

<b>APPLICATION NO</b>	<b>PA/2015/1087</b>
<b>APPLICANT</b>	Mr Bruce Rowles, LFC Horkstow Ltd
<b>DEVELOPMENT</b>	Planning permission for erection of a wind turbine with a maximum height to blade tip of 58 metres and associated infrastructure including access track, crane hard standing area and underground cables
<b>LOCATION</b>	Land at Horkstow Road, Horkstow
<b>PARISH</b>	Horkstow
<b>WARD</b>	Brigg and Wolds
<b>CASE OFFICER</b>	Leanne Pogson-Wray
<b>SUMMARY RECOMMENDATION</b>	<b>Refuse permission</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Cllrs Rob Waltham and Carl Sherwood – significant public interest)  Support by Horkstow Parish Meeting

## **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 DS21 (Renewable Energy)

Policy RD2 (Development in the Open Countryside)

Policy LC7 (Landscape Protection)

Policy LC1 (Special Protection Areas, Special Areas of Conservation and Ramsar Sites)

LC5 (Species Protection)

SPG13 (Wind Energy Development)

**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 CS17 (Biodiversity)

Policy CS18 (Sustainable Resource Use & Climate Change)

Supplementary Planning Document – Planning for Renewable Energy

## **CONSULTATIONS**

**Highways:** Advise conditions.

**Environment Agency:** No comments.

**Windfarm Team (Radio Infrastructure):** No objections.

**NATS:** Originally objected. Objection withdrawn following further information.

**RSPB:** Object regarding potential impact on Humber Estuary Special Protection Area (SPA) and specifically Pink-Footed Geese.

**Ofcom:** Comments.

**Environmental Health:** Advise conditions regarding noise and contamination monitoring.

**Ecology:** Object on the grounds of likely significance on International Nature Conservation sites with regard to collision risk and displacement of feeding or roosting SPA/RAMSAR water birds associated with Humber Estuary, particularly the pink-footed goose.

**Natural England:** Object to the proposal: it is an unsuitable location for a wind turbine due to the importance for pink-footed geese and likely significant impact in terms of displacement and collision risk.

**CPRE:** Object to the proposal on grounds of potential impact on the landscape.

**MOD:** Originally objected to the application but this objection was withdrawn following the submission of further information.

**Archaeology:** Originally commented with a holding objection. This was withdrawn following submission of further information.

**Robin Hood Airport:** No objections.

**Humberside Airport:** No objections.

## **PARISH/TOWN COUNCILS/MEETING**

**Horkstow Parish Meeting:** Support the application.

**South Ferriby Parish Council:** No objections, however concerned as to the cumulative effect and would not wish to see a proliferation of turbines in this area for fear of it 'industrialising the Wolds'.

**Saxby All Saints Parish Council:** Object that previous application for turbines on site was rejected by Secretary of State, it seems like an attempt to build a wind farm by stealth, one by one.

The Parish Council strongly believes that the countryside should be protected for the enjoyment of all and for preservation for future generations. Furthermore the beautiful countryside of the North Lincolnshire Wolds should be promoted for tourism, not blighted by industrial scale developments.

The Parish Council would like the report from the Secretary of State rejecting the Saxby Wold Wind Farm to be referred to and considered.

**Bonby Parish Council:** Object on the grounds it is believed this is an attempt to build a wind farm by stealth and the beauty of the Wolds cannot be blighted by wind farms.

**Barton upon Humber Town Council:** Object on the grounds of adverse visual impact, impact on the wildlife habitats of the Humber Estuary SPA and the transportation route of turbines through Barton would be unacceptable.

## **PUBLICITY**

Neighbouring properties have been notified by letter and a site notice posted. One letter has been received objecting on the grounds of visual impact.

## STATEMENT OF COMMUNITY INVOLVEMENT

The applicant has engaged with residents within a 1 mile radius of the turbine. This was done by letters, public consultation documents and by the display of site notices. In response to this consultation two responses were received in support and four against. The points raised against the turbine included comments regarding the turbine being on higher land, cumulative impact, visual impact, impact on tranquil landscape, noise, intrusive to the village, and issues with construction/access. These issues were addressed by the agent within this supporting statement.

