

APPLICATION NO	PA/2010/0407
APPLICANT	Alf Kitching Ltd
DEVELOPMENT	Planning permission to erect a wind turbine
LOCATION	Alf Kitching Ltd, old route of A161, south of Crowle, Double Rivers, Crowle
PARISH	CROWLE
WARD	Axholme North
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Third party request to address the committee

NATIONAL, REGIONAL AND LOCAL POLICY GUIDANCE AND ADVICE

National policy

Since entering into the Kyoto protocol the UK has been committed to reducing greenhouse emissions by 12.5% below 1990 levels by 2012.

The UK has set targets to generate 10% of electricity from renewable energy sources by 2010 followed by 15% in 2015 and 20% by 2020. This is in addition to cutting carbon dioxide emissions by 60% by 2050. To achieve this Planning Policy Statement (PPS) 22, Renewable Energy has been published which requires the planning system to actively promote renewable energy development. PPS 22 also provides detailed guidance for the consideration of renewable energy planning applications.

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

The Renewable Energy Strategy was published in July 2009 and states that:

'We need to radically increase our use of renewable electricity, heat and transport. This Strategy explains how and why we will do so. It sets out the path for us to meet our legally-binding target to ensure 15% of our energy comes from renewable sources by 2020: almost a seven-fold increase in the share of renewables in scarcely more than a decade.

This Strategy will help us tackle climate change, reducing the UK's emissions of carbon dioxide by over 750 million tonnes between now and 2030. It will also promote the security of our energy supply, reducing our overall fossil fuel demand by around 10% and gas imports by 20-30% against what they would have been in 2020. And it will provide outstanding opportunities for the UK economy with the potential to create up to half a million more jobs in the UK renewable energy sector resulting from around £100 billion of new investment. In parallel with energy saving, nuclear and carbon capture and storage, this is a

key element of our overall transition plan for setting the UK on the path to achieve a low-carbon, sustainable future that helps address dangerous climate change.'

The UK Renewable Energy Strategy (July 2009) sets out action for planning for delivering higher levels of renewable energy development. It describes the balance of fuels and technologies likely to achieve the Government's goals, the strategic role of Government and the specific actions it intends to take. It also sets out the opportunity for all in society to harness renewable energy and contribute towards action against climate change. The strategy sets out the path for the country to meet its legally binding target of 15% of energy from renewable sources by 2020.

However the Government is still conscious of the need to protect the environment, including the landscape, from unacceptable development. Paragraphs 4.9 and 4.10 of the Renewable Energy Strategy sets out this balance of considerations:

'4.9 The planning system plays a central role in delivering the infrastructure we need to reduce our carbon emissions and ensure continued security of energy supply. Equally the planning system plays a vital role in safeguarding our landscape and natural heritage and allowing communities and individuals the opportunity to shape where they live and work.

We therefore need to ensure that the planning system properly reflects the range of interests in land use, applies existing safeguards to protect areas where development may not be appropriate, but delivers swift, consistent and effective decisions in areas where development is appropriate.'

This is reflected by the planning policy cascade from national through to regional and local policies detailed below:

PPS 1 Delivering Sustainable Development (2005) and Planning and Climate Change, Supplement to PPS 1 (2007)

PPS 1 sets out the overarching planning policies on the delivery of sustainable development through the planning system. It explains that the Government is committed to protecting and enhancing the quality of the natural and historic environment, in both rural and urban areas. A high level of protection should be given to most valued townscapes and landscapes (paragraph 17):

'The Government is committed to protecting and enhancing the quality of the natural and historic environment, in both rural and urban areas. Planning policies should seek to protect and enhance quality, character and amenity value of the countryside and urban areas as a whole.'

At paragraph 18 it notes that:

'the condition of our surroundings has a direct impact on the quality of life and the conservation and improvement of the natural and built environment brings social and economic benefit for local communities.'

