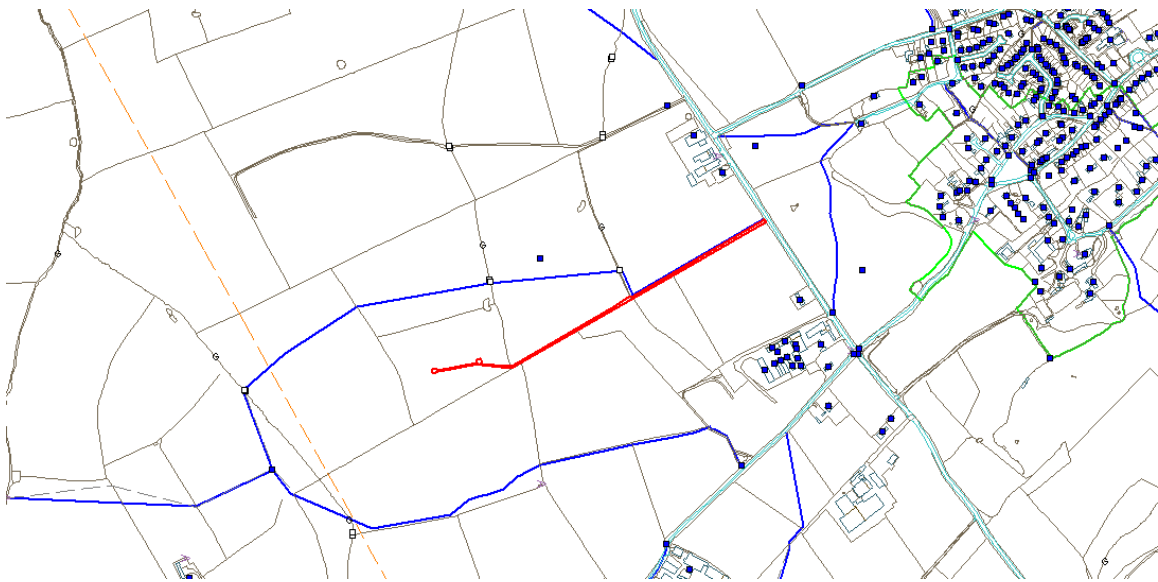


Reference: 13/00617/FUL
Date submitted: 0.09.2013
Applicant: Hallmark Power Ltd, Smisby Road, Ashby-de-la-Zouch, Leicestershire
Location: Vale View Farm, Nottingham Lane, Old Dalby, Melton Mowbray LE14 3LX
Proposal: Erection of 2no. 250kW wind turbines and associated infrastructure, including access track



Proposal:-

This application seeks approval for the erection of 2no. 250kW wind turbines with associated infrastructure including an access track on land West of Vale View Farm, Old Dalby. The site is located approximately 9km to the North West of the town of Melton Mowbray, and forms part of the holding of Vale View Farm which is situated approximately 1.2km to the West of the village of Old Dalby. Access is proposed to the site from Nottingham Lane which runs North to South between Station Road and Six Hills Lane. The site is at present an agricultural field in arable use bounded by hedgerows, with some trees in the vicinity. There are two public footpaths which run close to the site. The proposed access is also part of one of the public footpaths. The site lies within an area identified within the Melton Landscape Character Appraisal as mixed farmland. The landform is gently rolling and is characterised by a mixture of larger scale arable fields and medium scale pastures with a number of large agricultural buildings.

The proposed turbines are 3-blade models, both with a hub height of 30m and a blade diameter of 30m resulting in a total height to the blade tip of 45m. The turbines would be erected on concrete foundations each measuring 8.7m to a depth of 1.5m. The access track would be constructed from 40mm limestone hardcore, with the electricity cable routed underground along the length of the hedge.

It is considered that the main issues relating to this proposal is:-

- **Impact upon the character of the countryside and cumulative landscape and visual impacts with other turbine developments**
- **Impact upon residential amenities**

The application is to be heard by the Development Committee due to the nature of the application.

Relevant History:-

There is no relevant history at the site.

Planning Policies:-

Adopted Melton Local Plan

Policy OS2 – planning permission will not be granted for development outside the town and village envelopes except for, amongst other things, limited small scale development for employment, recreation and tourism which is not significantly detrimental to the appearance and rural character of the open countryside.

