

APPLICATION NO	WF/2009/0560
APPLICANT	Mr R Barker
DEVELOPMENT	Planning permission to erect four 20kw micro wind turbines with associated works
LOCATION	Poplars Farmhouse, Jaques Bank, Medge Hall, Crowle
PARISH	CROWLE
WARD	Axholme North
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Crowle Town Council
HISTORY	In March 2006 planning permission was granted for the erection of five micro turbines on this site – it was not constructed. This current scheme takes account of a more efficient, modern design of turbine which results in an increase in performance, hence the number of turbines is reduced to four.
BACKGROUND	<p>This proposal for four small wind turbines generating 20kW of power each is primarily to serve an existing pig farm with any excess power produced being fed by way of a payback meter system into the local grid network. Each turbine is approximately 15 metres high to the hub with blades of 10.4 metres diameter giving a total height to blade tip of approximately 20 m. The blades are light grey in colour and the tower will either be the same colour or green. Cables from the turbine site will journey underground to an existing farm building close by where the switchgear will be housed.</p> <p>It is proposed to remove the turbines after 30 years. Noise from these turbines is forecast as being low, particularly because the turbines themselves do not incorporate a gearbox, the turbine itself being driven directly by the blades. So the noise issue is minimised by design as the only potential for noise is aerodynamic noise from the blades rotating. The foundations are concrete and because of the small scale of the turbines they are forecast to be completed for all four turbines within one day. The turbines themselves should all be</p>

**NATIONAL,
REGIONAL AND
LOCAL POLICY
GUIDANCE AND
ADVICE**

erected in 1-2 days and therefore there is a very short constructional phase.

Members will be aware that the landscape in this part of the county is very flat and open and sparsely populated generally with farmhouses and cottages.

PPS 1 (Planning and Climate Change), Supplement to PPS 1: PPSs set out the Government's national policies on different aspects of spatial planning in England. PPS 1 sets out the overarching planning policies on the delivery of sustainable development through the planning system.

The PPS on climate change supplements PPS 1 by setting out how planning should contribute to reducing emissions and stabilising climate change and take into account the unavoidable consequences. It does not seek to assemble all national planning policy relevant or applicable to climate change and should be read alongside the national PPS series. Where there is any difference in emphasis on climate change between the policies in this PPS and others in the national series, this is intentional and this PPS takes precedence.

Section 19 refers to the preparation of local development documents (LDDs), and councillors will be aware of the status of the council's Local Development Framework (LDF) at the present time, which is that it is not a material planning consideration, yet nevertheless Members need to be aware that in respect of renewable and low-carbon energy generation, of which wind energy is clearly one, the PPS says, 'In developing their core strategy and supporting local development documents, planning authorities should provide a framework that promotes and encourages renewable and low-carbon energy generation. Policies should be designed to promote and not restrict renewable and low-carbon energy and supporting infrastructure. In particular, planning authorities should:

- not require applicants for energy development to demonstrate either the overall need for renewable energy and its distribution nor question the energy justification for why a proposal for such development must be sited in a particular location;
- ensure any local approach to protecting landscape and townscape is consistent with PPS 22 and does not preclude the supply of any type of renewable energy other than in the most exceptional circumstances;

- alongside any criteria-based policy developed in line with PPS 22, consider identifying areas suitable for renewable and low-carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources, but in doing so take care to avoid stifling innovation including by rejecting proposals solely because they are outside areas identified for energy generation;
- expect a proportion of the energy supply of new development to be secured from decentralised and renewable or low-carbon energy sources.

As has been said earlier in this particular paragraph, North Lincolnshire Council's LDF at the moment is not a material consideration but PPS 1, particularly this Supplement to PPS 1 on Planning and Climate Change, is a material change and clearly, in those few paragraphs detailed above, emphasises the Government's intention for encouraging renewable energy generation sources.

PPS 22 (Renewable Energy – 2004): The Government published a revised PPS on renewable energy in 2004, together with a companion guide which sets out practical advice on how policies for renewable energy can be implemented. These documents reinforce the overall regional role for renewable energy in helping to deliver national energy targets for energy generation and reductions in greenhouse gas emissions.

Renewable Energy Assessment Study: In 2002 the Government Office for Yorkshire and the Humber (GOYH) appointed consultants to undertake an assessment of the region's capacity to generate electricity from renewable sources and to set regional and sub-regional targets for renewable energy generation to 2010 and 2021.

This two volume report, setting out targets of 674 megawatts by 2010 and 850 megawatts by 2021 was published in the summer of 2002. The report formed a major part of the review of regional planning guidance, which was subsequently published as the Regional Spatial Strategy (RSS) in December 2004.

Sub-regional Renewable Energy Assessment Study: Following general agreement within the region on the need for further work to develop those renewable energy targets, GOYH appointed consultants in late 2003. In discussion with local authorities they would review and develop those regional and sub-regional targets down to

individual authority level, together with assessments of the possible broad composition of those targets. The study outputs were intended to help the next review of RSS, help local authorities preparing local plans, and assist in determining future planning applications. The study was completed in late 2004. It reaffirms the targets identified within the original study and sets possible individual authority contributions for the delivery of those regional targets for both 2010 and 2021.