Paragraph 19 requires planning policies and decisions to *'be based on:*

- *up-to-date information on the environmental characteristics of the area;*

- *the potential impacts, positive as well as negative, on the environment of development proposals (whether direct, indirect, cumulative, long term or short term); and*
- *recognition of the limits of the environment to accept further development without irreversible damage.'*

The section adds that planning authorities should seek to enhance the environment as part of development proposals and that significant adverse impacts on the environment should be avoided and alternative options which might reduce or eliminate those impacts pursued.

Paragraph 20 recognises the need to consider both the effects of climate change and the protection of the wider countryside. In particular:

- *'mitigation of the effects of, and adaptation to, climate change through the reduction of greenhouse gas emissions and the use of renewable energy; air quality and pollution; land contamination; the protection of groundwater from contamination; and noise and light pollution;*
- *the protection of the wider countryside and the impact of development on landscape quality; the conservation and enhancement of wildlife species and habitats and the promotion of biodiversity; the need to improve the built and natural environment in and around urban areas and rural settlements....'*

At the same time it calls for a prudent use of natural resources and requires development plans to seek to promote and encourage, rather than restrict, the use of renewable resources (paragraph 22).

The supplement to PPS 1 – Planning and Climate Change (2007) - sets out how planning should contribute to reducing emissions and stabilising climate change and take into account the unavoidable consequences. It advises that 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.

In relation to renewable and low carbon energy generation the supplement (at paragraphs 19 and 20) states:

'19. 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.

20. 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.'*

PPS 7 Sustainable Development in Rural Areas (2004)

The key principle PPS 7 expresses is:

- (i) Decisions on development proposals should be based on sustainable development principles, ensuring an integrated approach to the consideration of:*
- *social inclusion, recognising the needs of everyone;*
 - *effective protection and enhancement of the environment;*
 - *prudent use of natural resources; and*
 - *maintaining high and stable levels of economic growth and employment.'*

The PPS requires regional spatial strategies (RSSs) to recognise the environmental, economic and social value of the countryside that is of national or, where appropriate, sub-regional significance. Policies in RSSs and LDDs (local development documents) should seek to maintain and enhance these values, so enabling the countryside to remain an important natural resource, contribute to national and regional prosperity and be enjoyed by all (paragraph 14).

At paragraph 15 it states that:

'Planning authorities should continue to ensure that the quality and character of the wider countryside is protected and, where possible, enhanced. They should have particular regard to any areas that have been given a statutory designation for their landscape, wildlife or historic qualities where greater priority should be given to restraint of potentially damaging development.'

Paragraph 16 goes on to state that:

'When preparing Local Development Documents and determining planning applications for development in the countryside, planning authorities should:

- (iv) provide for the sensitive exploitation of renewable energy sources in accordance with the policies set out in PPS 22; and*

- (v) *conserve specific features and sites of landscape, wildlife and historic or architectural value, in accordance with statutory designations.*'

At paragraph 24 the PPS explains that the Government recognises and accepts that there are areas of landscape outside nationally designated areas that are particularly highly valued locally. It advises that these should be capable of being protected by carefully drafted criteria-based policies utilising tools such as landscape character assessments. In compiling LDDs where local designations are retained, such designations should be based on a formal and robust assessment of the qualities of the landscape concerned.

PPS 4 Planning for Sustainable Economic Growth (2009)

This PPS supersedes some of the provisions of PPS 7 which have now been cancelled. The relevant policy is EC6: Planning for Economic Development in Rural Areas which states at EC6.1 that:

'Local planning authorities should ensure that the countryside is protected for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all.'

And at EC6.2:

'In rural areas, local planning authorities should:

- a. *strictly control economic development in open countryside away from existing settlements, or outside areas allocated from development in development plans'*

PPS 24 Planning and Noise

Paragraph 10 of PPG 24 indicates that the planning system should not place unjustifiable obstacles in the way of essential infrastructure development. It also refers to the need to prevent an unacceptable degree of disturbance. Paragraph 11 specifies that:

'Noise characteristics and levels can vary substantially according to their source and the type of activity involved. In the case of industrial development for example, the character of the noise should be taken into account as well as its level. Sudden impulses, irregular noise or noise which contains a distinguishable continuous tone will require special consideration.'

