

<b>APPLICATION NO</b>	<b>PA/2012/0559</b>
<b>APPLICANT</b>	LFC Horkstow Ltd
<b>DEVELOPMENT</b>	Planning permission to erect a 57m high wind turbine with associated infrastructure including access track, substation, underground cable and crane hardstanding
<b>LOCATION</b>	Land north of Hall Farm Cottage, Main Street, Horkstow
<b>PARISH</b>	<b>HORKSTOW</b>
<b>WARD</b>	Brigg and Wolds
<b>CASE OFFICER</b>	Leanne Simmonds
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Councillor Waltham – significant public interest and impact on visual amenities)  Objection by Saxby All Saints Parish Council  Objection by South Ferriby Parish Council  Significant public interest

## **POLICIES**

**National Planning Policy Framework:** Paragraphs 93 to 99 (meeting the challenge of climate change, flooding and coastal change) – in assessing the likely impacts of potential wind energy development when identifying suitable areas, and in determining planning applications for such development, planning authorities should follow the approach set out in the National Policy Statement for Renewable Energy Infrastructure.

Also, paragraph 98 informs local planning authorities of the factors which should be used to assess applications.

**North Lincolnshire Local Plan:** Policy DS1 (General Requirements) requires a high standard of design for all new developments.

Policy DS21 (Renewable Energy) states that the generation of energy from renewable sources will be permitted provided that:

- any detrimental effect on features and interests of acknowledged importance, including local character and amenity, is outweighed by environmental benefits; and
- proposals include details of associated developments, including access roads and other ancillary buildings, and their likely impact on the environment.

Policy RD2 (Development in the Open Countryside) also applies.

SPD (Planning for Renewable Energy) provides detailed guidance on renewable energy and sets out the criteria against which wind turbines will be judged.

**North Lincolnshire Core Strategy:** Policy CS18 (Sustainable Resource Use and Climate Change) – the council will actively promote development that utilises natural resources as efficiently and sustainably as possible. This will include:

- meeting required national reductions of predicted CO<sub>2</sub> emissions by at least 34% in 2020 and 80% in 2050;
- supporting renewable sources in appropriate locations where possible and ensuring that development maximises the use of combined heat and power, particularly at the South Humber Bank employment site and where energy demands for more than 2MW are required for development.

## **CONSULTATIONS**

**Highways:** No comments or objections.

**NERL (NATS):** No safeguarding objection.

**Ofcom:** Details forwarded regarding TV signals. No objections raised.

**Ecology:** No objections. No expected significant impact on protected/priority species.

**Robin Hood Airport:** No Objections as unlikely to affect operations.

**National Grid:** Initially put in a holding objection due to a breach of safety clearances. The turbine was moved by approximately 6 metres to overcome this objection. The holding objection has since been withdrawn.

**HER (Archaeology):** Initial holding objection on grounds of lack of information. The applicant has carried out an evaluation comprising the excavation of several trial trenches. The interim report has confirmed that archaeological features of Iron Age and Roman date are present within the application area but that the impact of the construction will not cause significant adverse effect to these remains. Suggest conditions to secure the submission of completed evaluation report and a programme of archaeological monitoring and recording during construction work.

**Humberside Airport:** Suggest a condition regarding notification of commencement of turbine operation.

**CPRE (Campaign to Protect Rural England):** Object on the grounds of impact on the character and tranquillity of the location. Just because pylons exist should not automatically justify a turbine. Would be visible from the Viking Way. Concerned regarding the level of public consultation. Would request a maximum height of 57 metres. Concerned that the type of turbine has not yet been selected. Contrary to CS2 in that it is not essential for the functioning of the countryside and NPPF 109 with regard to protecting valued landscapes.

**JRC (Joint Radio Company):** No objections – does not foresee problems regarding interference with radio systems operated by utility companies.

**Environmental Protection:** Suggest conditions regarding contamination and noise levels.

**Natural England:** No objections.

**Environment Team:** The proposal has a relatively limited impact in part of the landscape dominated by the presence of overhead power lines. The lines are a significant detractor in the landscape and whilst their presence should not be considered as a rationale for wind turbine development, in this case they tend to result in the proposed development appearing (despite its height) contained within the landscape.

With regard to the impact of the turbine on the setting of listed buildings in the vicinity, the potential impact on the churches of St Nicholas (South Ferriby), St Maurice (Horkstow) and St Andrews (Bonby) is considered to be moderate/low. The potential impact on Horkstow Hall has been considered to be low/medium due to the tree belt providing screening and the fact that the hall is generally viewed from the immediate surround. With regard to Horkstow Bridge, there will be a visual impact as you cross the bridge towards the east from the turbine, however this is not the most significant of the views regarding the listed structure and it is not seen as having a significant adverse impact on the character and the setting of the bridge.