Guidance for local authorities on taking forward renewable energy development: This guidance covers a broad range of forms of renewable energy sources and issues relevant to local planning and the development decision-making process. The issues discussed relate to:

- background to renewable energy
- renewable energy in practice, including local impacts, site selection factors, good practice for consultation in case studies
- planning for key technologies and approaches to consultations in local plans and applications

The Government's energy policy, including its policy on renewable energy, is set out in the Energy White Paper¹. Through various iterations this White Paper and its principles have been enshrined by, in November 2008, the Energy Act being given Royal Assent.

Government policy aims to put the UK on a path to cut its carbon dioxide emissions by some 60% by 2050, with real progress by 2020, and to maintain reliable and competitive energy supplies.

Increased development of renewable energy sources is vital to facilitate the development of the Government's commitments to both climate change and renewable energy. Positive planning which facilitates renewable energy developments can contribute to all four elements of the Government's sustainable development strategy:

- social progress which recognises the needs of everyone – by contributing to the nation's energy needs, ensuring all homes are adequately and affordably heated, and providing new sources of energy in remote areas

¹ 'Our energy future – creating a low-carbon economy', CM5761, February 2003

- effective protection of the environment – by reductions in emissions of greenhouse gases and thereby reducing the potential for the environment to be affected by climate change
- prudent use of natural resources – by reducing the nation's reliance on ever diminishing supplies of fossil fuels and
- maintenance of high and stable levels of economic growth and employment – through the creation of jobs directly related to renewable energy developments, but also in the development of new technologies. In rural areas renewable energy projects have the potential to play an increasingly important role in the diversification of rural economies

Regional planning bodies and local planning authorities should adhere to the following key principles in their approach to planning for renewable energy:

- Renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmentally economic and social impacts can be addressed satisfactorily.
- Regional spatial strategies and local development documents should contain policies designed to promote and encourage, rather than restrict, the development of renewable energy sources. Regional planning bodies and local planning authorities should recognise the full range of renewable energy sources, their differing characteristics, locational requirements and the potential for exploiting them to appropriate environmental safeguards.
- At local level planning authorities should set out the criteria that will be applied for assessing applications for planning permission for renewable energy projects. Planning policies that rule out or place constraints on the development of all or specific types of renewable energy technologies should not be included in regional spatial strategies or local development documents without sufficient reasoned justification. The Government may intervene in the plan-making process where it considers that the constraints being proposed by local authorities are too great or have been poorly justified.

- The wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations which should be given significant weight in determining whether proposals should be granted planning permission.
- Regional planning bodies and local planning authorities should not make assumptions about the technical and commercial feasibility of renewable energy projects (eg identifying generalised locations for development based on mean wind speeds). Technological change can mean that sites currently excluded as locations for particular types of renewable energy development may in future be suitable.
- Small-scale projects can provide a limited but valuable contribution to overall outputs of renewable energy and to meeting energy needs, both locally and nationally. Planning authorities should not therefore reject planning applications simply because the level of output is small. Local planning authorities, regional stakeholders and local strategic partnerships should foster community involvement in renewable energy projects and seek to promote knowledge of and greater acceptance by the public of prospective renewable energy developments that are appropriately located. Developers of renewable energy projects should engage in active consultation and discussion with local communities at an early stage in the planning process, and before any planning application is formally submitted.
- Development proposals should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures.

Continuing, PPS 22 sets out the principles for regional targets, policies in regional spatial strategies and local development documents, locational considerations and a range of other considerations relating to scale, landscape and visual effects, noise, odour and types of renewable energy, eg biomass and energy crops, and wind turbines.

The Yorkshire and Humber Plan – Regional Spatial Strategy to 2026: As mentioned above, the Government has set a renewable energy target for Yorkshire and the Humber region. The GOYH commissioned AEA Technology and Terence O'Rourke in 2004 to undertake

an assessment of renewable energy potential, targets for renewable energy across Yorkshire and the Humber and an action plan for implementation. The study took into account local constraints while developing targets. This will provide the framework for local authorities in the region to promote renewable energy policies to meet targets and develop robust development control policies that also take account of local opportunities and constraints. Further work has set indicative targets at the local authority level and the council will adopt those targets as its contribution towards wind energy development within the region.

Should North Lincolnshire meet its 2010 renewable energy target early, the council will review the need for increasing this target in further guidance. This takes account of the provisions in PPS 22 which say that when targets are reached revisions should be made to them of an upwards nature and just because a target has been reached this should not, in itself, be a reason for withholding permission.

At the moment, with the granting by the Secretary of State of the wind farm west of Keadby between Keadby and Crowle for 34 turbines, together with the three turbines within the Tween Bridge approval close to Thorne which lie within North Lincolnshire, taken together with the wind farm at Bagmoor north-east of Scunthorpe, North Lincolnshire Council, in terms of permissions granted, has already exceeded its 2010 and 2020 target.

Any future targets will take account of the most appropriate and suitable forms of renewable energy available and have regard to the progress that other local authorities have made in reaching their targets within the region. Relevant policies in the RSS are as follows. In Section 2 (Spatial vision and core approach), in Table 2.1 (Spatial vision and headline outcomes), at outcome 7 it says, 'Environmental quality has been raised, resource demands from development minimised, and the region is responding proactively to the global and local effects of climate change' and the headline indicators for this statement quote the installed renewable energy capacity as being crucial.