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. The PPS explains that it follows on from the Energy White Paper 'Our energy future – creating a low carbon economy' (2003) whose aim was to put the UK on the path to cut its carbon dioxide emissions by some 60% by 2050 with real progress by 2020. The PPS sets out eight key principles to be followed by regional planning bodies and local planning authorities. In particular:

- key principle (i) explains that renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily;

- key principle (ii) explains that regional spatial strategies and local development documents should contain policies designed to promote and encourage, rather than restrict, the development of renewable energy resources. 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 subject to appropriate environmental safeguards;
- key principle (iii) explains that at the local level, planning authorities should set out the criteria that will be applied in assessing applications for planning permission for renewable energy projects;
- key principle (iv) explains that the wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations and should be given significant weight in determining whether proposals should be granted planning permission; and
- key principle (viii) states that 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.

The PPS 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.

Paragraph 3 states that:

'Targets should be expressed as the minimum amount of installed capacity for renewable energy in the region, expressed in megawatts. ...Targets should be reviewed on a regular basis and revised upwards (if they are met) subject to the region's renewable energy resource potential and the capacity of the environment in the region for further renewable energy developments.'

At paragraph 15 the PPS states that local landscape and local nature conservation designations should not be used in themselves to refuse planning permission for renewable energy developments. Planning applications for renewable energy developments in such areas should be assessed against criteria-based policies set out in local development documents, including any criteria that are specific to the type of area concerned.

In paragraphs 19 to 21 the PPS gives guidance on the landscape and visual effects of renewable energy developments. In particular it states that these effects will vary on a case by case basis according to the type of development, its location and the landscape setting of the proposed development (paragraph 19); that of all renewable technologies, wind turbines are likely to have the greatest visual and landscape effects, but that these impacts may be temporary if decommissioning conditions are attached (paragraph 20); and that planning authorities should take account of cumulative impact of wind generation projects in particular areas.

At paragraph 22 the PPS specifies that:

'Local planning authorities should ensure that renewable energy developments have been located and designed in such a way to minimise increases in ambient noise levels.'

The Companion Guide to PPS 22

At paragraph 5.10 the Companion Guide sets out what planning authorities must assess for each project and thereby come to an objective view:

- *'the extent to which the project is in conformity with the development plan, in particular criteria-based policies and any "broad area" policies in RSS*
- *the extent to which the reasons for any area-based designations may be compromised;*
- *the extent of any positive or negative impacts, and the means by which they may be mitigated, if negative; and*
- *the contribution towards meeting the regional target, but recognising that a small contribution cannot be in itself a reason for refusal of permission.'*

North Lincolnshire Local Plan

Policy DS21 (Renewable Energy) 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 (General Requirements) 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. All proposals must be considered against several criteria. In the case of this proposal criteria are considered to be:

- (i) the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area;*
- (ii) the design and layout should respect and where possible retain and/or enhance the existing landform of the site;*
- (iii) no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing;*
- (vi) there should not be an adverse effect on features of acknowledged importance, on or surrounding, the site, including species of plants and animals of nature conservation value (particularly species protected by Schedules 1, 5 and 8 of the*

Wildlife and Countryside Act 1981), scheduled ancient monuments, archaeological remains, listed buildings and conservation areas or trees and woodland covered by tree preservation orders.

Policy DS11 (Polluting Activities) states that planning permission for development will only be permitted where it can be demonstrated that the levels of potentially polluting...noise does not create adverse environmental conditions likely to affect nearby developments and adjacent areas.

Policy RD2 sets out the council's overall development control policy for development within the open countryside. It aims to balance the needs and benefits of economic activity with maintaining and/or enhancing the quality of the countryside.

It specifies that development in the open countryside will be strictly controlled and sets out six provisos:

- (a) the open countryside is the only appropriate location and development cannot reasonably be accommodated within defined development boundaries
- (b) the proposed development accords with the specific requirements set out in the relevant policies of this chapter and elsewhere in this local plan
- (c) the development would not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials
- (d) the development would not be detrimental to residential amenity or highway safety
- (e) account is taken of whether the site is capable of being served by public transport
- (f) the development is sited to make the best use of existing and new landscaping.

