

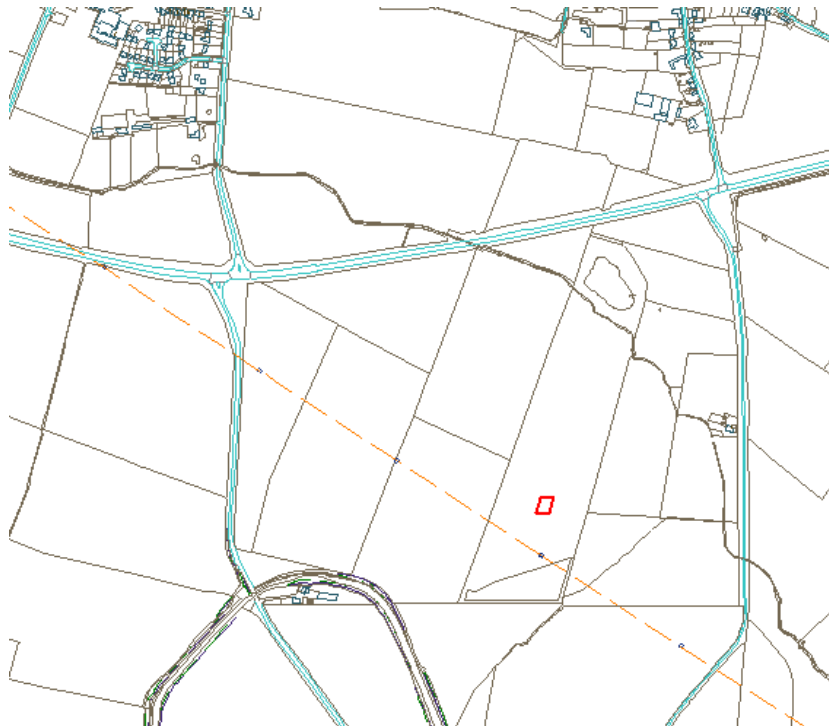
**Reference:** 13/00655/FUL

**Date Submitted:** 12 September 2013

**Applicant:** James Goodson Esq

**Location:** Field Numbers OS 1600, Castle View Road, Easthorpe

**Proposal:** Installation of one 50 Kw wind turbine (height to hub 36 metres and height to tip 46 metres)



**Introduction:-**

The proposed development consists of a single wind turbine with a hub height of 36 metres and an overall maximum height to blade tip not exceeding 46 metres. The turbine would be of a typical modern design incorporating a tubular tower and three blades with a generation capacity of up to 50 kW. The existing track access from Castle View Road will be used to access the turbine site. A hard-standing base to the turbine will also be provided.

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

- **Impact upon the character of the countryside and landscape**
- **Impact upon residential amenities**

**Relevant History:-**

There is no relevant history.

## **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; e 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

### **National Planning Policy Framework**

- 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 (i.e the LDF) 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 Reply	Assessment of Head of Regulatory Services
<b>Bottesford Parish Council</b> – no comments received to date	Noted.
<b>Redmile Parish Council</b> – Are concerned that there is no coherent strategy for renewable energy in the Vale of	The turbine will have a hub height of 36 metres with the base to tip height of approx 45 metres. There is no argument that

<p>Belvoir. The Parish Council have been encouraged by the work of Melton Borough Council asking us to identify important views in and from our Parish, which will input into a study being undertaken by Halcrow and Bayou.</p> <p>The Vale is characterised by its open and expansive nature; it is strongly rural , undeveloped and tranquil. It is noted for its small nuclear villages and the prominence of their churches on the skyline. The proposed turbine would be visible from many miles away (it sits inside important views that we have noted for the study referred to above) and would be an incongruous and prominent feature in this quiet landscape.</p> <p>We object to the proposal on the grounds of its adverse impact on visual amenity and negative effect on the landscape character of the Vale.</p>	<p>the turbine would not be visible, nor introduce a new feature into the landscape. However, this on its own is not considered a reasonable ground for refusal and it is the <b>harm on the landscape</b> that needs to be assessed. This is addressed in more detail below.</p>
<p><b>Belvoir Parish Council</b> – No comments received to date</p>	<p>Noted</p>
<p><b>LCC Archaeology</b> – No comments received to date</p>	<p>Noted</p>
<p><b>LCC Rights of Way –No objection</b> Public footpath F74 runs across the proposed access road. Public Footpath F90, bridleway F85a and the canal tow path are also in the close vicinity.</p> <p>As the turbine is only 46m (base to tip of blade) and the footpath/bridleway/tow path and road are at least 300m from the proposed location, there are no concerns with the proximity of the public to the site.</p>	<p>Noted.</p>
<p><b>LCC Highways Authority</b> – The site is close to the A52 trunk road and this is the only practical route for access, therefore a routing agreement is not considered to be required in this case. The access is currently not suitable for large construction vehicles. Tracking information is required to show the works required to improve the access to make it suitable for the intended use.</p>	<p>Noted. – Conditions recommended should consent be granted</p>
<p><b>LCC Ecology – No objection</b> Pleased to see that the exact location of the turbine allows a 50 metre buffer between the turbine and nearby ecological features, such as hedgerows and trees. This is in accordance with Natural England Technical Information Note TIN051 Bats and onshore wind turbines. The details of the turbines submitted with the application indicate that the base of the turbine will need to be at least 56 meters from the hedgerows in order to satisfy this criteria (assuming hub height is 36m, blade length is 10m and nearby trees are 15m). The actual separation distance between the proposed turbines and the hedgerows meet this criteria. However, we would recommend that it ensured that any micro-siting retains this distance.</p> <p>The proposed turbine location is not in the vicinity of any sites protected for their bird assemblages or populations and, for 1 medium sized turbine in this</p>	<p>Noted - the turbine is located sufficient distance away from nearby hedgerows and trees in accordance with protocols.</p> <p>Note to applicant regarding report recommendations to be attached should consent be granted</p> <p><b>No objections have been received by the Ecologist or Natural England in regards to the installation of the wind turbine.</b></p>