Policy YH3 (Working together) states that plans, strategies, investment decisions and programmes should be based on:

- (a) effective collaboration between areas within the region, particularly to, at point 6, 'achieve effective

environmental management and enhancement and address climate change’.

Table 2.2 (Delivering the core approach over 15-20 years) – this section of the strategy deals with early, mid and later year strategies for the overall strategy of the plan, housing, economy, and the environment together with transport. In the environment section, in the early years of this 15-20 year scale, it is quoted as a bullet point that increased generation of renewable energy, but mostly from wind turbines, will be a major player in delivering the core approach of the plan in its early years. In mid and later years additional contributions from biomass and photovoltaics will supplement and help the wind generation facilities.

ENV5 (Energy) – ‘The region will maximise improvements to energy efficiency by increases in renewable energy capacity. Plans, strategies, investments, decisions and programmes should:

- (a) reduce greenhouse gas emissions, improve energy efficiency and maximise the efficient use of power sources by:
 - (i) requiring the orientation and layout of development to maximise passive solar heating;
 - (ii) ensuring that publicly funded housing and Yorkshire Forward supported developments meet high energy efficiency standards;
 - (iii) maximising the use of combined heat and power, particularly for developments within energy demands over 2 megawatts, and incorporating renewable sources of energy where possible;
 - (iv) ensuring that development takes advantage of community heating opportunities wherever they arise in the region, including at Immingham and near Selby;
 - (v) providing for new efficient energy generation and transmission infrastructure in keeping with local amenity and areas of demand;
 - (vi) supporting the use of clean coal technologies and abatement measures;

- (b) maximise renewable energy capacity by:
- (i) delivering at least the following regional and sub-regional targets for installed grid connected renewable energy capacity;

	2010	2021
Humber	124 megawatts	350 megawatts
North Yorkshire	209 megawatts	428 megawatts
South Yorkshire	47 megawatts	160 megawatts
West Yorkshire	88 megawatts	295 megawatts
Offshore	240 megawatts	630 megawatts
Total	708 megawatts	1862 megawatts

- (ii) monitoring annually planning permissions and developments against the indicative local authority targets for 2010 and 2021 set out in Table 10.2 and taking action accordingly to ensure the regional and sub-regional targets are exceeded;
- (iii) promoting and securing greater use of decentralised and renewable or low-carbon energy in new development, including through development plan documents (DPDs) setting ambitious but viable proportions of the energy supply for new developments to be required to come from such sources. In advance of local targets being set in DPDs, new developments of more than 10 dwellings or 1,000 square metres of non-residential floor space should secure at least 10% of their energy from decentralised and renewable or low-carbon sources unless, having regard to the type of development involved and its design, this is not feasible or viable.

Policy ENV9 (Historic environment) states that the region will safeguard and enhance the historic environment and ensure that historical context informs decisions about development and regeneration. Whilst this policy mentions those specific elements of the historic environment likely to be of concern in respect of the

planning application before the Planning Committee, one of the policy targets is that no planning applications are granted which are subject to sustained objections from English Heritage due to impact on the historic environment.

Policy ENV10 (Landscape) states that the region will safeguard and enhance landscapes that contribute to the distinctive character of Yorkshire and the Humber. Plans, strategies, investment decisions and programmes should safeguard and enhance the following landscapes and related assets of regional, sub-regional and local importance: and at bullet point (d) mentions degraded rural landscapes, especially in parts of the Vale of York and Humber Head Levels.

It must be noted that the Humber Head Levels region is the region immediately to the west of the application site. This issue will be discussed later in the report when reference is made to the landscape character assessment of the consideration of this application.

North Lincolnshire Local Plan (adopted May 2003):

Policy DS21 applies and states that proposals for the generation of energy from renewable resources will be permitted provided that:

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

Where appropriate, conditions will be imposed requiring the restoration of the site to its original condition or the implementation of an agreed scheme of after-use and restoration.

Policy DS1 is applied to all development proposals. It requires a high standard of design in all developments irrespective of location. Proposals for poorly designed development will be refused. In the case of this proposal criteria (i), (ii), (iii), (xi), (xii) and (xiii) apply.

Policy LC5 covers the impact of development on badgers or species protected under Schedules 1, 5 or 8 of the Wildlife and Countryside Act 1981 (as amended).

Policy LC7 is supported by the Landscape Assessment and Guidelines and Countryside Design Summary, which is adopted Supplementary Planning Guidance to the North Lincolnshire Local Plan. The policy requires proposed developments in the open countryside to give special attention to the protection of the scenic quality and distinctive local character of the landscape.

Policy LC12 requires all new development proposals, where possible, to ensure the retention of trees, woodland and hedgerows.

To complement and expand policies in the North Lincolnshire Local Plan, supplementary guidance has been produced in the form of:

Supplementary Planning Guidance 13, Wind Energy Development – March 2005: As well as outlining national and regional policies and guidance, the guidance sets out local policies against which North Lincolnshire Council will set proposals for electricity production by wind power in North Lincolnshire.

This guidance provides North Lincolnshire with a policy framework for both planning applications and consultations with the DTI.