Policy LC7 (Landscape Protection) 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.'*

Policy LC12 (Protection of Trees, Woodland and Hedgerows) requires all new development proposals, where possible, to ensure the retention of trees, woodland and hedgerows.

Supplementary Planning Guidance (SPG) 13, Wind Energy Development – March 2005

As well as outlining national and regional policies and guidance, the SPG sets out local policies against which North Lincolnshire Council will assess proposals for electricity production by wind power in North Lincolnshire. It does so in WIND1 by referring to targets and locational and environmental criteria that were set out in Regional Policy Guidance (RPG 12). It then refers to the particular local plan policy relating to renewable energy (DS21) and then sets out in more detail in WIND2 to WIND9 those issues it will have regard to (based on the RPG and PPS 22 criteria). These are set out below:

WIND1 sets out the then RPG 12 targets for energy to be generated from renewable resources for the Humber sub-region of at least 146 megawatts for 2010. North

Lincolnshire's target to meet its contribution from wind energy development was 40 megawatts for 2010 and a further 100 megawatts for 2021. It then states that:

'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.'*

The policy states that the *'council will review its 2010 target when met whilst having regard to progress elsewhere in Yorkshire and the Humber.'*

WIND2 relates to planning implications of a proposal and states that:

'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'*

The explanatory text provides more detail about each issue and provides a clarifying policy in relation to each one as follows:

WIND3:

'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.'*

WIND4:

*'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.'*

WIND5:

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

- *the 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.'*

WIND6:

'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.*

WIND7:

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

- the ability of the landscape to accommodate the development*
- the impact on 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.'

WIND8:

'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.'*

WIND9:

'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.'

SPG 5a North Lincolnshire Countryside Design Summary and SPG 5b North Lincolnshire Landscape Character Assessment and Guidelines

Policies LC7 and SPG 13 are underpinned by the findings of a landscape assessment conducted by Landscape Architect consultants (Estell Warren) on behalf of the council. This assessment has been adopted by the council as SPG 5b.

CONSULTATIONS

NATS: No safeguarding objections.

East Midlands Airport: No safeguarding objection.

MOD: No objection.

Highways: Do not wish to restrict the grant of planning permission.

TOWN COUNCIL

No objections or comments.

PUBLICITY

Neighbouring properties have been notified and a site notice posted.

Letters of objection have been received raising the following material issues:

- Geese and bats flying over the area will be at risk.
- The development will be visible from neighbours' windows, and is not appropriate in a rural area.

Further comments have been received regarding house values and the potential for sales to fall through, however these are not material planning issues.

ASSESSMENT

This application seeks permission to erect a wind turbine at Alf Kitching Ltd at Double Rivers, Crowle.

The business includes the storage of machine parts and has a continuous energy demand of approximately 25,000 kwh in total at present. This demand is currently met by a grid supply, oil-fired heating equipment and LPG-fired heating. The energy demand of the unit is anticipated to increase in the future.

The proposed wind turbine is designed to replace energy currently supplied by the national grid, oil and LPG with renewable wind energy. This will help reduce the carbon footprint of the business and make it more efficient and sustainable overall. Additionally the turbine will provide protection against future rises in energy costs and help the business remain financially competitive.

The turbine would be on a 39 metre tower with blade length of 7.8 metres.

The determining issues in this case are:

- **whether the development fits national and local policy;**

- **whether its impact on the landscape and its visual impact is outweighed by the benefits of providing renewable energy;**
- **whether the noise produced by the turbine is within acceptable limits according to the ETSU – 1996 guidance or can be mitigated by conditions; and**
- **whether any other issues, such as aviation, ecology, public rights of way, archaeology, cultural heritage or other issues of accepted importance, are harmed.**

Policy

With regard to policy, Members should note that the Government has recently confirmed the revocation of the RSS. This is no longer part of the development plan framework. References to the RSS help set the background but are no longer a significant factor in the determination of this application.

