relevant Policy

The proposal has been considered in line with National Guidance, in the form of the new National Planning Policy Framework (NPPF), Planning Practice Guidance for Renewable and Low Carbon Energy (PPG) July 2012 – Paragraphs 29-45 and Development Plan Policy in the form of the Fenland District-Wide Local Plan, 1993, and the emerging Fenland Local Plan Core Strategy – September 2013; these are listed in the relevant section of this report.

The Government has set a target of generating 20% of the UK's electricity by 2020 and also aims for the UK to be on a path to cut its carbon dioxide emissions by 60% by 2050, as well as maintaining reliable and competitive energy supplies. The development of renewable energy is considered to form a key part of meeting this target which has led to the view that renewable energy schemes should be supported where they do not result in other adverse impact upon the area that outweigh the renewable energy benefits. This application is for the erection of a wind turbine and associated infrastructure. Wind turbines are a sustainable and efficient source of renewable energy and therefore comply, in principle, with the provisions of the NPPF and emerging Core Strategy.

In addition, there is a current adopted SPG which is The Fenland Wind Turbine Development Policy Guidance June 2009 (WTDPG). This document is due to be replaced in the near future by a new SPD and also its main focus relates to the larger turbines (i.e. those of an overall height of 100m plus). As such, this report will focus on the provisions of the Local Plan, Core Strategy, NPPF and Planning Practice Guidance rather than the WTDPG.

Visual Impact/ Landscape Impact

The site is not located within any national or locally designated landscape areas. The turbine is to be situated within an existing area of arable land. The proposal is for a single turbine with a hub height of 36.6m and an overall height of approximately 46.3m. By the very nature of the development it will be visible within the landscape, which is flat and relatively open in nature. The Glassmoor Wind Farm sits to the West of the proposal at a distance of approximately 1km at its closest point.

It is noted that the WTDPG advises that any new wind turbines, detached from existing turbine sites by more than 500m but within 4km are unlikely to be acceptable in visual terms however the WTDPG does point out that it refers to the impacts of a commercial turbine with a typical height of 100 – 125 metres, therefore the issues have to be taken in context and balanced with the need for, and benefits of providing, renewable energy. This turbine is 36.3 metres to the hub and approximately 46.3 metres height overall and as such is less than half of the height referred to in the WTDPG document in relation to existing turbines. As such, on balance it is considered that this turbine would be acceptable in terms of visual, landscape and cumulative visual impacts in this instance.

Design and Access

The proposed turbine is to consist of a tower, nacelle and three blades. The hub height is 36.3m and the blades will take the overall height to 46.3m. The turbine is to be white in colour with a semi-gloss finish and the proposed kiosk is to be green in colour and with a height of just over 2 metres. Access to the site will be via an existing farm track off Marriots Drove. The height and positioning of the turbine is not considered to have an adverse impact on residential amenity. The Environmental Protection Team have assessed the proposal and advise that there is unlikely to be any adverse impact in terms of noise or shadow flicker.

Delivery of the turbine components will be via the B1093 and Marriots Drove. The LHA have raised no objections to the route or raised any concerns in relation to Highway safety. They have advised that a condition survey may be required for the Marriots Drove section of the route and this can be secured by condition.

7. CONCLUSION

- 7.1 The proposed wind turbine has an overall height of 46.3 metres. The proposal is considered to accord with national regional and local planning policy in contributing to the need for renewable energy. The renewable benefits of the proposal should be considered in line with the impacts on the surrounding area and nearby dwellings. This proposal has been considered in line with the relevant policies and it is considered, due to its overall height and location, there would not be an adverse impact on the surrounding area or nearby residential amenity and as such, the proposal is considered to be, on balance, acceptable. The proposal is therefore recommended for approval with appropriate conditions.

8 RECOMMENDATION

Grant

Subject to the resolution of the MOD concerns.