There are 9 main policies – Wind 1 through to Wind 9 and also a clarification of impacts that cannot be considered:

WIND 1: The target for energy to be generated from renewable resources for the Humber sub-region is at least 146 megawatts for 2010. North Lincolnshire's target to meet its contribution from wind energy development is 40 megawatts for 2010 and a further 100 megawatts for 2021. Proposals for wind energy development to meet these targets must:

- (i) minimise the visual and physical impacts of wind energy developments on the surrounding area;
- (ii) minimise the cumulative impact on the area of other existing, and permitted wind developments as well as those which are the subject of submitted planning applications;
- (iii) minimise the impact of the proposed development on the landscape;
- (iv) minimise the ecological impact of any development.

- (v) The council will review its 2010 target when met whilst having regard to progress elsewhere in Yorkshire and the Humber.

WIND 2: The key issues that North Lincolnshire Council will assess in relation to planning applications for wind energy developments are:

- visual effects
- cumulative impact
- noise
- amenity impacts
- landscape impact
- nature conservation and
- ecology interests
- archaeology & the built environment

WIND 3: North Lincolnshire Council will consider the following matters when assessing the visual impact of wind energy proposals:

- distance from which it can be seen
- landscape characteristics
- siting and layout
- design of the turbine
- impact of ancillary elements
- potential after use of wind farm site.

WIND 4: North Lincolnshire Council will consider the following matters when assessing the cumulative impact of wind energy proposals:

- the proximity of existing, and permitted wind energy developments which are the subject of submitted planning applications
- the impact on the surrounding zone of visibility • the impact of development ancillary to the development

- the nature, character and landscape of the location in which the proposal is sited
- the impact on nature conservation and ecology interests
- the impact of noise

WIND 5: In assessing the implications of noise from wind energy development, developers and the council should have regard to:

- proximity of settlements and buildings
- the framework for assessing noise set out in the ETSU report
- the topography and local environmental conditions surrounding the proposed development

WIND 6: In siting wind energy developments, developers should consider the following:

- minimising disturbance to residential amenity by means of noise, shadow flicker, visual and cumulative impacts
- how the proposed development will be accessed for construction, servicing and maintenance purposes and how any disturbance can be mitigated
- the impact on informal recreation sites and public rights of way and
- liaising closely with local communities regarding the impact of the development

WIND 7: In assessing the landscape impacts of wind energy development, the council will consider the following matters:

- ability of the landscape to accommodate the development
- impact of areas of landscape protection and enhancement, and nature conservation importance

Developers should also provide an assessment of their proposals against the council's approved Supplementary Planning Guidance on Landscape Character Assessment and Guidelines, and Countryside Design Summary.

Proposals for wind energy development must also comply with relevant landscape and conservation policies in the North Lincolnshire Local Plan.

WIND 8: In assessing the implications for ecology and nature conservation for wind energy development North Lincolnshire Council will assess the following issues:

- effect on designated sites for nature conservation
- effect on protected species of plants and animals
- effect on cited bird species from designated sites feeding or roosting in areas adjacent or inland
- effect on migratory routes for birds especially large, less manoeuvrable birds such as swans and geese
- assessment of cumulative effects in relation to other wind farms and other developments
- effects on nesting birds especially during construction
- adequacy of mitigation measures

WIND 9: Developers should consider the impact of their proposals for wind energy development, both during and after construction, on archaeology and cultural heritage, and the historic landscape, including designated conservation areas, scheduled ancient monuments and listed buildings, and other non-designated sites and remains.

Developers will need to demonstrate that the objectives of the designation of the area will not be compromised by the development, and that any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by the environmental, social and economic benefits.

Making particular reference to policies WIND 3 and 5, North Lincolnshire Council will take account of the following two documents:

- (i) **North Lincolnshire Landscape Assessment and Guidelines** (Estell Warren Landscape Architects with North Lincolnshire Council, 1999); and
- (ii) **The Assessment and Rating of Noise from Wind Farms** (ETSU for the DTI, 1996)

Although identified as an impact that is not for the local planning authority to take into account when considering wind energy projects, aircraft, radar and airport operations are an issue that raises concern. It would therefore be remiss of the council not to identify the existence of interim guidelines in the form of 'Wind Energy and Aviation Interests', 2002 which is a document to be read by the main stakeholder communities, the wind energy industry and those responsible for aviation interests.

CONSULTATIONS

Highways: No objections.

Robin Hood Airport: No objections, but do not want the turbine height to increase without a further grant of planning permission.

Health & Safety Executive: No objections.

Hatfield Chase Internal Drainage Board: No objections.

English Nature: No objection but wish the applicant to be informed, if planning permission is granted, of their responsibilities under The Wildlife and Countryside Act 1981 and The Natural Environment and Communities Act 2006.

TOWN COUNCIL

Object to the proposal on the following grounds:

- (1) Present indications are that the nightjar which inhabits Thorne Moor at Medge Hall area forages up to 9 km. The proposed site is well within this range and hence we would urge that the latest nightjar radar tracking research be employed prior to any decision.
- (2) It is noted that the application states that nominal speeds for the turbine blades is 180 mph. The proposed site between Poplars Farm and the nearby Smaque Farm is historically noted for its predatory bird population, particularly owls. Obviously a cluster of 5 turbines revolving at 180 mph would rapidly destroy such.