Policy C2 - planning permission will be granted for farm based diversification proposals provided:

- the activities would be ancillary to the main agricultural use and would not prejudice the future operation of the holding;
- the proposal should reuse or adapt any suitable farm building that is available. if a new building is necessary it should be sited in or adjacent to an existing group of buildings; the proposed development is compatible with its rural location in terms of scale, design and layout;
- there is no significantly adverse impact on the character and appearance of the rural landscape or conservation of the natural environment;
- access, servicing and parking would be provided at the site without detriment to the rural character of the area; and
- the traffic generated by the proposal can be accommodated on the local highway network without reducing road safety

Policy UT7 has not been ‘saved’

The National Planning Policy Framework was published 27th March 2012 and replaced the previous collection of PPS. It introduces a ‘presumption in favour of sustainable development’ meaning:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail. It also offers advice on the weight to be given to ‘emerging’ policy depending on its stage of preparation, extent of unresolved (disputed) issues and compatibility with the NPPF.

The NPPF introduces three dimensions to the term Sustainable Development: Economic, Social and Environmental: It also establishes 12 core planning principles against which proposals should be judged. Relevant to this application are those to:

- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives

- support the transition to a low carbon future.....by encouraging the development of renewable energy
- recognising the intrinsic beauty of the countryside
- contribute to conserving and enhancing the natural environment

On Specific issues relevant to this application it advises:

Climate Change:

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 associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development. (Paragraph 93)

Paragraph 97 states that to increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute energy generation from renewable or low carbon sources.

Paragraph 98 states that when determining planning applications, local planning authorities should;

- not require developments to demonstrate overall need for renewable or low carbon energy
- approve the application (unless material considerations indicate otherwise) if its impacts are (or can be made) acceptable.

Conserving and enhancing the natural environment:

- Protecting and enhancing valued landscapes
- Apply great weight to protection of designated landscape and scenic areas (e.g. National Parks)
- Avoid noise giving rise to significant adverse impacts
- Minimise other impacts on health and quality of life through conditions
- Identify and protect areas of tranquillity

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12)

Planning Practise Guidance for Renewable & Low Carbon Energy

Guidance was issued by the Department for Communities and Local Government in July 2013 to offer advice on the planning issues associated with the development of renewable energy, and should be read alongside the guidance within the National Planning Policy Framework (NPPF – above). The guidance is material consideration in planning decisions and should generally be followed unless there are clear reasons not to.

The document states that energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. The NPPF states that all communities have a responsibility to help increase the use and supply of green energy, but this does not mean that the need automatically overrides environmental protections and the planning concerns of local communities.

When considering impact of renewable technologies the document states that landscape character areas could form a basis for considering which technologies at which scale may be appropriate in different types of location. For consideration whilst dealing with planning applications it is important to be clear that:

- The need for renewable or low carbon energy does not automatically override environmental protections
- Cumulative impacts require particular attention, especially the increasing impact that wind turbines can have on landscape and local amenity as the number of turbines in an area increases
- Local topography is an important factor in assessing whether wind turbines could have a damaging effect on landscape, and recognise that the impact can be as great in predominantly flat landscapes as in hilly areas.
- Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting.
- Protecting local amenity is an important consideration which should be given proper weight in planning decisions.

Advice regarding **cumulative landscape** and visual impacts states that these are best considered separately. Cumulative landscape impacts are the effects of a proposed development on the fabric, character and quality of the landscape; it is concerned with the degree to which a proposed renewable energy development will become a significant or defining characteristic of the landscape. **Cumulative visual** impacts concern the degree to which the proposed renewable energy development will become a feature in particular views (or sequences of views), and the impact this has upon the people experiencing those views. Cumulative visual impacts may arise where two or more of the same type of renewable energy development will be visible from the same point, or will be visible shortly after each other along the same journey.

Consultations:-

Consultation Response	Assessment of Head of Regulatory Services
<p>Environmental Health Officer</p> <p>No assessment has been made to determine the combined effect of the proposed turbines at this location together with other wind turbines, either existing or with existing planning permission in the vicinity. Such an assessment would be necessary before specific comments could be made on the acceptability of the noise assessment pertaining to this application.</p>	<p>Noted.</p> <p>The agent has been requested to provide further details, however due to the objection to the application by East Midlands Airport (please see below), they were unwilling to complete further work on the project until the objection could be overcome.</p> <p>It is considered that insufficient information has been submitted at this time to accurately assess the potential noise impact from the proposal, therefore the application is considered to be contrary to the Planning Practise Guidance for Renewable and Low Carbon energy which states that local amenity needs to be protected which cannot be proven in this case and Paragraph 109 of the NPPF which seeks to prevent new and existing development from contributing to an unacceptable risk from noise pollution.</p>
<p>LCC Highways - no objection</p> <p>Revised drawing no NTT/2301/001/PA shows that two vehicles will be able to pass adjacent to the highway and that the track is wide enough to allow construction vehicles to track adequately. Information has also been provided regarding the management of construction vehicle movements using a banksman which is satisfactory to the Highways Authority. Therefore, subject to conditions relating to the access and the public</p>	<p>Noted.</p> <p>The amended plans are considered to have overcome issues initially identified by the Highways Authority, and subject to relevant conditions any dangers could be sufficiently mitigated.</p> <p>The access track would be constructed from 40mm limestone hardcore, with the electricity cable routed underground along the length of the hedge. The site is to be accessed along the public footpath / bridleway which is to the south of Vale View Farm.</p>