1

The development permitted shall begin 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 **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, the greater of 43dB(A) or 5dB (A) above the night hours background (LA90, 10 minute) as measured in accordance with ETSU-R-97. Night-time fixed minimum levels can be increased to 45dB(A) or 5dB(A) above the night hours background noise (LA90, 10 minute) as measured in accordance with ETSU-R-97 where the occupier has a financial interest in the wind farm development.**

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 35dB(A) or 5dB(A) above the Quiet Waking Hours background noise (LA90, 10 minute) at wind speeds within the site not exceeding 10 metres per second. Noise levels can be increased to 45dB(A) or 5dB(A) above the Quiet Waking Hours background noise (LA90, 10 minute) where the occupier of the property has a financial interest in the wind farm development.

For information the period of hours used are as defined in ETSU-R-97 (The Assessment and Rating of Noise from Wind Farms). Quiet day-time periods are defined as all evenings from 6pm to 11pm, plus Saturday afternoons from 1pm to 6pm, plus all day Sunday 7am to 6pm. Night time is defined as 11pm to 7am.

Reason: In the interests of protecting residential amenity.

3. **In the event that noise exceeds the limits specified in the planning permission remedial action must be taken to reduce the noise levels. This would include checking the source noise level of individual turbines (if this has not already occurred as part of any warranty agreement with the turbine supplier or by compliance testing). Mitigation applied may involve slowing of turbine rotational speed, thus reducing noise, or even shut-down of individual turbines, under critical wind conditions.**

Reason: In the interests of maintaining acceptable noise levels from the development.

4. **At the reasonable request of, and following a complaint to, Fenland District Council the operator of the development shall, measure and assess the level of noise emissions from the wind turbine generators, following the procedures described in “The Assessment and Rating of Noise from Wind Farms, ETSU-R-97” published by ETSU for the Department of Trade and Industry.**

Reason: In the interests of maintaining acceptable noise levels from the development and to safeguard the amenities of nearby properties.

5. **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 lifespan of the installation.

6. Not later than 12 months before the end of this permission, a decommissioning and site restoration scheme shall be submitted for the written approval of the local planning authority. The scheme shall make provision for the removal of the wind turbines and associated ancillary equipment to a depth of at least 0.2 metres below ground. The scheme shall include the management and timing of any works, a traffic management plan to address likely traffic issues during the decommissioning period, an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats and a programme of implementation. The approved scheme shall be fully implemented within 12 months of the expiry of this permission.

Reason

In the interests of the appearance of the locality.

7. If the wind turbine fails to produce electricity for supply to the grid for a continuous period of 12 months then, unless otherwise agreed in writing by the Local Planning Authority, the wind turbine and its associated ancillary equipment shall be removed from the site within a period of 3 months from the end of the 12 month period. The land shall be reinstated in accordance with a scheme (including management and timing of the works and a traffic management plan) submitted to and approved in writing by the local planning authority.