**Anglian Water:** No objection with regard to Anglian Water Services' radio communications on the condition that mitigation may be required in the future.

## **PARISH COUNCILS**

**Saxby All Saints Parish Council:** Object on the following grounds:

- the Wolds is a scenic area of North Lincolnshire and has many visitors by virtue of its high quality landscape and visual amenity
- whilst the proposal is to site a turbine within 100 metres or so of electricity pylons, the turbine will be more than double the height and will stand in stark contrast to the Wolds environment
- detrimental effect upon existing landscape and will damage the visual amenity of the Wolds landscape
- SGP5 states that vertical structures on the Wolds scarp would be extremely intrusive on the open farmland and should be avoided
- a recent application to erect wind turbines on Saxby Wold (WF/2011/0734) was refused with the high landscape value of the area being one of the reasons for refusal; it is felt that this application is part of a strategy to incrementally encroach onto the Wolds escarpment
- cumulative effect with wind farms at Rusholme, Goole Fields, Tween Bridge, Bagmoor Farm and Flixborough Grange being approved; other applications and screening opinions have also been submitted
- archaeology – the area around South Ferriby and Horkstow has known Viking, Roman and Saxon settlements; a geophysical survey/excavation is therefore required
- the size of the turbine blades would pose a significant risk to wildlife, eg pink footed geese

- also concerned about noise disturbance and flicker to nearby properties at South Ferriby

**South Ferriby Parish Council:** Object to the proposal on the following grounds:

- cumulative effect
- visual impact – serious detriment to the landscape
- proximity to housing – will be overshadowed with a concern for noise as well as visual impact
- North Lincolnshire has already met its quota for wind turbines

**Horkstow Parish Meeting:** No objections. It should be left to individuals to make their own comments.

## **PUBLICITY**

Neighbouring properties have been notified and a site notice posted. Sixteen letters of objection have been received raising the following material issues:

- the turbine is too close to the road line of houses in South Ferriby
- visual impact
- further eyesore (together with pylons)
- it would detract from the rural setting of villages
- overbearing impact on the setting of Horkstow Bridge and Horkstow Grange (both listed buildings)
- detrimental impact on birds/wildlife
- adverse impact on the landscape
- cumulative effect
- archaeological impact
- the turbine is out of scale with its surroundings and represents a significant industrial structure in a rural location
- noise
- adverse impact on horses
- it would be a dominant feature

## **ASSESSMENT**

The application site is agricultural land located to the north of Hall Farm Cottage, Main Street, Horkstow. This application seeks planning permission for a single turbine with a

maximum hub height of 40 metres and an overall height to blade tip of a maximum of 57 metres. The turbine would be located approximately 300 metres from Horkstow Road (B1204). It would be located close to overhead lines and pylons, which are a prominent feature in the local landscape. It should be noted that the pylons in this vicinity are approximately 46-50 metres high depending on local topography.

**The main issues in determining this application are whether the proposed turbine would have an adverse visual or ecological impact on the surrounding landscape, the amenity of neighbouring properties by way of visual impact or noise, whether there is any adverse impact on archaeology, aviation or utilities, and whether the cumulative impact of turbines is acceptable.**

Current national policies support the provision of renewable sources of energy, including the use of wind turbines. In principle, therefore, the erection of one wind turbine is acceptable providing the proposal complies with local planning policies and other material planning considerations do not outweigh national policy.

In relation to the impact on the character of the landscape, the information submitted with the application has been assessed and found to be acceptable. The turbine is comparable to the adjacent overhead lines and associated pylons, and is viewed from different perspectives against the backdrop of the surrounding landscape, including the line of pylons and the nearby Cemex cement works. Whilst it is clear that the turbine will be visible in the landscape, it is not considered that it will have a significant detrimental impact on the character and quality of the landscape, which is not in a designated area. An assessment has been made by the applicant which has been considered by the council's Environment team, and no objections have been raised regarding this matter. Although it is accepted that the turbine will be visible in the landscape, it is not considered that the erection of one turbine of the height proposed will have a significant detrimental impact on the quality of the existing landscape.

A heritage impact statement has been submitted with the application that demonstrates, to the satisfaction of the council's sites and monuments officer, that the development will not have a harmful impact on any heritage assets (listed buildings etc) in the area or, after trial trenching and archaeological assessments, on any archaeological assets.

