

APPLICATION NO	PA/2014/0591
APPLICANT	Mr D Albone
DEVELOPMENT	Planning permission for erection of a single 500kw wind turbine
LOCATION	Rainsbutt Farm, access road to Chicken Farm, Crowle
PARISH	EASTOFT
WARD	Axholme North
CASE OFFICER	Andrew Law
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Crowle Town Council Member 'call in' (Councillor Briggs – significant public interest)

POLICIES

National Planning Policy Framework: Paragraph 28 – Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.

Paragraph 93 – Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

Paragraph 95 – To support the move to a low carbon future, local planning authorities should...plan for new development in locations and ways which reduce greenhouse gas emissions.

Paragraph 97 – to help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources.

Paragraph 98 – 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; and
- approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

National Planning Practice Guidance: Local planning authorities should not rule out otherwise acceptable renewable energy developments through inflexible rules on buffer zones or separation distances. Other than when dealing with set-back distances for safety, distance itself does not necessarily determine whether the impact of a proposal is unacceptable. Distance plays a part, but so does the local context including factors such as topography, the local environment and nearby land uses.

North Lincolnshire Local Plan: Policy DS1 (General Requirements)

Policy DS16 (Flood Risk)

Policy DS21 (Renewable Energy)

Policy RD2 (Development in the Open Countryside)

Policy LC7 (Landscape Protection)

SPG13 (Wind Energy Development)

Landscape Character Assessment – Flat Open Remote Farmland

North Lincolnshire Core Strategy: Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS16 (North Lincolnshire's Landscape, Greenspace and Waterscape)

Policy CS18 (Sustainable Resource Use & Climate Change)

Policy CS19 (Flood Risk)

Supplementary Planning Document – Planning for Renewable Energy

CONSULTATIONS

Highways: No objection or comments.

Environment Team (Ecology): There is no Likely Significant Effect on the Humber Estuary SAC/SPA/Ramsar Site, Thorne Moors SAC or Thorne and Hatfield Moors SPA. The proposal will not affect protected or priority species, provided that measures are taken to avoid harm to water voles during construction.

Historic Environment Record (Archaeology): No objection subject to conditions.

Historic Environment Record (Conservation): No objection.

Environment Agency: No objection.

Ofcom: No objection.

Atkins: No objection.

JRC: No objection.

NATS: No safeguarding objection.

Humberside Airport: No objection subject to a condition.

Robin Hood Airport: No objection subject to conditions.

MOD: No objection.

EASTOFT PARISH COUNCIL

No objection.

CROWLE TOWN COUNCIL

Object on the following grounds:

- historical impact on the landscape
- accumulative impact size too big.

PUBLICITY

The application has been publicised by way of a site notice. No letters of comment or objection have been received.

ASSESSMENT

A decision on this application was deferred by the Planning Committee on 19 November 2014 for a committee site inspection.

The application site is a piece of arable land forming part of a large agricultural holding. The site is located within a relatively flat, open agricultural landscape approximately 2.8 kilometres west of Eastoft and 3 kilometres north of Crowle. There are areas of woodland associated with the moors within the wider landscape to the west of the site. There are residential and agricultural buildings to the north and south of the site within a kilometre radius of the site. There are also numerous existing man-made structures within the landscape surrounding the site including a large number of wind turbines associated with different wind farms, electricity pylons and agricultural buildings. The site does not fall within any special landscape or ecological designation.

This application seeks planning permission to erect a single 500kW medium-scale wind turbine, with a maximum tip height of 79 metres. The proposed turbine is a three-bladed horizontal axis turbine with a hub height of 50 metres and a 54 metre rotor diameter, with a reinforced concrete base. The proposal also includes a small enclosure (approximately 3.4 metres x 9.44 metres x 4.49 metres), which will house a substation, and a further small enclosure (approximately 2.4 metres x 4 metres x 2.6 metres) which will house a transformer, associated switch gear and electrical protection equipment. These enclosures

will be located close to the tower of the turbine and will be connected to the grid via underground cabling. The proposed wind turbine will provide energy for the applicant's potato farming business, with any excess energy being directed to the National Grid.