Response:

- (1) *The issue of the nightjar and the internationally important site close by is referred to in the detailed response from English Nature. English Nature are the statutory consultee in response to such applications and their response confirms that they*

are quite happy and have no objection to this proposal.

- (2) *The town council are misled by quoting 180 mph. The issue of interference with birdlife is, again, explained in the response from English Nature and the council's Environment Team.*

PUBLICITY

Receipt of the application has been advertised with site and press notices and local consultation has also taken place. No written representations have been received.

ASSESSMENT

This application is deemed to fall within the remit of the Environmental Impact Assessment Regulations 1999 and an Environmental Statement has been submitted with the application giving assessments and offering mitigation where effects are identified as is normal practice. Because the Environmental Statement is relatively short, there is no Non-technical Summary to append to this committee report and similarly, because of the small scale of the development, there are only three photomontages that have been felt necessary to produce. The photomontages clearly show that the scale, height and location of these four small turbines and their attendant structures will not pose significant harm to the open landscape because of the backdrop they will be viewed against when viewed in the distance. Members will note that in the Policy section, the full raft of national, regional and local policies are quoted in full, as they are for applications which relate to wind farms for commercial power generation. This is the correct policy framework against which wind generation proposals have to be considered. Although what has to be weighed in the balance is the different rationale for requiring this small cluster of wind turbines inasmuch as it is only needed to meet a local farm-related agricultural need, rather than using all the power from the national grid.

It is clear from the consultation responses that there are no significant concerns from any of the statutory bodies including, most importantly in this area of North Lincolnshire, English Nature because of the potential impact on the internationally important sites close by and their special features and habitats that they offer.

Included in the consultations, but not yet reported are the responses of the council's Environment Team, Environmental Protection officers and the Sites and Monuments Record Officer in respect of archaeology.

The Environment Team recognise that the site is close to the Thorne and Hatfield Moors SPA which is a European protected site. A key protected species that this application may impact upon is the nightjar. The application has assessed the potential for this impact in the Environmental Impact Assessment and, together with an assessment of other protected species that are likely, concludes that no significant harm will come to those species. Furthermore, the application is not one that requires an appropriate assessment to be carried out by the council under the Habitat Regulations due to the minimal impact the development will have on the European site and its species.

The Environmental Protection Officer has concluded, from the reports that have been included with the application submission, that noise from the proposed turbines should not give rise to unreasonable noise levels at nearby noise sensitive properties and has no objections to the proposal subject to the inclusion of conditions relating to noise issues.

The Sites and Monuments Record Officer has advised that the application site lies along the course of the Old River Don where there is the potential for remains of prehistoric activity and sites of Romano-British occupation. Accordingly standard archaeological conditions are recommended to enable an archaeological monitoring and recording programme to be accommodated in the decision.

It has therefore been concluded that the proposal fits within the landscape, meets the policy framework set down by Government, regional assemblies and local policies and there are no overriding reasons why this development should not be approved subject to conditions to safeguard the archaeology, the habitat around the turbines and their towers for owls and bats particularly, and of course requiring the removal of the turbines from the site at 30 years hence.

In conclusion, therefore, after taking account of all relevant facts, both from the environmental information submitted and from consultation responses received, there are no substantive reasons why this development should be resisted.

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.

Before the expiration of a period ending on 1 November 2039 (30 years), all of the turbines, masts and attendant structures shall be removed from the site and the land reinstated to its former condition in accordance with details to be agreed in writing with the local planning authority before restoration is commenced.

Reason

Application was made for a temporary period only.

3.

Before development commences, a scheme for the management of the land immediately surrounding the turbine mast bases shall be submitted to and approved in writing by the local planning authority.

Reason

To prevent the ground around the turbines becoming infested with mammals thereby minimising the impact of the development on owls in accordance with policy LC5 of the North Lincolnshire Local Plan.

4.

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

- (i) measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance
- (ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses
- (iv) report content and arrangements for dissemination, and publication proposals

- (v) archive preparation and deposition with recognised repositories
- (vi) 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
- (vii) monitoring arrangements, including the notification in writing to the North Lincolnshire Sites and Monuments Record Office of the commencement of archaeological works and the opportunity to monitor such works
- (viii) 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 lies in an area of archaeological interest.

5.

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.

6.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Sites and Monuments Record Office 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 lies in an area of archaeological interest.

7.

At the reasonable request of the council, following a complaint to the council relating to noise emissions from wind turbines, the developer shall measure, at their expense, the level of noise emissions from the wind turbines (inclusive of existing background noise) using a LA90 index over a minimum of 20 periods each of 10 minutes duration. At least 10 of the periods of measurement shall be made at wind speeds between a wind speed specified by the council and a wind speed not less than 1 metres per second below that specified by the council. Measurements of noise emissions shall be made in consecutive 10 minute periods provided that they fall within the wind speed range defined in this condition.

Reason

In the interests of protecting residents of the nearest residential properties to the site from any potential noise disturbance in accordance with policy DS1 of the North Lincolnshire Local Plan.

8.

The measurement under condition 7 above shall be made using a sound level meter of at least type 1 quality (as defined in International Electrotechnical Commission standard 651 (1979)) incorporating a windshield with a half inch diameter microphone in free field conditions between 1.2 and 1.5 metres above ground level and at least 10 metres from any wall, hedge or reflective surface (using a fast time weighted response).