RSS targets for renewable energy provision no longer have the weight of adopted policy; the application should be assessed against PPS 22 and DS21 primarily.

By making reference to the Policy section of this report it is clear that it is a primary concern of the Government to tackle climate change and reduce carbon emission levels to levels that will slow down the impacts of climate change.

Additional policies interact with the principal policy thrust of national government and these are reported again in the Policy section of this report.

At local level the North Lincolnshire Local Plan has supplementary planning guidance in the form of SPG 13 which includes a raft of policies against which wind turbine development needs to be considered.

Continuing with the local policy framework, included in the Policy section is a summary of the policies contained in SPG 13 and each of those policies has to be considered against the proposal.

In conclusion, therefore, on the broad national policy there certainly is encouragement for the production of energy from renewable sources. This is encapsulated in modern national policies, some of which only received Royal Assent in late 2008 in the form of the Energy Act and the Climate Change Act.

Whilst the RSS has now been revoked and the issue of ‘targets’ is now not material, PPS 22 makes it clear that even where targets exist, and are met, they should be revised upwards. The thrust behind PPS 22 is to encourage renewable energy and that remains the case.

Landscape and visual impact

The site is close to industrial units and is set away from residential properties. Whilst it is certainly the case that residents will be able to see the turbine, it would be set far enough away that it would not have any material impact upon the amenity of neighbours due to visual impact.

The area is rural in nature but there are a number of buildings and structures in the vicinity such as industrial units, houses and bridges and the turbine would not have an unacceptable impact upon the landscape.

In any case, careful consideration needs to be given in striking the planning balance between the harm in terms of landscape character and the acknowledged benefits of renewable energy. Due to the character of the surrounding area, any harm caused to the landscape would be minimal and would be outweighed by the benefits of the scheme. As such planning permission should be granted.

Noise

The practice of controlling wind turbine noise by means of noise limits at the nearest noise sensitive properties is considered appropriate. Noise limits should be applied to external locations and should apply only to those areas frequently used for relaxation or activities for which a quiet environment is highly desirable. Noise limits should be set relative to the background noise at the nearest noise sensitive properties thus the limits reflect the variation in both turbine source noise and background noise with wind speed. The Environmental Protection team have been consulted and advise a condition restricting noise levels.

Aviation

East Midlands Airport, NATS and the Ministry of Defence have all been consulted and no objections have been raised. NATS initially objected but this was a 'holding' objection while they assessed the scheme. They have now withdrawn their objection.

Ecology

There has been no evidence submitted to suggest any protected species will be harmed by the turbine and, as a single structure, it is not likely to have any impact upon wildlife.

Conclusion

The turbine will have an impact upon the landscape and will contribute to the character of the area.

However, a balance must be made between any harmful impacts of the scheme and the positive benefits of renewable energy which is a national priority.

In making a full and proper planning balance the benefits of the proposed development in terms of the significant level of power which would be produced must be taken into account.

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: PLAN2010/0407/1, PLAN2010/0407/2, PLAN2010/0407/3, PLAN2010/0407/4.

Reason

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

3.

Before the expiration of the period ending 20 October 2035 (25 years) or six months after the turbine last supplies electricity, whichever is sooner, the turbine 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

To ensure the turbine is removed from the site at the end of its working life and to protect the amenity of the area in accordance with policy RD2 of the North Lincolnshire Local Plan.

4.

Before development commences, full details shall be submitted to and approved in writing by the local planning authority of all road, track and private roadway improvements necessary to access the site and proposals for their remediation.

Reason

In the interests of highway safety and to ensure that the site is appropriately accessed.

5.

Before development commences, details shall be submitted to and approved in writing by the local planning authority of the proposed colour finish of the masts, nacelles and blades and only the approved colour shall be used.