The main issues in the determination of this application are the principle of development, the impact of the development on the character and appearance of the area, impact on residential amenity, heritage assets, ecology and aviation.

Principle

Paragraph 97 of the National Planning Policy Framework (NPPF) encourages local authorities to recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. Furthermore, policy DS21 of the North Lincolnshire Local Plan (LP) states that proposals for the generation of electricity 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. Paragraph 98 of the NPPF supports this view, stating that renewable energy applications should be approved where the impacts of the development are (or can be made) acceptable. Therefore it is established that there is planning policy support for renewable energy development provided that the environmental benefits of the development outweigh any detrimental effects or that such detrimental effects can be mitigated.

It should be recognised that in addition to helping with the reduction of CO₂ emissions, the proposed wind turbine is also intended to support an existing local agricultural business. Paragraph 28 of the NPPF promotes development which will support economic growth in rural areas in order to create jobs and prosperity. The applicant has submitted a business case as part of the planning application and this demonstrates that the proposed turbine will offset energy used by his expanding business, with excess energy being sold to the grid; this will support further expansion of the business in the future.

Impact on landscape

Policy LC7 of the LP states that where development is permitted within rural settlements or within the open countryside, special attention will be given to the protection of the scenic quality and distinctive local character of the landscape. Development which does not respect the character of the local landscape will not be permitted. A comprehensive Landscape and Visual Impact Assessment (LVIA) has been submitted as part of the planning application and concludes that the proposed turbine will not have a significant impact on surrounding landscape, or upon visual amenity in the area.

The site is located within the Trent Levels (TL) regional landscape character area as defined in the Landscape Character Assessment for North Lincolnshire (1999). In the local context the site is located in an area characterised as Flat Open Remote Farmland (FORF) within this assessment. The application site does not fall within any special landscape designations. The surrounding area constitutes a predominantly low-lying flat landscape providing long, expansive views into the distance. The landscape is predominantly rural in nature with arable farmland set within a medium to large-scale field structure punctuated by scattered farmsteads. Whilst the landscape is largely flat and open, there are numerous vertical, industrial structures within the wider landscape, including wind farms and pylon lines traversing the landscape. These man-made structures combine to create a relatively disturbed landscape.

It is acknowledged that the proposed turbine would constitute an additional vertical feature within an open landscape. However it should be noted that the surrounding landscape already contains numerous, much taller wind turbines related to commercial wind farms in the area and that these structures already disturb the landscape and detract from its tranquillity. The proposed turbine would sit in a location where it will be almost surrounded by turbines, should all existing wind farm consents in the area be built out. Therefore the turbine will be seen against the backdrop of much larger turbines from the majority of viewpoints. On this basis it is considered that the surrounding landscape is already somewhat industrialised and that the proposed turbine will not stand out as a prominent or dominant structure and will have no significant impact on the character or appearance of the area.

As described above there are numerous large-scale commercial turbines already erected in the surrounding area and there are more turbines consented which are still to be erected. The proposed turbine will sit relatively centrally in relation to the existing consented wind turbines and will be much smaller. This will help the turbine be accommodated within the landscape without appearing incongruous or dominant. On this basis it is considered that the cumulative impact of this additional turbine and existing turbines will not be significant and will not have a detrimental impact on the existing landscape character of the area. Therefore the cumulative impact of the development is not considered to cross the threshold of significance to make the development unacceptable.

Visual amenity

There are three farmsteads within 1kilometres of the site, one of which is the applicant's farmstead. At this distance the proposed turbine will be readily visible; however, due to the orientation of the non-associated dwellings and existing mature landscaping around them, none of them will have a direct view of the site from their principal elevations. Furthermore, as discussed earlier, the proposed turbine will be seen within a disturbed landscape alongside numerous other turbines. Therefore it is considered that the turbine will not constitute a feature within the landscape which will make local residents feel uncomfortable in their homes. The turbine will not be a dominant or overbearing structure when considered in the context of its surroundings and existing vertical structures in the area.