<p>right of way it is considered that the proposal does not represent a danger to users of the Highway.</p>	<p>The track would be approximately 600m long to the first of the turbines, and would follow the line of the hedge.</p> <p>The applicants have demonstrated that the access can safely accommodate the traffic which would be generated by the construction and any ongoing maintenance of the turbines which is satisfactory to the Highways Authority. In regards to road safety, it is considered that the proposed locations of the turbines some 500m (as a minimum) from the nearest road would not pose an issue for road safety or driver distraction.</p> <p>The turbines are proposed to be set back sufficiently from the highway to not have a detrimental impact upon highway safety. The Highways Authority has raised no objections and subject to conditions has recommended approval.</p>
<p>LCC Footpaths – No objection</p> <p>Public footpath G95 runs along the proposed route of access, and public footpath G94 is also in the close vicinity.</p> <p>As the turbines are only 45m to the tip and the footpaths are over 100m from the proposed locations the Officer has no concerns with the proximity of the public in the long term. Although the track will be used more intensively for traffic than at present, it is not a sufficiently significant increase to be of concern, and therefore the Officer has no objection to the proposal in principal. The Officer does however raise the following concerns:</p> <ol style="list-style-type: none"> 1. How the access track will be managed to take construction traffic 2. How safety of pedestrians will be managed during the construction phase (all contractors working on the site must be made aware of the public footpath and must not block or hinder the passage of pedestrians at any time). <p>In addition, the Officer states that the applicant should be made aware of the following:</p> <ol style="list-style-type: none"> 1. There is no public right to drive a vehicle along the proposed access and therefore the applicant should satisfy themselves that they have a private right to do so 2. No new structures (gates or barriers) to be placed across the route of the existing footpath without the prior consent of the Highways Authority 3. Any surfacing of the public footpath must be approved by the Highways Authority. 	<p>Noted.</p> <p>The proposed turbine would be sited approximately 100m from the nearest public footpaths which both run east to west to the north and south of the proposal. The footpaths are approximately twice the falling distance away from the turbines, therefore in the unlikely event that the turbines were to fall over, no walkers using the footpath would be harmed.</p> <p>In relation to the questions asked by the Officer, the management of the track would be dealt with by Highways condition, along with the management of the safety of pedestrians. A condition has also been recommended by the Highways Officer relating to gates / barriers and the surfacing of the track / public footpath.</p> <p>It is possible to make the applicant aware of the further details within any approval issued for the scheme.</p> <p>It is considered that the proposal would not pose any safety risks to members of the public using footpaths G94 and G95.</p>