## ASSESSMENT

This application seeks permission for a single wind turbine with a hub height of approximately 40 metres to hub and 58 metres to tip, together with associated infrastructure. The turbine would provide an additional electricity supply to the Horkstow Drier site and would help the business meet 'green' requirements. The site is located on an arable farm site to the north of Horkstow and south-east of South Ferriby. There are fields surrounding the site with scattered residential properties within the vicinity. The area has a rural character, however there are two overhead lines on pylons which are prominent features in the landscape to the south.

**The main issues in determining this application are whether the proposal would have any likely significant impact on International Conservation sites, including Humber Estuary SPA/Ramsar water birds, particularly pink-footed geese, any adverse impact on landscape or adverse visual impact.**

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 and low carbon sources. Furthermore, policy DS21 of the North Lincolnshire Local Plan (NLLP) 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 CO<sub>2</sub> emissions, the proposed wind turbine is also intended to support the applicant's' existing local rural agricultural business.

Policy LC7 of the NLLP 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 landscape and visual amenity statement has been submitted as part of the planning application and concludes that the visual impacts of the turbine would be limited to the localised area and would be seen as part of a much wider view, often cluttered with other tall man-made structures. The turbine would be a prominent feature affecting a localised area of the Open Rolling High Farmland LLCA within 1.5 kilometres of the turbine. It was considered that beyond this distance the characteristics of the landscape would remain the dominant feature and that no more than a moderate visual impact would be experienced at residential properties.

Concerns have been raised in relation to the Saxby Windfarm application submitted under WF/2011/0734. This application for 10 turbines was dismissed by the Secretary of State on grounds of substantial harm to the quality and character of the landscape and significant visual impact. This current application is for a single turbine of 40 metres to hub height. The Saxby Windfarm proposal was for 10 turbines of more than double the height at 80 metres to hub (approximately 125 metres to tip as opposed to 58 metres to tip of this proposed turbine). The Saxby site was located to the south of this application site. It is therefore not considered that the decision of the Saxby appeal is a material consideration in the determination of this application.

With regard to ecology, it is considered that this is an unsuitable location for a wind turbine due to the importance for pink-footed geese. It has been considered that the proposal would have a likely significant impact in terms of displacement and collision risk of SPA/Ramsar water birds associated with the Humber Estuary, particularly pink-footed geese. Inadequate information has been submitted to demonstrate that it is not possible to identify conditions or restrictions to determine that there will be no adverse effect on the integrity of the Humber Estuary SPA and the RAMSAR site. Discussions have taken place with the agent, the council's ecologist and Natural England with regard to surveys, mitigation measures etc. Information which has been requested and concerns raised have not been adequately addressed; there are no suggested mitigation measures to discourage pink-footed geese from using the application site and encourage them to use alternative areas. Additionally the survey data presented from the Saxby Wolds ES is now 7–10 years old, and pink-footed geese numbers on the Humber have increased significantly in recent years.

Policy LC1 states that proposals which may affect an SPA, which are not directly connected with or necessary for the site and are likely to have a significant effect on the site, will not be granted permission unless it can be conclusively demonstrated that there is no alternative solution and that there are imperative reasons for overriding public interests for the development. The proposal and information submitted with the application does not adequately assess the proposal in terms of such potential significant impact and the proposal therefore fails to comply with policies LC1 of the local plan and CS17 of the Core Strategy.

**RECOMMENDATION      Refuse permission for the following reasons:**

Insufficient information has been submitted with the application to demonstrate that the proposed turbine would not have an adverse effect on the integrity of the Humber Estuary Special Protection Area and Ramsar site, specifically in terms of potential impact on pink-footed geese. The proposal therefore fails to comply with policies LC1 of the North Lincolnshire Local Plan and CS17 of the Core Strategy.

**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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50 m  
100 ft