<p>location, a bird survey is not required.</p> <p>The ecology report submitted in support of the application (Wild Frontier Ecology, August 2013) provides recommendations to minimise the disturbance of the construction works on any other protected species that may be in the vicinity (although the walkover survey indicates that the likelihood of their presence is low) and we would request that the applicants attention is drawn to these recommendations, should planning permission be granted.</p>	
<p><b>Ministry of Defence Estates – No objection</b>  The principal safeguarding concern of the MOD with respect to the development of wind turbines relates to their potential to create a physical obstruction to air traffic movements and cause interference to Air Traffic Control and Air Defence radar installations.</p> <p>Defence Infrastructure Organisation Safeguarding wishes to be consulted and notified of the progression of planning applications and submissions relating to this proposal to verify that it will not adversely affect defence interests.</p> <p>If planning permission is granted we would like to be advised of the following;</p> <ul style="list-style-type: none"> <li>· the date construction starts and ends;</li> <li>· the maximum height of construction equipment;</li> <li>· the latitude and longitude of every turbine.</li> </ul> <p>This information is vital as it will be plotted on flying charts to make sure that military aircraft avoid this area.</p> <p>If the application is altered in any way MOD must be consulted again as even the slightest change could unacceptably affect them..</p>	<p>Noted - A condition can be imposed should permission be granted with regard to the advice of the MOD.</p>
<p><b>National Air Traffic Services (NATS) – No safeguarding objection</b>  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>If any changes are proposed to the information supplied to NERL in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.</p>	<p>Noted</p>
<p><b>East Midlands Airport – No Safeguarding Objection</b>  The proposed development has been examined from an aerodrome safeguarding aspect and does not conflict with safeguarding criteria</p>	<p>Noted</p>
<p><b>Civil Aviation Authority- No objections</b>  The CAA does not routinely support or object to any planning proposal. The CAA provides regulatory</p>	<p>Noted. - A condition can be imposed should permission be granted.</p>

<p>policy and guidance to those involved in the planning process and provides impartial advice to facilitate the planning process.</p> <p>Offers some generic comments with regards to the proposed development:</p> <ul style="list-style-type: none"> <li>• The potential impact that wind turbines have on the communications, navigation and surveillance infrastructure and also the fact that turbines can cause a physical obstruction to aviation stakeholders should all be taken into account.</li> <li>• Any structure of 150 metres or more must be lit in accordance with the Air Navigation Order and should be appropriately marked. Although if an aviation stakeholder (including the MOD) made a request for lighting it is highly likely that the CAA would support such a request, particularly if the request falls under Section 47 of the Aviation Act.</li> <li>• If the proposed development is approved, there is a need to inform the Defence Geographic Centre <a href="mailto:icgdgc-aero@mod.uk">icgdgc-aero@mod.uk</a> of the locations, heights and lighting status of the turbines and meteorological masts, the estimated and actual dates of construction and the maximum height of any construction equipment to be used, prior to the start of construction, to allow for the appropriate inclusion on Aviation Charts, for safety purposes.</li> </ul>	
<p><b>Natural England – No objection</b>  Natural England advises that the proposal is unlikely to affect any statutorily protected sites or landscapes.</p> <p>It is noted that a survey for European Protected Species has been undertaken in support of this proposal. Natural England <b>does not object</b> to the proposed development. On the basis of the information available to us, our advice is that the proposed development would be unlikely to affect any European Protected Species.</p>	<p>Noted –  <b>No objections have been received by the Ecologist or Natural England in regards to the installation of the wind turbine.</b></p>
<p><b>English Heritage –</b>  English Heritage suggest that on the basis of information submitted to date it is minded to consider that the proposals would potentially result in less than substantial harm to designated heritage assets. However they do not consider that sufficient evidence has been provided in the supporting material for that position to be confirmed. Following this advice a Heritage assessment was requested and subsequently provided.</p> <p>Recommend that the application should be determined in accordance with national and local policy guidance and on the basis of the Council’s specialist conservation advice.</p>	<p>Noted – The applicant has provided a Heritage Assessment to accompany the application. The assessment provides analysis of the potential impact of the turbine on important heritage assets within the vicinity of the application site, identifying key features and detailing potential impacts.</p> <p>The study area focuses on heritage assets within 2 km radius from the development site and within that area 34 listed buildings, 5 Scheduled Monuments and 2 Conservation Areas have been identified to provide a robust assessment</p> <p>As a sensitive receptor and due to its importance within the local landscape, the Assessment also includes a section of Belvoir Castle conservation area, albeit beyond the study site,</p>