Reason

In the interests of protecting residents of the nearest residential properties to the site from any potential noise disturbance in accordance with policy DS1 of the North Lincolnshire Local Plan.

9.

Noise from the Westwind 20MW turbines hereby permitted shall not exceed 35dB(A)LA90 10 min at wind speeds not exceeding 10 metres per second when measured at the nearest noise sensitive façade, when measured in accordance with conditions 7, 8 and 10.

Reason

In the interests of protecting residents of the nearest residential properties to the site from any potential noise disturbance in accordance with policy DS1 of the North Lincolnshire Local Plan.

- 10.
- (a) Measurements made to demonstrate compliance with condition 9 shall be correlated to wind speeds.
 - (b) The LA90 10 min noise level from the combined effect of the wind turbines (inclusive of existing background noise) shall be derived using a Best Fit Curve.

Reason

In the interests of protecting residents of the nearest residential properties to the site from any potential noise disturbance in accordance with policy DS1 of the North Lincolnshire Local Plan.

11.

Tonal noise shall be measured for audibility in accordance with the recommended method described in ETSU-R-97 'The Assessment and Rating of Noise from Windfarms.'

Reason

In the interests of protecting residents of the nearest residential properties to the site from any potential noise disturbance in accordance with policy DS1 of the North Lincolnshire Local Plan.

12.

If tonal noise from the combined effect of the wind turbines (when measured in accordance with condition 11) exceeds the threshold of audibility by more than 6.5dB, a penalty of 5dB shall be added to the noise level derived in accordance with condition 10(b).

Reason

In the interests of protecting residents of the nearest residential properties to the site from any potential noise disturbance in accordance with policy DS1 of the North Lincolnshire Local Plan.

13.

If tonal noise from the combined effect of the wind turbines (when measured in accordance with condition 11) exceeds the threshold of audibility by more than 2dB but less than 6.5dB a penalty of $((5/6.5) \times \text{audibility})\text{dB}$ shall be added to the noise level derived in accordance with condition 10(b).

Reason

In the interests of protecting residents of the nearest

residential properties to the site from any potential noise disturbance in accordance with policy DS1 of the North Lincolnshire Local Plan.

14.

If measurements made in accordance with conditions 7, 8 and 10 exceed the levels provided by condition 9 then, in order to investigate compliance with such levels by an assessment of the contribution of background noise to the measured levels, the measurements shall be repeated by the developer at a time when the contribution of background noise level to measured noise levels can be expected to be less than at a time of the first set of measurements.

Reason

In the interests of protecting residents of the nearest residential properties to the site from any potential noise disturbance in accordance with policy DS1 of the North Lincolnshire Local Plan.

15.

If measurements made in accordance with condition 14 exceed the levels of noise emissions provided in condition 9, or noise levels measured in accordance with conditions 7, 8, 10, 11, 12 and 13 exceed the noise levels provided in condition 10, then, in order to investigate compliance with such levels by an assessment of the contribution of background noise to the measured levels, measurement shall be made in accordance with the requirements of conditions 7, 8 and 10(b) (with the wind turbines stationary). A correction shall be applied in accordance with the method described in ETSU-R-97 'The Assessment and Rating of Noise from Windfarms' to the measured noise levels in order to determine the contribution of background noise to the overall noise measured when the wind turbines are in operation.