1.2291 RH

ETL

ETL

HORKSTOW ROAD

WB  
WB

00.001

Horkstow Woods

TK


TK

00.4m

North Lincolnshire

N

Application Site



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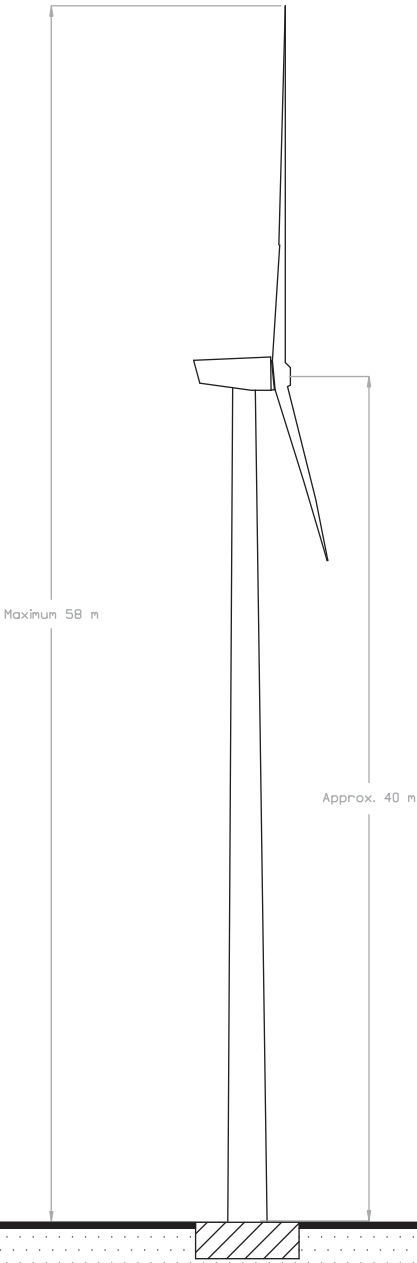
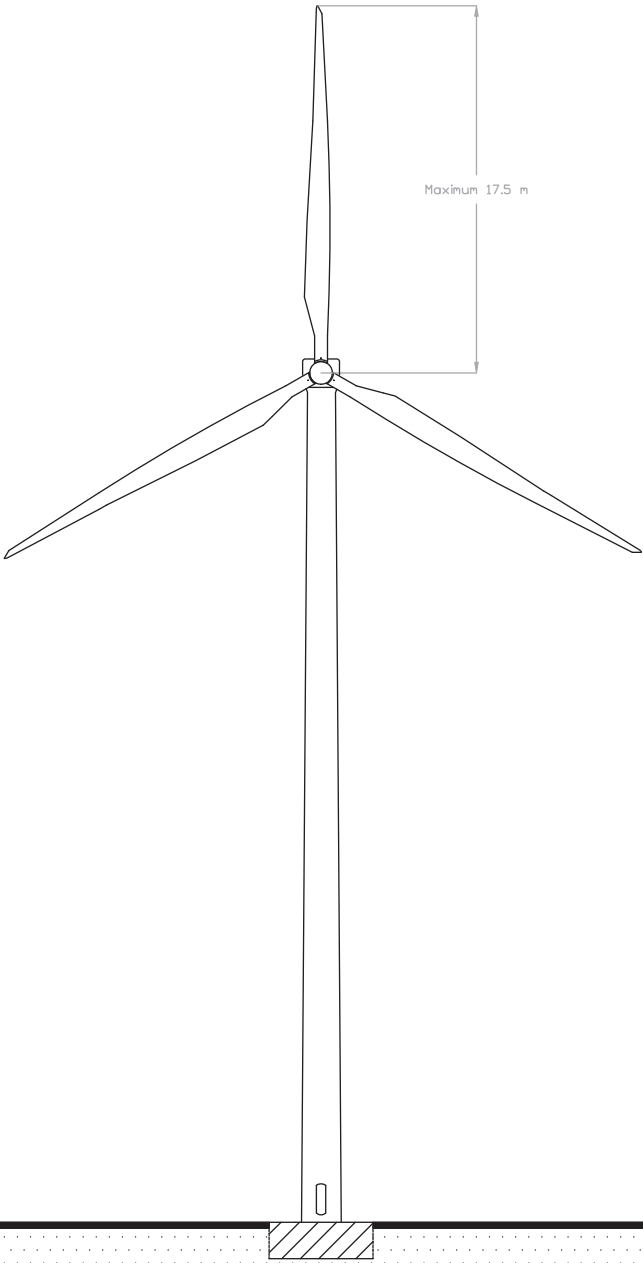
PA/2015/1087

Drawn by: C Bradley

Scale @A4 1:2500

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PA/2015/1087 - Typical turbine elevations - Not to scale



# PA/2015/1087 Site Plan Not To Scale



- Application area
- Land in control of the applicant
- Access track (running width 4m)
- Proposed underground grid connection
- Crane hardstanding
- Proposed turbine location

**LFC Horkstow Ltd**

**Horkstow Drier Wind Turbine**

## Proposed Layout

LFCH1/002/Rev No.2