Heritage

The nearest conservation area is located within Crowle, approximately 3 kilometres to the south of the application site. This separation distance, along with a proliferation of intervening buildings and natural screening results in no physical or visual connectivity between the conservation area and the turbine. Furthermore, the turbine will be viewed against the backdrop of existing, larger turbines which further mitigates any impact on setting. Likewise, there will be no significant impact on the setting of listed buildings in the area due to separation distance and the existence of so many existing turbines which form part of the wider landscape and views. The council's conservation officer has been consulted and has confirmed that the proposed turbine will have no significant impact on the setting of built heritage assets in the area.

With regard to below ground heritage assets, the applicant has submitted a Written Scheme of Investigation setting out the details of an archaeological mitigation strategy agreed with the council's Historic Environment Record. Subject to this mitigation strategy being secured by way of condition, the proposed development will have no significant adverse impact on archaeology.

Residential amenity

The location of the turbine has been chosen to minimise any potential negative impacts on non-affiliated properties. The turbine will be approximately 650 metres north of Easingwold House and approximately 660 metres south of Moors Farm.

The potential for shadow flicker occurs where turbines cast shadows from the sun's rays onto other properties. The potential for flicker is generally accepted to be limited to a distance of 10 times the rotor diameter of the turbine. As there are no dwellings located within a distance of 10 times the rotor diameter in this instance it is considered that there is no significant potential for the loss of residential amenity as a result of flicker and that further attenuation measures are not necessary.

A professional desktop noise assessment has been submitted as part of the application, this assessment models noise emissions from the turbine and assesses the impact on the local area. The noise assessment concludes that for all of the modelled receptors, including the nearest financially and non-financially interested noise sensitive receptors, the calculated turbine noise level is within the daytime and night-time noise criteria recommended by ETSU. Noise levels at the nearest non-financially interested receptors are anticipated to be no more than 35dBa and those at the nearest financially interested receptors no more than 45dBa. It should also be noted that the methodology used by the applicants provides a worst case scenario and does not take into account wind direction, or noise attenuation from screening and as such noise levels could actually be expected to be less than the recommended criteria. A condition has been recommended that requires the turbine to comply with the stated noise levels. On this basis it is considered that the proposed turbine will not result in noise nuisance to neighbouring properties, nor will it have any significant impact on residential amenity.

Ecology

A high level of survey effort has been deployed, comprising a Phase 1 habitat survey, nine months of vantage point surveys, a five-visit Common Bird Census (CBC), two bat/nightjar transects and the deployment of a static bat recorder over two periods of six days. In addition the application site has been inspected for evidence of badgers, water voles and otters. Potential habitats for other protected species, for example great crested newt were also looked for.

The council's ecologist has been consulted on the application and has reviewed the survey data submitted. He has confirmed that the site for the turbine has been selected in accordance with Natural England guidance and that the results of the survey work demonstrates that a single turbine in this location is unlikely to have a significant effect on breeding birds, priority species, wintering or passage birds, bat populations, badgers, great crested newts or water voles. However, to ensure that there is no effect on water voles, a condition has been recommended to ensure that access tracks are not constructed too close to any ditches. Subject to this condition it is considered that the proposed turbine will have no significant impact on ecology or biodiversity in the area.

Aviation

There are no outstanding objections from statutory bodies in relation to aviation safeguarding. However, conditions have been recommended by the Ministry of Defence,

Humberside Airport and Robin Hood Airport. Subject to these conditions it is considered that the proposed turbine will have no adverse impact on aviation safety.

Conclusion

The proposed development will have no significant detrimental impact on the area with regard to landscape character, visual amenity, residential amenity, heritage assets, ecology or aviation. Whilst there will be some impact in these regards a balance must be made between the harmful impacts of the scheme and the positive benefits of renewable energy, which is a national priority.