<p>MBC Conservation Officer – No objections</p> <p>The English Heritage guidance document entitled Wind Energy and the Historic Environment advocates a sustainable approach to renewable energy generation which requires a balance to be drawn between the benefits it delivers and the environmental costs it incurs. Therefore whilst recognising the need to invest in renewable energy it recognises the potential implications for the historic environment.</p> <p>The guidance adds that high quality design is the key to minimising the adverse effect of projects such as the siting of wind turbines in the landscape and suggests that considerable weight should be given to ensuring the reversibility of renewable energy projects and their associated infrastructure</p> <p>Due consideration must be given to the following factors:</p> <ul style="list-style-type: none"> • Impacts of the proposed development on the historic environment (archaeological remains, historic structures and buildings, designed landscapes, designated sites/areas) • The setting of historic sites • The visual amenity of the wider landscape that may detract from its historic character, tranquillity and remoteness <p>This can be further broken down into the following elements:</p> <ul style="list-style-type: none"> • Visual dominance • Scale • Inter-visibility • Vistas and sight lines <p>Archaeology</p> <p>It is my understanding that the foundation of a wind turbine would typically comprise in excess of 100 cubic metres of concrete in a block of up to 16 m diameter and 3.5 m depth. There is also additional infrastructure including a new trackway and sub station etc. These combined have the potential to damage underlying archaeological remains although disturbance may be limited.</p> <p>Landscape Character</p> <p>Historic</p> <p>Landscape is the product of millions of years of geological evolution combined with thousands of</p>	<p>Noted.</p> <p>The site of the proposed turbines is not a designated landscape, nor are there any heritage assets within 1km of the site. As per the Conservation Officer's comments, it is agreed that the turbines would have a minimal impact upon the Conservation Areas and Listed Buildings within the villages of Grimston, Old Dalby and Ragdale due to their locations within a valley bowl.</p> <p>The villages of Upper Broughton and Willoughby on the Wolds are considered to be a significant distance from these proposed turbines that heritage assets within these villages would not be adversely affected by the proposals, due in part to the level of natural screening which exists within the sight lines. Although there are panoramic views from the West of Upper Broughton towards the application site, the distances involved are considered to be sufficient to negate any significant impact caused by the proposal.</p> <p>Of principal consideration in the determination of this application are both the cumulative landscape and cumulative visual impacts of the number of proposals for turbines within the area, and the impact that this will have on the historic environment and landscape.</p> <p>Already consented are 9 turbines to the West of this site, which although are not yet operational, are under construction. The closest of these turbines is only approximately 750m from this site. Each of these turbines will be 79m to the tip and arranged mostly in pairs in a north to south configuration along the A46 Fosse Way. Also in the planning system is a further turbine at Six Hills Farm which would also stand at 79m to the tip. This turbine would be located approximately 2km to the South West of this application site.</p> <p>Approximately 3km to the North of this site is a turbine in planning which would measure 45m to the blade tip (being determined by Rushcliffe Borough Council). To the West of the application site is an operational turbine at Glebe Barn Farm which measures 78.5m to the tip, and there are two further turbines which have been consented, one which will stand at 17.4m and one at 24.9m. These turbines are all between 3-5km from the site to the West. Also of consideration is the proposed Asfordby Wind Farm which would be situated to the South East of this site (if approved – the public inquiry has now closed and a decision is expected in March 2014). This development would total 9 turbines with a maximum height to the tip of 125m and would be located</p>
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years of human settlement and activity. The ways in which people in the past and the present have and continue to shape our physical environment is not just a matter of academic interest it affects us all both in the way we identify with our surroundings and with our quality of life.

The Leicestershire Historic Landscape Characterisation which was recently completed, places the wind turbine site within the Landscape Character Area known as Fields and Enclosed Land, a classification which dominates rural Leicestershire. The countryside around Old Dalby is typical of this classification where there has been little change in landform, apart from some hedgerow loss, since the eighteenth or nineteenth centuries

The Leicester, Leicestershire and Rutland Landscape and Woodland Strategy (2001 Revised 2006) places the wind turbine in the area known as Wreake Valley. This is described as an area of mixed arable and pasture with widespread features of historical interest.

The Landscape Character Assessment of Melton Borough (2006) prepared by ADAS, places the wind turbine in Area LCA10 Mixed Farmland. This is a relatively small area of mixed farmland and recreational land on the western edge of the Borough adjacent to the A46 trunk road (Fosse Way). Landform is gently rolling and rising to 150 metres, where it merges with the southern end of the escarpment. It is drained by a stream in a shallow valley running northwards. The area is characterised by a mixture of larger scale arable fields and medium scale pastures, of various shapes and sizes, with a number of large agricultural buildings being visually prominent; creating a fairly bland and unremarkable landscape.

This is further described as.

A typical gently rolling lowland farmland landscape with contrasting intensive and traditional units, varied field sizes and scattered trees as well as recreational land.

Heritage Assets

Within the study area (4km (+)) there are a number of designated heritage assets which include Scheduled Monuments, Listed Buildings and Conservation Areas. The potential impact on designated heritage assets is therefore an important consideration, in particular the impact on their setting during the operational lifetime of the

approximately 6km from this site.

Cumulative Landscape Impacts are concerned with the degree to which a proposed renewable energy development will become a significant or defining characteristic of the landscape. It is considered that the cumulative landscape impact of these proposals when considered with those turbines which have already been permitted are significant due to the amount of turbines which already have permission in the vicinity. The land is described within the landscape character assessment as mixed farmland, which is a relatively small area forming almost a triangle in shape. The landform is gently rolling and rising, and it is considered that within this relatively small landscape area effect of this turbine in addition to a significant wind farm already approved to the North and in construction and those which are constructed or have planning permission would have an overdominant impact upon the area and create an unacceptable cumulative landscape impact. The proposed turbine and those in planning, as detailed above, would only exacerbate the harmful impact on the surrounding landscape.