Reason

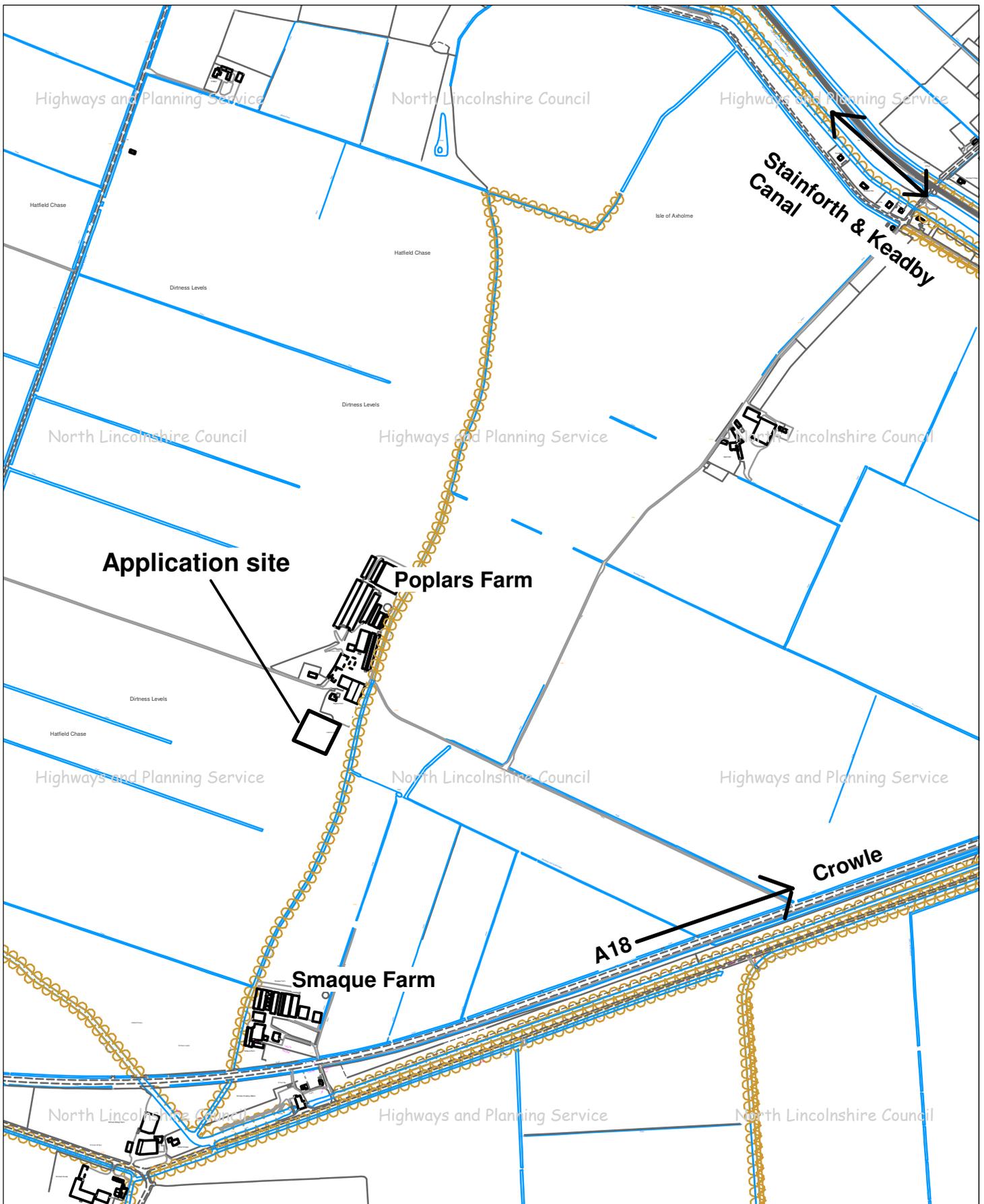
In the interests of protecting residents of the nearest residential properties to the site from any potential noise disturbance in accordance with policy DS1 of the North Lincolnshire Local Plan.

16.

The developer shall supply wind speeds and wind direction data to the council at its request to enable the council to check compliance by the developer with conditions 7 to 15 inclusive.

Reason

In the interests of protecting residents of the nearest residential properties to the site from any potential noise disturbance in accordance with policy DS1 of the North Lincolnshire Local Plan.



Drawing Title: 2009/0560

OS Grid Ref: SE75101032

Drawn by: KC

Scale: 1:10000

Date: 05/10/2009



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NORTH LINCOLNSHIRE COUNCIL 0100023560 2009