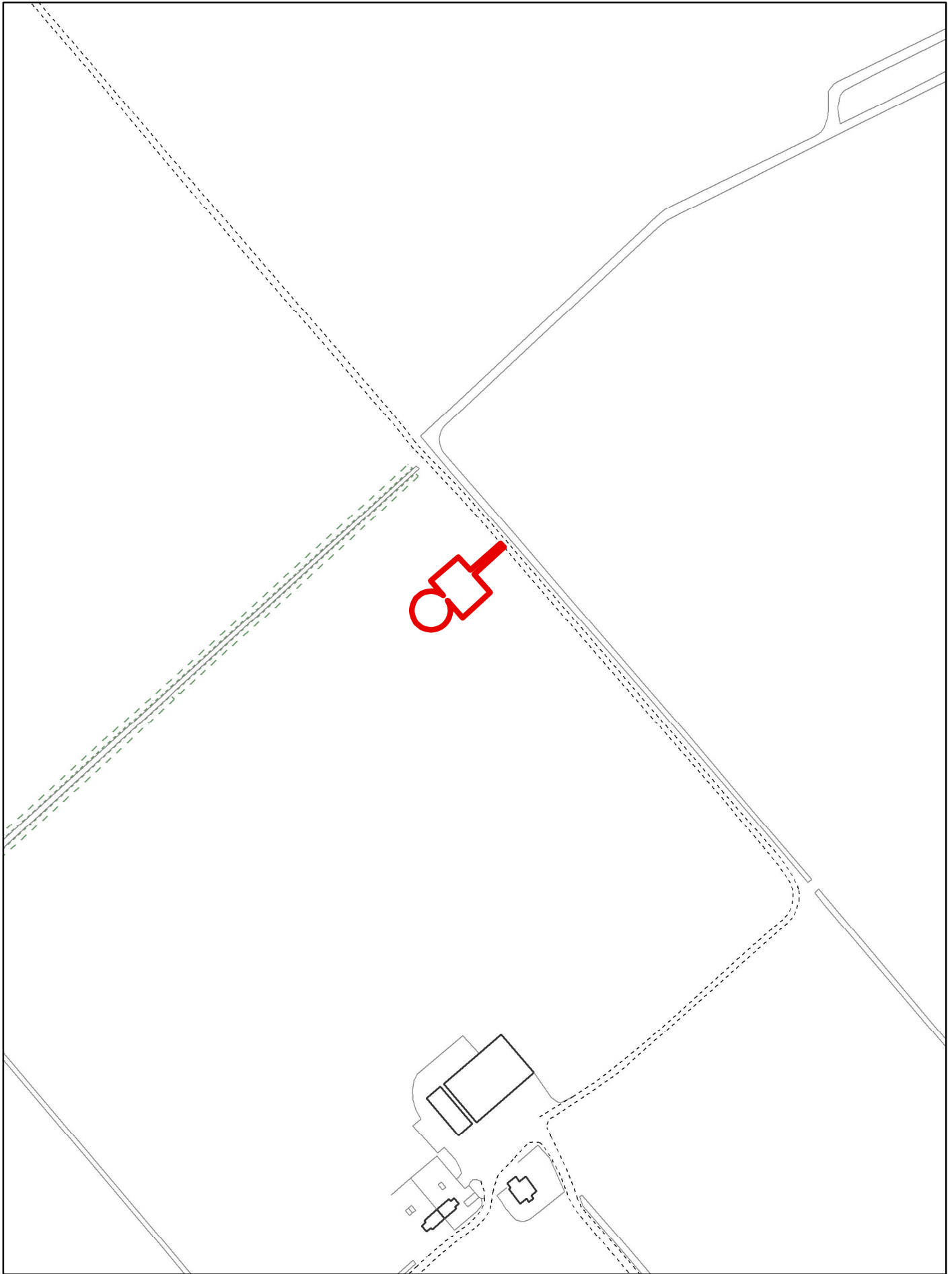
Reason

In the interests of the appearance of the locality.

8. Prior to the commencement of the development hereby approved a condition survey of Marriots Drove shall be carried out with a highways maintenance engineer present. Immediately following the completion of the development, works to establish any damage or deterioration to these carriageways and/or verges that has occurred as a direct result of traffic associated with the development shall be carried out and a timetable for appropriate remedial work shall be submitted in writing and agreed with the Local Highways Authority.

Reason: In the interests of highway safety.