The council's ecologist has advised that no bat, bird or protected species surveys are required. It should be noted that the proposed turbine is close to the proposed goose refuge for the refused Saxby wind farm application (WF/2011/0734). Natural England have therefore been consulted and raise no objections to the scheme.

In relation to noise, information has been submitted that has been assessed by the council's environmental protection officer. Subject to a condition limiting the maximum noise level at any residential property, the proposal is considered not to have a detrimental impact on nearby residents.

Objectors are concerned that, if approved, it would set a precedent for other similar proposals in the future, particularly as the development is close to the Saxby wind farm application site. However it should be noted that the Saxby wind farm was refused and therefore this application is being assessed as a single turbine. It is considered that the proposal does comply with current policies, and as each application is judged on its own merits, would not necessarily lead to an increase in proposals for further turbines, or pylons, in the area.

Neighbours have also commented that the proposal would have an adverse impact on property values, however this is not a material planning consideration and cannot be used to determine a planning application. Consultation responses regarding the impact on local airports and aviation concerns have all indicated that the proposal will not be detrimental to any operational activities.

It is therefore considered that the erection of one turbine in this location will not be harmful to residential amenities, landscape, ecology, archaeology, highway safety or heritage assets, and that sufficient information has been provided to allow full consideration of all the relevant issues. It is considered that the proposal accords with paragraphs 93 to 99 of the National Planning Policy Framework, policies DS1, DS21, LC7, and SPD (Planning for Renewable Energy) of the North Lincolnshire Local Plan and policy CS18 of the North Lincolnshire Core Strategy.

**RECOMMENDATION Grant permission subject to the following conditions:**

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: 3283/1, 3283/2, 3283/05 and 3283/6.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

This permission is for a period not exceeding 25 years from the date the development is first connected to the electricity grid, such date to be notified to the local planning authority not later than one month from the making of such connection.

Reason

Application has only been made for a 'life span' of 25 operational years.

4.

Within 12 months of the end of the 25-year period pursuant to condition 3 above, the wind turbine, ancillary equipment and buildings (but excluding access tracks) shall be dismantled to 1.2 metres below ground level (or as otherwise agreed in writing with the local planning authority) and removed from the site, and the land shall be restored in accordance with a decommissioning, restoration and aftercare scheme to be submitted for the approval of the local planning authority no later than 12 months prior to the expiry of the 25-year period referred to in condition 3 above. The decommissioning process shall proceed in accordance with the approved scheme unless the local planning authority gives its written consent to any variation.

Reason

Application has only been made for a 'life span' of 25 operational years.

5.

No development shall take place until plans and specifications of the exact turbine and associated structures to be erected have been submitted to and approved in writing by the local planning authority, and only the approved turbine shall be erected. The hub height of the turbine shall not exceed 40 metres and the total blade height shall not exceed 57 metres.

Reason

To define the terms of the permission.

6.

No development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by the North Lincolnshire Historic Environment Record, has been submitted to and approved in writing by the local planning authority. The strategy shall include details of the following:

- (i) results of the specialist assessments of artefacts and ecofacts recovered in the evaluation trial trenches
- (ii) measures to ensure the preservation by record of archaeological features of identified importance
- (iii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iv) post-fieldwork methodologies for assessment and analyses
- (v) report content and arrangements for dissemination, and publication proposals
- (vi) archive preparation and deposition with recognised repositories
- (vii) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (viii) monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record Office of the commencement of archaeological works and the opportunity to monitor such works
- (ix) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site is of archaeological significance.

7.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site is of archaeological significance.

8.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record within six months of the date of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site is of archaeological significance.

9.

The applicant must notify the local planning authority, in consultation with Humberside Airport, within one month of the turbine commencing operation.

Reason

So that a record can be kept of all operational turbines to aid the assessment of the cumulative impact in the interests of air safety. The cumulative impact of wind turbine generation developments, which are in relatively close proximity, could compromise the safe control of aircraft in this area.

10.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

11.

The noise emissions from the wind turbine shall not exceed 35dBA measured as LA90,10 min at any residential boundary. This noise limit applies up to wind speeds of 10m/s at a height of 10m above ground. If noise from the wind turbine exhibits any audible tonality, a correction to the measured wind turbine noise shall be made in accordance with ETSU-R-97 procedures. Any such correction shall be applied to the measured wind turbine noise before comparison is made with the emission limit given above. In the event of any complaint concerning noise impact, compliance monitoring shall be undertaken in accordance with the procedures set out in ETSU-R-97.