The proposed turbine is primarily intended to support the existing agricultural business by allowing the applicant to run its potato and grain stores on its own supply of green energy, with any excess energy being exported to the National Grid. It has been stated by the applicant that the proposed turbine is capable of producing approximately 1,835,000kWh of electricity per annum, equating to the energy requirement of 430 UK residential dwellings. The proposed turbine will also save approximately 520 tonnes of CO₂ per annum.

In making a full and proper planning balance, it is considered that the benefits of the proposed development, in terms of the contribution towards renewable energy targets and CO₂ reduction, as well as supporting an existing agricultural business, far outweigh any of the detrimental impacts of the development, none of which are significant. On this basis the proposed development should be supported subject to conditions.

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: 1000900, Exxx-21-01, DWG002 and DWG001.

Reason

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

3.

No later than 12 months prior to 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 turbine and associated above-ground works approved under this permission and details of the depth to which the wind turbine foundations will be removed. The approved scheme shall be fully implemented within 12 months of the expiry of this permission.

Reason

To protect visual amenity in the area.

4.

This permission shall endure for a period of 25 years from the date when electricity is first exported from the wind turbine to the electricity grid.

Reason

For the avoidance of doubt.

5.

All construction works shall be carried out strictly in accordance with sections 8 and 9 of the submitted Ecological Assessment Report 'Proposed Wind Turbine: Rainsbutt Farm - Ecological Report' (Riley 2014).

Reason

To protect features of recognised nature conservation importance in accordance with policy CS17 of the North Lincolnshire Core Strategy.

6.

Written notification of the date when electricity is first exported from the wind turbine to the electricity grid shall be given to the local planning authority and Humberside Airport no later than one month after the event.

Reason

So that a record can be kept of all operational turbines to aid in the assessment of cumulative impact in the interests of air safety.

7.

Prior to the date when electricity is first exported from the wind turbine to the electricity grid the turbine shall be fitted with 25 candela omni-directional red lighting or infrared aviation lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point.

Reason

In the interest of aviation safety.

8.

Development shall not commence until a detailed scheme for the provision to air traffic controllers of Doncaster Sheffield Airport ('the Airport) of a Wind Farm Mitigation Scheme has been submitted to and approved in writing by the local planning authority.

Reason

In the interest of aviation safety.

9.

The wind farm shall not commence operation until the works and other requirements of the approved detailed scheme have been constructed, installed, effected, tested and become operational to the satisfaction of the local planning authority. Any variation to the approved scheme, including its implementation, shall not take place except with the prior written consent of the local planning authority.

Reason

In the interest of aviation safety.

10.

Development shall take place in accordance with the archaeological mitigation strategy set out in Rainsbutt Farm, North Lincolnshire Wind Turbine Archaeological Strip and Record Written Scheme of Investigation (CFA Archaeology Ltd, dated 1 August 2014).

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

11.

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 lies in an area of archaeological interest.

12.

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 6 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 lies in an area of archaeological interest.

13.

The noise emissions from the wind turbine shall not exceed 35dBA measured as LA90, 10min at any residential boundary other than Rainsbutt Farm where noise emissions shall not exceed 45 dBA. This noise limit applies up to wind speeds of 10 m/s at a height of 10 metres 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 by the operator in accordance with the procedures set out in ETSU-R-97 and the 'Institute of Acoustics Good Practice Guide to the Application of ETSU-R-97 for the Assessment and Rating of Wind Turbine Noise'.

Reason

To protect residential amenity.

14.

