

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

REASONS FOR REFUSAL OF WF/2010/1242 – FLIXBOROUGH WIND FARM

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To update and advise Members regarding the reasons for refusal of planning application WF/2010/1242 (planning permission to site six wind turbines and associated hardstanding, tracks, anemometry mast, switchgear house and underground cables) following their resolution to refuse permission at the Planning Committee on 9 February 2011, and deferral for a further report at the Planning Committee on 9 March 2011.

2. BACKGROUND INFORMATION

- 2.1 This application was presented to the Planning Committee on 9 February 2011 and Members resolved to refuse permission for reasons relating to landscape. Members also resolved to defer the issuing of refusal so that officers could prepare the exact wording of the reasons for refusal.
- 2.2 Officers considered the matter and proposed that the reason for refusal be worded as follows:
- “The proposed development would introduce very substantial industrial structures into an area of significant natural beauty. The site is largely unspoilt and is open farmland on the eastern side of the area characterised as the Humberhead Levels, essentially flat and open arable land. The site is immediately adjacent to the ‘Cliff’ a natural geological feature of simple linearity which is especially pronounced at Burton-upon-Stather where the steep scarp slope, covered by ancient woodland, meets the simple form of the Trent floodplain. The Cliff is one of the highest and most prominent points in North Lincolnshire. In this area vertical structures of the size and scale proposed would be particularly harmful to the visual amenity of the landscape. The proposals are therefore contrary to policy LC7 (Landscape Protection) of the North Lincolnshire Local Plan.”
- 2.3 When the application was re-presented on 9 March the committee was advised that further information had come to light which needed to be considered as a potential additional reason for refusal. In view of the nature of this information, being health issues affecting a third party, consideration took place in the absence of the public and press. It was agreed that the application be adjourned to enable officers to present a further report.

3. OPTIONS FOR CONSIDERATION

- 3.1 To confirm that the proposed reason for refusal referred to in paragraph 2.2 above should be adopted as the council's formal decision.
- 3.2 To consider adopting a further reason for refusal based on the exempt report attached as an appendix.

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

4.1 Financial

- 4.1.1 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 a refusal with a clearly defensible reason for refusal.

4.2 Staffing

- 4.2.1 No implications.

4.3 Property

- 4.3.1 No implications.

4.4 IT

- 4.4.1 No implications.

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

5.1 Statutory

- 5.1.1 No implications.

5.2 Environmental

- 5.2.1 Great significance for North Lincolnshire whichever way any appeal is ultimately determined.

5.3 Diversity

- 5.3.1 No implications.

5.4 Section 17 – Crime and Disorder

- 5.4.1 No implications.

5.5 Risk

- 5.5.1 Risks regarding appeal.

5.6 Other

5.6.1 There are no other implications.

6. RECOMMENDATIONS

- 6.1 That Members confirm that the suggested reason for refusal set out in paragraph 2.2 of this report be issued to the applicant as the council's formal decision.
- 6.2 That Members do not include any additional reason.

HEAD OF PLANNING

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Background papers used in the preparation of this report:

Planning file WF/2010/1242