It is considered that the proposed turbines would have minimal impact upon the designated heritage assets in the vicinity due to the landforms and the distances involved, however it is also considered for the reasons above that the cumulative landscape impact of these additional two turbines close to the permitted Dalby wind farm would be unacceptable and would give the appearance of wind farm clutter which is contrary to the guidance offered in the document entitled “Planning Practise Guidance for Renewable & Low Carbon Energy” and policy C2 of the Melton Local Plan.

turbine.

The Preceptory site (Ref 17097) is the closest being within 1.4 km of the turbine site and there may be some inter-visibility between the two. There are two other SM's within the study area, both of which are beyond the Borough boundary at Broughton House and Upper Broughton. These are however sufficiently distant to ensure that the effect of the proposal is minimised.

There are many listed buildings, including grade I and II* buildings, within the study area the majority of which are located within the villages of Old Dalby, Grimston, Nether Broughton as well as Willoughby on the Wolds and Upper Broughton (both outside Melton Borough).

There are also conservation areas at Old Dalby, Grimston and Upper Broughton.

The Report that accompanies the application concludes that it is unlikely that the settings of these heritage assets would be adversely affected.

Both turbines are 45 metres to tip and hence their height is limited to a degree. In my view, this together with the topography and vegetation and their relative distance from surrounding heritage assets, should ensure that the impact on their settings is of lesser significance

Settlements

The closest settlement is Old Dalby which is approximately 1.2 kilometres to the east of the turbines site. The village has a designated conservation area and several listed buildings including the grade II* listed St Johns Church, as well as nine others. Old Dalby is set at a lower level than the turbines site, in a valley bowl. In that regard its setting is somewhat intimate and as such their settings will be unaffected by this proposal.

Grimston to the south east is approximately 2.7 km away from the site. Again there are several listed buildings and a designated conservation area. The grade II* listed St Johns Church is sited in the centre of the village in a well treed churchyard setting that in many ways can be said to protect its immediate setting. The village itself is sufficiently distant to ensure that the impact of the turbine on the heritage assets is reduced.

Willoughby on the Wolds (3.2 km away) and Upper Broughton (3.9 km away) are both within

Rushcliffe Borough. There are many listed buildings in both settlements and Upper Broughton benefits from a conservation area. The Report indicates that the CA Management plan includes reference to panoramic views towards the proposal site from the west end of the village, however these are noted to be in excess of 3 km from the turbines site.

Conclusion

Wind turbines by their nature are tall and slender in appearance. In that regard some may consider them as graceful structures that may add a certain character to a landscape rather than detract from it

The balance that needs to be drawn is between the necessity for measures to meet the challenge of climate change and the importance of conserving the significance of heritage assets including listed buildings, conservation areas and the wider historic landscape.

In this instance the proposed location of the wind turbines is in an area classified in historic landscape terms as Fields and Enclosed Land

The landscape in the immediate area of the turbines site has apparently undergone minimal changes throughout the years. The area as a whole displays subtle variations which include unchanged remote and pastoral landscapes. There are however examples of man-made structures within the landscape.

Clearly there must be concerns that the introduction of wind turbines within the local landscape will present an ‘alien’ feature in the landscape and potentially mar the settings of some of the heritage assets within the nearby villages.

I am however content that in general terms the distances involved, together with natural screening elements within the landscape and topography ensure that the impact on heritage assets is reduced to a degree to render them of lesser significance.

One potential concern is the cumulative effect of this proposal in conjunction with a similar proposals locally. This dual turbine presents no particular issue in the landscape with the proposed turbine at Six Hills Farm (13/00596/FUL) however further turbines may