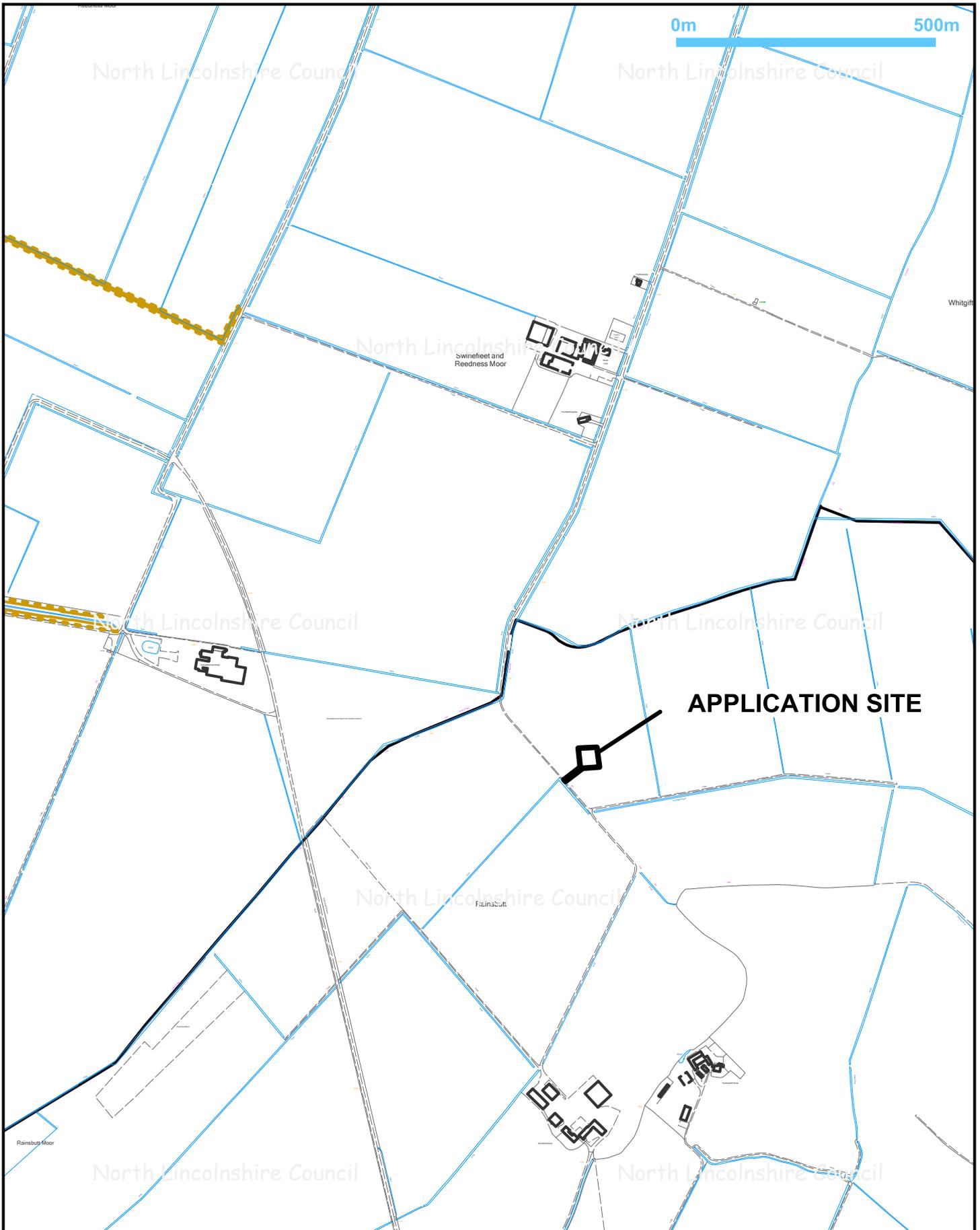
If the wind turbine hereby permitted ceases to be operational for a continuous period of 12 months, it shall be dismantled and removed from the site, and that part of the site shall be restored in accordance with details to be submitted to and approved in writing by the local planning authority no later than 2 months from the said period of 12 months.

Reason

To prevent the retention of development that is not being used for its intended purpose, in the interests of visual amenity in accordance with policies RD2 and DS1 of the North Lincolnshire Local Plan.

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.



Title: PA/2014/0591

Drawn by: Sue Barden

Date: 04/11/2014

Scale 1:10000

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PA/2014/0591 Proposed Turbine

Not to scale