Reason

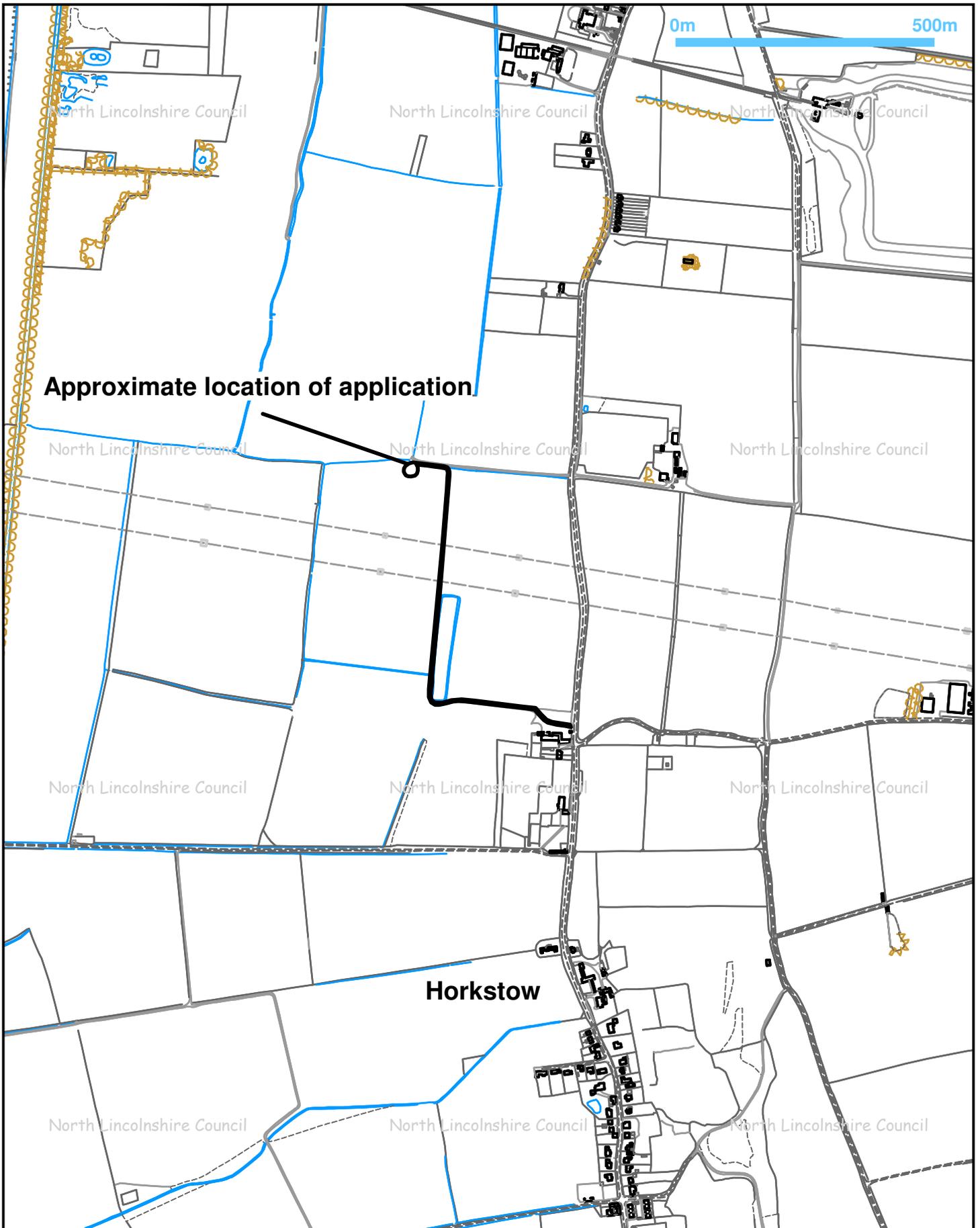
To protect residential amenity.

**Reasons for approval**

The council, as local planning authority, has had regard to the relevant policies of the development plan as set out below and considers that, subject to compliance with the conditions attached to the permission, the proposed development would be in accordance with the development plan, would not materially harm the character or landscape of the area nor the living conditions of neighbouring occupiers, and would be acceptable in all other planning considerations. The council has taken into account all other matters, none of which outweigh the considerations that have led to its decision. The policies taken into consideration in the determination of this application are DS1, DS21, RD2 and SPD of the North Lincolnshire Local Plan, CS18 of the North Lincolnshire Core Strategy, and paragraphs 93-99 of the National Planning Policy Framework.

**Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



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Drawn by: Sue Barden

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