<p>create negative cumulative impact upon the landscape, such as the permission for 9 turbines at Paddy's Lane.</p>	
<p>East Midlands Airport – Object The proposed development has been examined from an aerodrome safeguarding aspect, and due to the operational sensitivity of the site location and visibility of turbines on primary surveillance radar, the proposed development conflicts with safeguarding criteria. According the Airport has a safeguarding objection to the proposal in the interests of aviation safety.</p>	<p>Noted. Further information was obtained from the airport in relation to these comments, and to see whether conditions may be used on any approval regarding the mitigation of these effects on the radar.</p> <p>They have advised that the proposal has been considered from a planning perspective paying particular attention to the requirements of circular 11/95 and the six tests for planning conditions. At this time, with the current level of mitigation technology it is not considered that there is mitigation which could be certified by the regulator (Civil Aviation Authority) as safe and fit for purpose and deployed within the lifetime of any consent granted to the developer.</p> <p>A feasibility study is currently being carried by the Airport in relation to one turbine, however the circumstances regarding this are completely different to those surrounding this application. This particular site is a critical location for arriving and departing aircraft using East Midlands Airport, and as far as the Airport are aware there is a 0% chance of a suitable mitigation measure being available for a turbine at this site within the next 3-5 years.</p> <p>It is considered that a condition would be unenforceable and unreasonable and fail the tests as set out in circular 11/95. The objection of East Midlands Airport stands and it is not considered that the radar issues could not be mitigated by condition. Other cases do not set a precedent as they are not identical and each case must be considered on its own merits..</p>
<p>Ministry of Defence (DIO) –No Objection The MOD has no objections to the proposal, subject to them being informed of the date construction of the turbine(s) starts, the maximum height of the construction equipment and the latitude and longitude of every turbine.</p>	<p>Noted. The principle concern from the MOD is obstruction to the air traffic control and air defence radar installations. Whilst they have no objection to the erection of these wind turbines in this location they wish to be notified of the installation start and completion dates along with the height of the construction equipment and the longitude and latitude of the turbine. The information will then be plotted on flying charts so that military aircraft can avoid the area.</p> <p>This can be imposed by means of a condition.</p>

<p>Civil Aviation Authority – No Response</p>	<p>Noted. See the comments above from East Midlands Airport.</p>
<p>NATS – No objection</p> <p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p>	<p>Noted. The consultation response does however highlight that NATS do not provide any indication of the position of any other party, therefore comments from East Midlands Airport (above) would still stand.</p>
<p>LCC Ecology – No objection</p> <p>Ecology are pleased to see that the exact locations of the turbines allow a 50m buffer between the turbines and nearby ecological features, such as the hedgerow and trees in accordance with Natural England Technical Information Note TIN051 (Bats and onshore wind turbines). They request that any micro-siting involved would maintain the separation distances of at least 58m between the turbines and hedges / trees.</p> <p>The proposed location is not within the vicinity of any sites protected for their bird assemblages or populations, and for an application for turbines of this size a bird survey is not required. The ecology report submitted in support of the application provides recommendations to minimise the disturbance of the construction works on any other protected species that may be in the vicinity.</p>	<p>Noted. The applicants can be made aware of these issues.</p>
<p>Natural England – No objection</p> <p>The comments from Natural England are provided in sections: Statutory Nature Conservation Sites: No objection Protected Species: No objection</p>	<p>Noted.</p>
<p>English Heritage – No objection</p> <p>The LPA should take advice from the Conservation Officer and take account of the desirability of sustaining and enhancing the significance of heritage assets.</p> <p>In regards to below-ground archaeology we would advise the authority that the application should consider any potential impacts on undesignated archaeological remains, the Leicestershire Historic Environment Record should be consulted.</p>	<p>Noted. Please see above for the Conservation Officer comments.</p> <p>Archaeology were consulted and have not made any representations in relation to the application.</p>
<p>Ofcom – No objections</p>	<p>Noted.</p>
<p>Telent – No objection</p> <p>The desktop survey regarding the proposed turbine produced by telent on behalf of Vodaphone shows that the nearest Vodaphone link is approximately</p>	<p>Noted.</p>