9. Any conditions requested by Middle Level Commissioners or any other statutory consultees.
10. Approved Plans



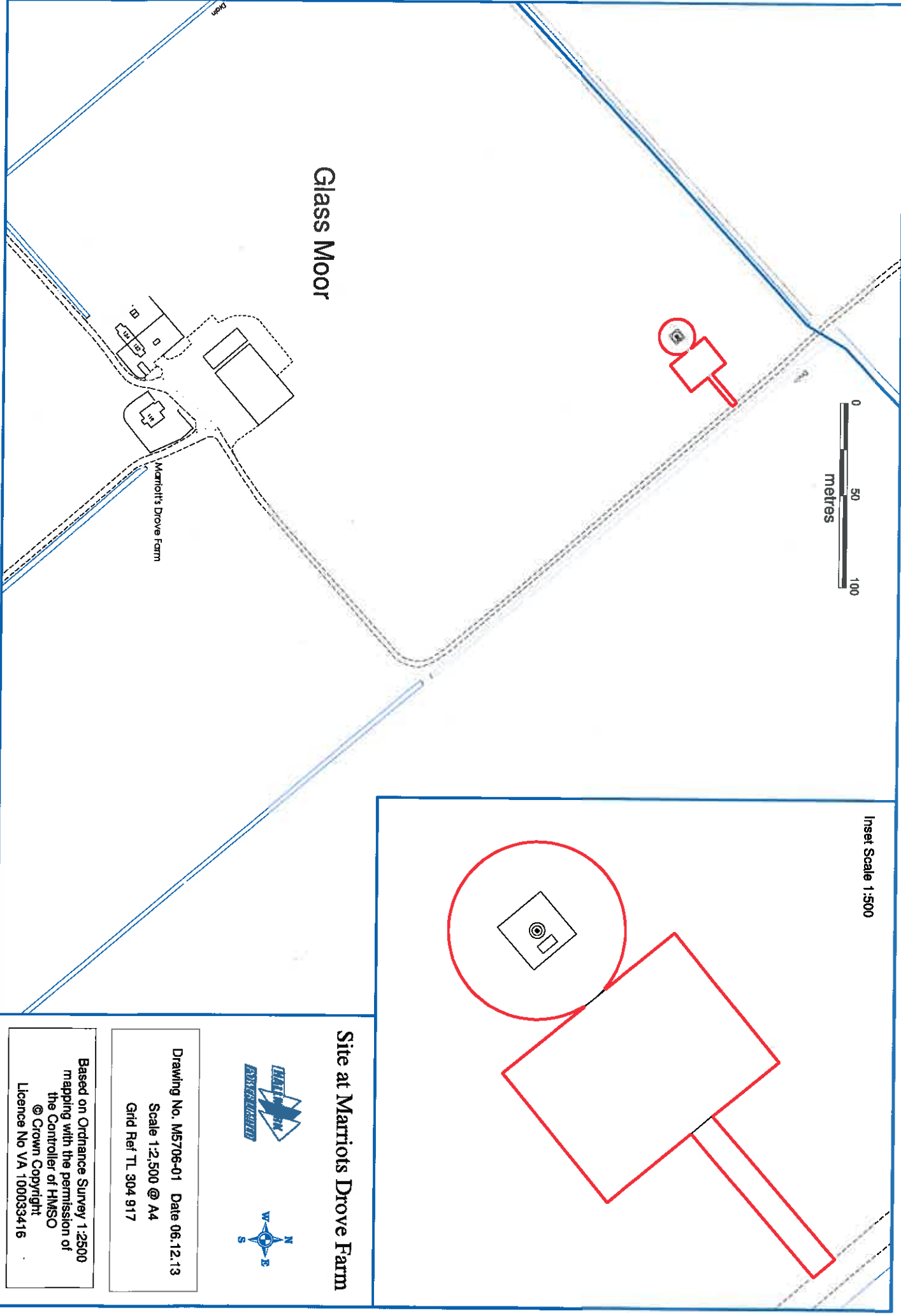
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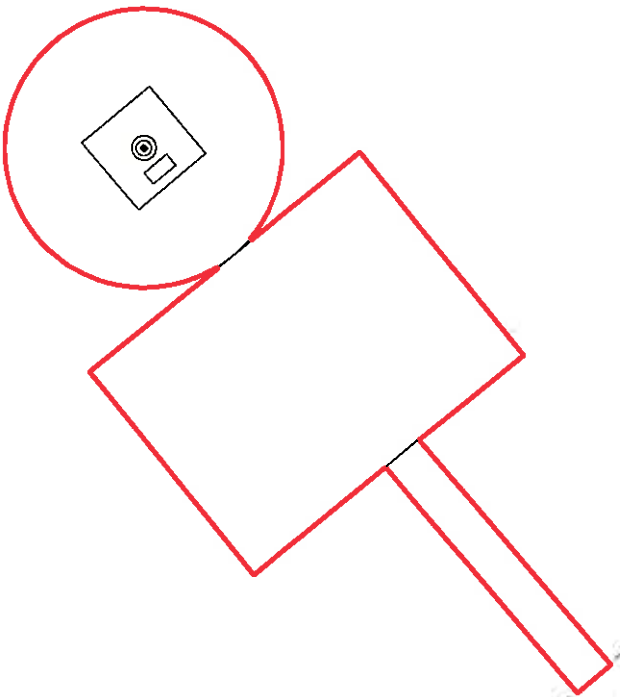


Glass Moor

Marriots Drove Farm



Inset Scale 1:500



Site at Marriots Drove Farm



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