

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

WF/2009/0657 – SAXBY WIND FARM

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To discuss potential reasons for refusal for planning application WF/2009/0657 (Planning permission to erect 18 wind turbines with associated infrastructure and services, including 3 anemometry masts, site roads, crane pads, site office, grid connection building and temporary construction compounds) following deferral of the application at the Planning Committee on 15 December 2010.

2. BACKGROUND INFORMATION

- 2.1 This application was presented to the Planning Committee on 15 December 2010 and Members resolved that they were minded to refuse permission and deferred the matter so that the reasons for refusal could be discussed.
- 2.2 Having considered the matter, officers are of the opinion that the following reason for refusal could be substantiated:

‘The proposed development would introduce very substantial industrial structures into an area of significant natural beauty, which is largely unspoilt, on the highest and most prominent point in North Lincolnshire, where the landscape is characterised by gently rolling agricultural land within the Wolds. In this area vertical structures of the size and scale proposed would be particularly harmful to the visual amenity of wide areas of North Lincolnshire and beyond. The proposals are therefore contrary to policy LC7 (Landscape Protection) of the North Lincolnshire Local Plan and policy ENV10 (Landscape) of the Regional Spatial Strategy.’

3. OPTIONS FOR CONSIDERATION

- 3.1 That Members adopt the proposed reason for refusal referred to in paragraph 2.2 above.
- 3.2 That Members put forward other reasons for refusal.

4. ANALYSIS OF OPTIONS

- 4.1 Officers are of the opinion that the proposed reason for refusal outlined at option 1 is defensible on appeal.

- 4.2 The adoption of option 2 could lead to a risk of costs being awarded against the council if the additional reasons can not be substantiated on appeal.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 Financial

- 5.1.1 In the event of an appeal being lodged, the council would be less likely to be liable to incur a claim for costs for unreasonable behaviour in relation to the terms of the refusal with a clearly defensible reason for refusal.

5.2 Staffing

- 5.2.1 No implications.

5.3 Property

- 5.3.1 No implications.

5.4 IT

- 5.4.1 No implications.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 – CRIME AND DISORDER, RISK AND OTHER)

6.1 Statutory

- 6.1.1 No implications.

6.2 Environmental

- 6.2.1 Great significance for North Lincolnshire whichever way any appeal is ultimately determined. Either the landscape will be protected and safeguarded (if any appeal is dismissed) or visually the landscape will be adversely affected if any appeal is allowed.

6.3 Diversity

- 6.3.1 No implications.

6.4 Section 17 – Crime and Disorder

- 6.4.1 No implications.

6.5 Risk

- 6.5.1 Lessened risk regarding appeal.

6.6 Other

- 6.6.1 There are no other implications.

7. RECOMMENDATIONS

- 7.1 That members confirm that the suggested reasons for refusal set out in Option 1 and that a decision notice be issued to the applicant.

HEAD OF PLANNING AND SERVICE DIRECTOR LEGAL AND DEMOCRATIC

Church Square House
Church Square
SCUNTHORPE
DN15 6XQ
Author: M Simmonds
Date: 16 December 2010

Background papers used in the preparation of this report: Planning file WF/2009/0657