<p>3Km away from the proposed site which does not pose a threat to the VF ATP microwave network. Vodaphone specify a 100m minimum separation distance from turbines to link.</p>	
<p>JRC – No objections JRC analyses proposals for wind farms on behalf of the UK Fuel and Power Industry and the Water Industry in NW England. This is to assess their potential to interfere with radio systems operated by utility companies in support of their regulatory operational requirements.</p> <p>In the case of this proposed wind energy development, JRC does not foresee any potential problems based on known interference scenarios according to the data which has been provided.</p>	<p>Noted.</p>
<p>Melton Ramblers – Object There is no mention within the planning application documents as to what will happen to the footpath during construction or the amount of traffic the access road will be carrying. A suitable path diversion should be offered for the time of the construction works.</p>	<p>Noted. Please see the comments above by both the Highways Authority and the Rights of way Officer in relation to these issues.</p> <p>It is considered that the use of conditions and the amended plans regarding the access are sufficient to ensure the safety of the users of both the footpath and the local Highway network.</p>
<p>Broughton & Dalby Parish Council – Object The application is not sustainable on economic grounds – it will not provide any economic benefits to the community and no employment opportunities</p> <p>There will be no significant contribution to local energy supplies.</p> <p>The cumulative visual impact is detrimental to the local community: multiple wind turbine developments would be visible simultaneously and repeatedly.</p> <p>Unacceptable cumulative landscape impact of at least 15 turbines which will be visible from many local vantage points</p> <p>No data has been supplied to show that this is a good site for wind energy generation and no</p>	<p>Noted. Economic benefits form one element of the definition of sustainable development as noted within the NPPF. Although the proposal will not be directly benefiting those who live locally (with jobs etc), economic benefit will emerge elsewhere from the installation. The farm on which the proposal is based would have an economic benefit from the proposal.</p> <p>The NPPF advises at paragraph 97 that local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources.</p> <p>Please see commentary below in relation to the cumulative visual impacts and residential amenity.</p> <p>Please see commentary above in relation to the Conservation Officers comments on cumulative landscape impact.</p> <p>The applicant is not required to submit data to show if this site is suitable for the type of renewable</p>

<p>evidence that the turbines would be viable.</p> <p>No information / assessments on air traffic safety supplied</p> <p>Negative impact will outweigh any positive impacts to be gained from the green energy generated.</p>	<p>energy proposal they are applying for.</p> <p>Although the applicant has not supplied this information, East Midlands Airport were consulted and have given their formal comments and objection to the proposal (as above).</p> <p>This is a key consideration for the Committee to consider as part of the ‘planning balance’ taking into consideration all of the issues discussed within this report.</p>
<p>Clawson, Hose and Harby Parish Council – Object</p> <p>The site is on an open ridge highly visible to surrounding villages</p> <p>It would set a precedent for future similar applications along the ridge</p> <p>The cumulative effects of such development are difficult to quantify when viewed individually, it is a subjective judgement.</p> <p>Well known area with a large volume of tourism</p>	<p>Noted.</p> <p>Noted. This is discussed above in the response to the Conservation Officer’s comments and below in relation to residential amenity and visual cumulative impact.</p> <p>All applications are determined on their individual merit.</p> <p>The document “Planning practise guidance for renewable and low carbon energy” advises how to judge the impacts of these types of developments. This has been discussed above in the response to the Conservation Officer’s comments, and below in relation to residential amenity and visual cumulative impact.</p> <p>There is no evidence to suggest that the erection of wind turbines / wind farms has a detrimental effect on tourism.</p>
<p>Upper Broughton Parish Council (Rushcliffe) – Object</p> <p>Lack of consideration of the cumulative impact over the Melton / Rushcliffe border</p> <p>The turbines will become a blot on the landscape</p> <p>Lack of joint approach between the Councils to ensure that numbers are limited; all applications are being considered individually without consideration to neighbouring applications.</p>	<p>Noted.</p> <p>The cumulative impact of the turbines is being assessed, and can only be assessed once there is a cumulative impact to be assessed. Since the approval of the Dalby windfarm in 2011 no further applications for wind turbines in this area of Melton Borough have been received. Turbines at / near Wymeswold are the responsibility of Charnwood Borough Council, and the application in progress by Rushcliffe Borough Council at Manor Barn Farm is being taken into consideration in this application, along with the application at Six Hills Farm and the Asfordby windfarm.</p> <p>Please see commentary on visual and landscape impacts.</p> <p>All applications are dealt with on their individual merit. Neighbouring authorities are notified of planning applications for these types of developments close to the Borough boundaries and their comments are welcomed. All applications close to the Borough boundaries are considered</p>