Reason

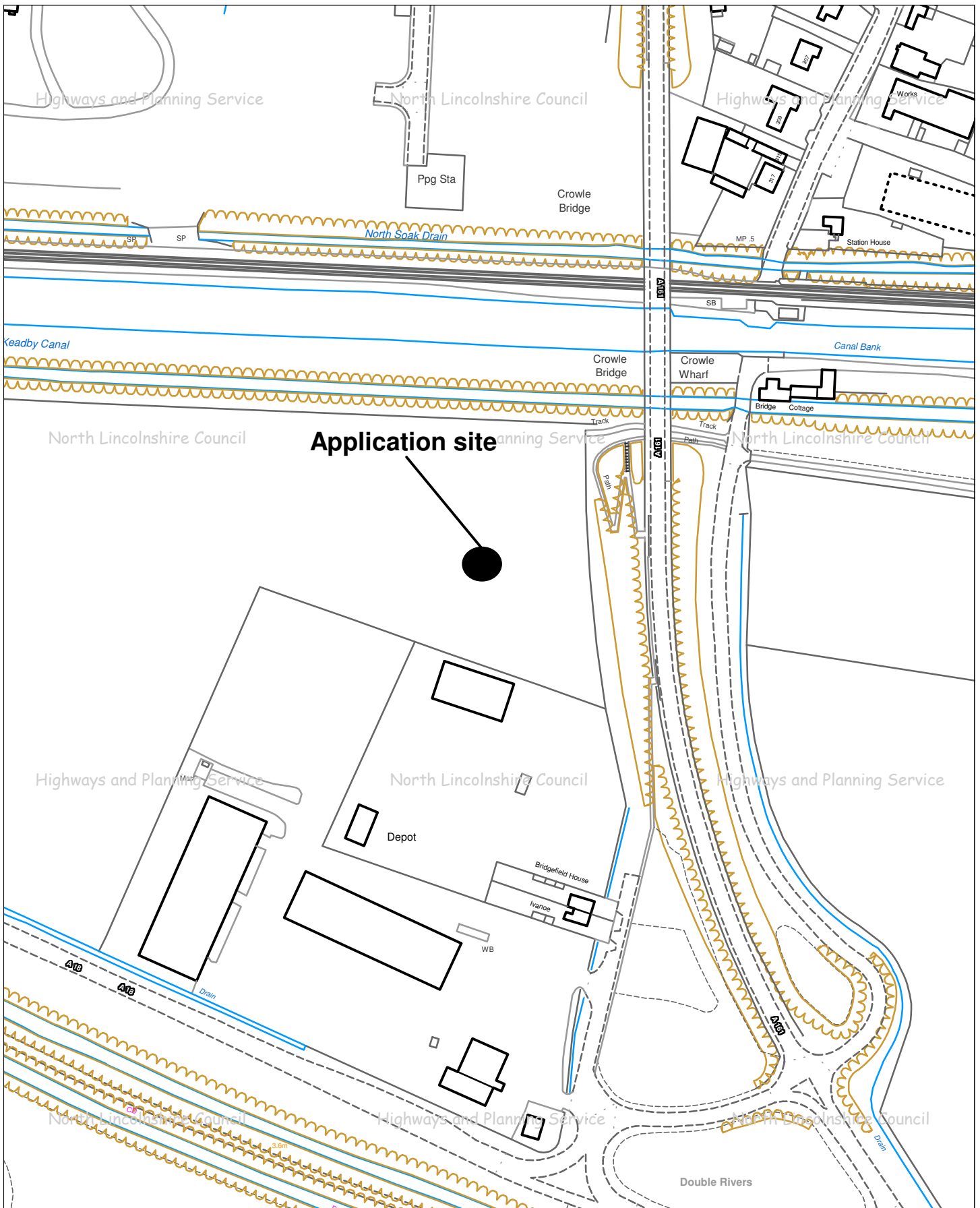
In the interests of visual amenity area in accordance with policy RD2 of the North Lincolnshire Local Plan.

6.

Noise arising from the operation of the turbine shall not exceed 5dB above the wind-dependant background noise level at wind speeds up to 10m.s⁻¹ when measured as a LA90,10min at the exposed façade of the nearest existing sensitive receptor.

Reason

To avoid the unacceptable loss of amenity to local residents through noise, which is contrary to policy DS1(iii) of the North Lincolnshire Local Plan.



Drawing Title: 2010/0407

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Highways and Planning Service

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