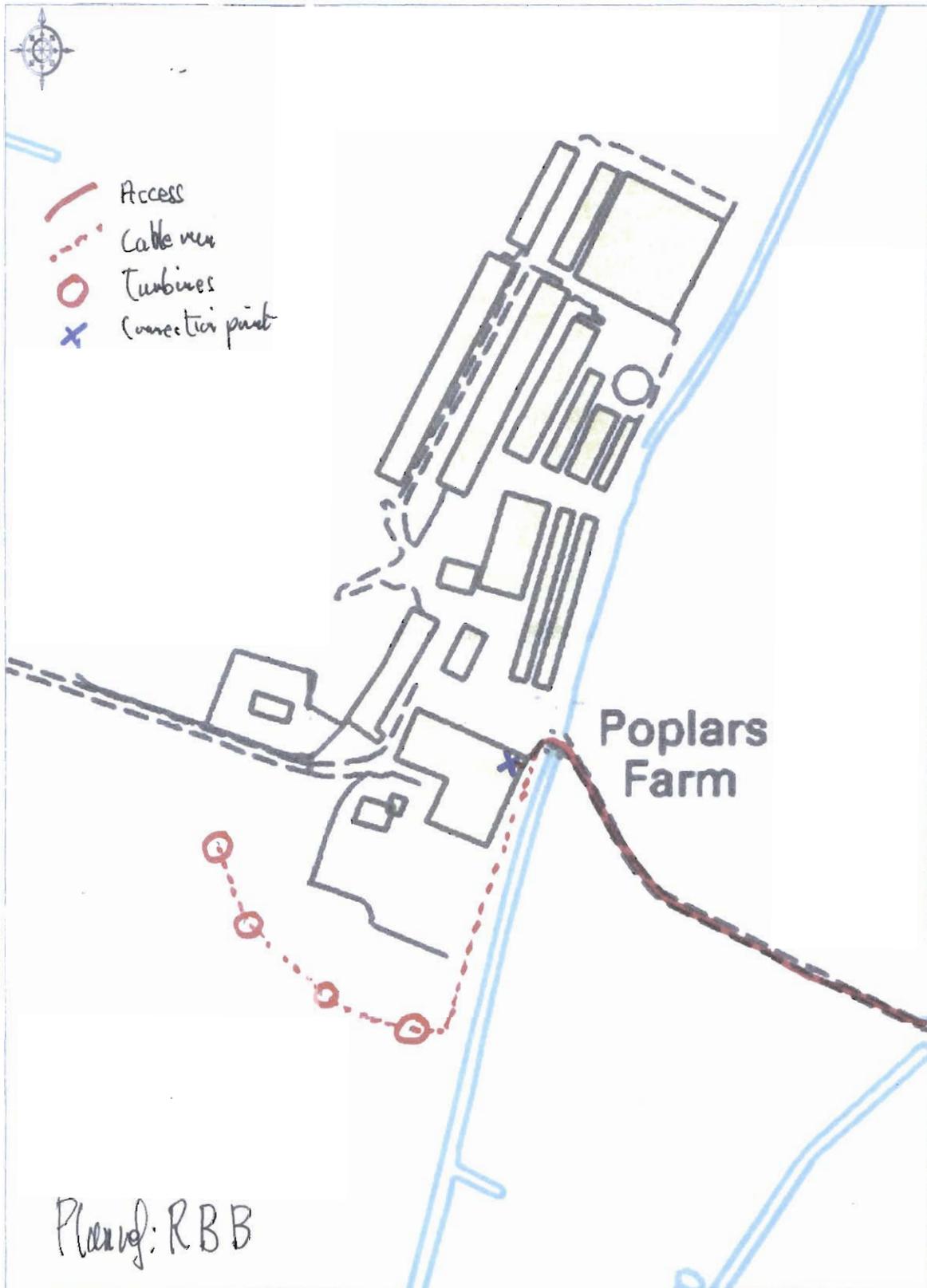


Highways and Planning Service

Service Director,
G Popple

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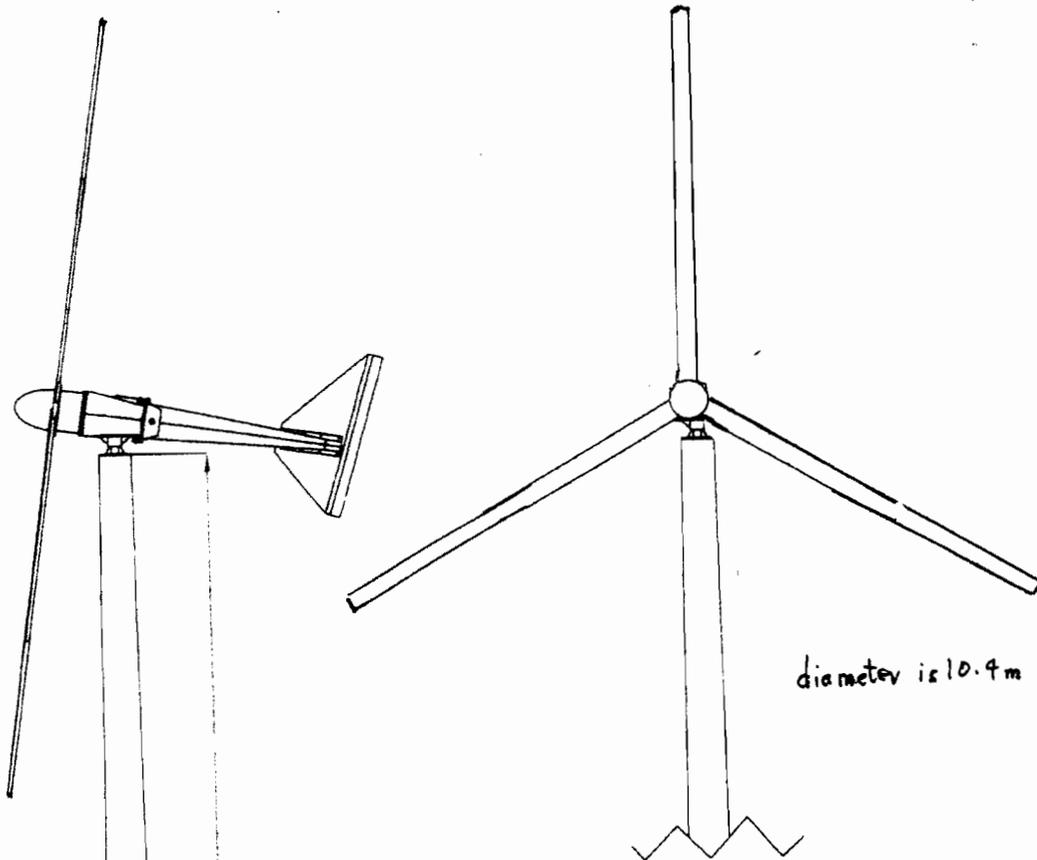
Robin Barker Wind Turbines



OS Ordnance Survey

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*This map was created with Promap
Plan revised again on 5th May*



15 m

diameter is 10.4 m

Note:
The turbine is shown in side view and front view, the front view has the base of the tower truncated.

Plan of: RBC

Scale 1:100

	Name	Date	WESTWIND TURBINES	
Design				
Drawn	D.G.J.	20/3/7	J.A.GRAHAM 3 Cramoy Rd, Crumlin Co. Antrim BT29 4TF. Tel/Fax: 028 9445 2437 Email: andrew@jagraham.com	
<small>This drawing and specifications, herein, are the property of J.A.GRAHAM Renewable Energy Services and shall not be reproduced, copied or used in whole or in part for the manufacture or sale of items without written permission from J.A.GRAHAM</small>			Title: 20kW on 15m mono pole	
			Drg No: 20kWmono	Rev: 0
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