<p>Negative impact on recreational amenity</p>	<p>Farm, located to the south west of these proposed turbines would be significantly affected by the introduction of these two turbines. The dwelling is located approximately 600m from this site, and only 500m from the closest turbine of the Old Dalby wind farm which would be to the north of the dwelling. To the west of the dwelling there is the Wymeswold turbine standing at 78.5m to the tip approximately 3km away. Also approximately 1km to the south west of this dwelling is a further turbine (in planning) proposed to stand at 79m to the tip. It is considered that this is an unacceptable impact upon this particular dwelling, where there could be no windows from the dwelling which would offer a view other than that of turbines. The dwelling would feel crowded by wind farm developments.</p> <p>Also, Old Dalby Lodge which is located slightly further west would be very similarly impacted. Wad House Farm which is to the North would not suffer the same amount of impact, but would still have potential for the South and North aspects of the dwelling to overlook turbine developments. This list is not exhaustive as there are many singular dwellings within a 2km radius which would be affected in different ways and to different extents, but it is considered that Upper Grange Farm, Old Dalby Lodge and Wad House Farm would be most significantly affected.</p> <p>Therefore it is considered that the proposal would have a significant negative impact upon residential amenity. It is not considered that there could be any mitigation which would overcome this issue, and it is therefore considered that the proposal is contrary to the guidance within the NPPF which states that when determining applications for renewable energy the application should be approved if its impacts are (or can be made) acceptable (paragraph 98).</p> <p>There is no current evidence to show that the development of wind turbines would have an adverse impact on recreational and economic activities.</p> <p>There is also a lack of evidence as to whether wind farms attract or reduce the number of visitors to an area and therefore it is considered unreasonable to refuse planning permission on these grounds.</p>
<p>Conservation/Character of the area</p>	<p>Please see the commentary above relating to the Conservation Officer's comments.</p>

<p>Health Concerns:</p>	<p>The Environmental Health Officer has reviewed the noise assessment submitted on behalf of the applicant and has judged that insufficient information has been submitted at this time to ensure that the noise from these turbines when combined with the noise from other constructed and approved turbines would not adversely affect residential amenity (please see comments above)</p>
<p>Impact Upon Wildlife / Birds / Ecology</p>	<p>The site has been assessed both by Leicestershire County Council Ecology and Natural England and meets the requirements of their policies with regards to the separation distances between turbines and hedgerows. No further ornithology surveys have been required and Natural England have also responded (above).</p> <p>It is considered that the matters relating to ecology have been addressed and subject to conditions the proposal is considered to be acceptable.</p>
<p>Turbines are Inefficient and Expensive</p>	<p>As stated above, the NPPF encourages LPA's to consider renewable energy proposals in a positive light. This proposal would produce additional renewable energy which would help to meet the Governments renewable energy targets which aims to reduce the UK's carbon dioxide emissions by some 60% by 2050 with real progress by 2020.</p> <p>Regardless of these comments it should be noted that the NPPF clearly states that Local Planning Authority should not require applicants for energy developments to demonstrate the overall need.</p>
<p>Other Considerations</p> <p>A recent judicial review in France has ordered the removal of 10 turbines, due to the character of a 17th century chateau having been destroyed.</p> <p>A helicopter site has just opened behind Broughton Lodge and the turbines would cause danger to pilots</p>	<p>This matter relates to a judicial decision in France which operates under different laws to the UK. There have been no similar circumstances in the UK.</p> <p>Noted. East Midlands Airport have objected to the proposal on air safety.</p>

Conclusion

The application seeks approval for the erection of 2no wind turbines at Vale View Farm, Old Dalby. There are issues with the application which have been identified through the consultation process and site visits. The application is considered to have an unacceptable impact upon the safeguarding of the radar of East Midlands Airport, with no realistic mitigation prospects in the foreseeable future. The proposed turbines are also considered to have an adverse impact upon the residential amenity of dwellings in the vicinity and to add to a wind farm clutter appearance in the area. Accordingly the application is recommended for refusal.

RECOMMENDATION: Refuse:-

1. The proposal if approved would conflict with safeguarding criteria relating to the safe radar operation of East Midlands Airport, therefore is refused in the interests of aviation safety.
2. Insufficient information has been provided in regards to the noise assessment. The applicant has not fully considered the combined effects of the proposed turbines together with existing turbines, or those with existing planning permission in the vicinity. Therefore the proposal is considered to the contrary to the guidance offered in the NPPF and the document "Planning Practise Guidance for Renewable & Low Carbon Energy"
3. In the opinion of the Local Planning Authority the turbines would create an unacceptable cumulative impact in the landscape which cannot be made acceptable and would give the appearance of wind farm clutter, contrary to the guidance offered in the document "Planning Practise Guidance for Renewable & Low Carbon Energy", the NPPF paragraph 98 and policy C2 of the Melton Local Plan.
4. The proposal would have a significant negative impact upon the residential amenity of neighbouring dwellings, specifically Upper Grange Farm, Old Dalby Lodge and Wad House Farm. It is not considered that there could be any mitigation which would overcome this issues, and therefore it is considered that that proposal is contrary to the guidance within the NPPF which states that when determining applications for renewable energy the application should be approved if its impacts are (or can be made) acceptable (paragraph 98).

OFFICER: Mrs Sarah Legge

DATE: 6th December 2013