	<p>some 3.6 kilometres from the proposal site. Belvoir Castle is a grade I listed building and occupies a prominent position on top of the escarpment with extensive views over the Vale of Belvoir.</p> <p>There is no doubt that the turbine may be visible from certain parts of the Castle and associated grounds however this on its own is not considered a sufficient reason to refuse planning permission.</p> <p>The assessment concludes that no impacts of major significance on heritage assets have been identified.</p> <p><b>Of those heritage assets within the study area that have been assessed, it is considered that in many cases there will be no impact whatsoever and in others the impact will be negligible. In that regard it is considered that the view of English Heritage that the proposal will result in less than substantial harm on heritage assets within the vicinity is supported.</b></p>
<b>Council for the Protection of Rural England – No Comments received</b>	Noted
<b>The Ramblers Association – No Comments Received</b>	Noted
<p><b>MBC Environmental Health –</b></p> <p>The Environmental Health Officer has taken noise level readings from various locations on various days in the vicinity of the turbine site and concluded that:</p> <p>In accordance with the ETSU-R-97 Report, in the event of the application being successful, it is recommended that noise arising from the turbine is limited to LA90 35dB(10mins) and that the turbine will not produce any mechanical or irregular noise sufficient to attract attention at the boundary of, California, Castle View Road, Easthorpe, the nearest residential property.</p>	<p>The turbine is to be located within a parcel of land associated with the farm. The nearest residential dwelling (California) lies approximately 339m to the north east.</p> <p>The NPPF includes footnote 17 which states that in determining applications for wind developments the Local Planning Authority should follow the approach set out in the National Policy Statement for Renewable Energy Infrastructure. This guidance states in very clear terms that <b>ETSU R 97 “should be used”</b> and states also that the Government is satisfied it is “a sound basis for planning decisions”.</p> <p><b>It is considered that given the NPPF is recent and up to date National Policy which endorses the use of ETSU R 97, and the clarity of the position within the National Policy Statement, that the recommendation of the Environmental Health officer is appropriate and a condition to that effect be attached should consent be given.</b></p>
<b>Arqiva – No Objections</b>	Noted
<b>BT Openreach – No Objections</b>	Noted
<b>JRC (Joint Radio Company) – Do not foresee any problems as proposal currently stands</b>	Noted
<b>Ofcom Advisory – No comments received</b>	Noted
<b>Airwavesolutions – No comments received</b>	Noted
<b>Mono Consultants – No Objections</b>	Noted
<p><b>Vodafone - No Objections</b></p> <p>The nearest Vodaphone link is approx 700m away from your proposal which does not pose a threat to the VF ATP microwave network</p>	Noted
<b>Everyone Everywhere Ltd (Orange) – No Objections</b>	Noted
<p><b>Anglian Water – Object</b></p> <p>As the wind turbine has the potential to affect Anglian Water Services business microwave and UHF radio communications, object subject to detailed analysis and</p>	<b>Noted</b>

possible mitigation Following further information this objection was subsequently withdrawn	
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**Representations:**

Three site notices were posted and the immediate neighbouring properties consulted. As a result 12 letters of objection have been received from 10 households. Melton Mowbray Civic Society and a local interest group BLOT have also objected.

Representation	Assessment of Head of Regulatory Services
<p><b>Visual Impact on Landscape and Heritage assets</b> Six comments that the turbine will be out of keeping in the rural environment, disturbing the landscape.</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 <b>considerable weight should be given to ensuring the reversibility of renewable energy projects and their associated infrastructure.</b></p> <p>Due consideration must be given to the 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 and the visual amenity of the wider landscape that may detract from its historic character, tranquillity and remoteness. This can be further broken down into the elements of visual dominance, scale, inter-visibility, vistas and sight lines.</p> <p><b>Historic Landscape</b> The recently completed Leicestershire Historic Landscape Characterisation places the wind turbine site within the area known as Fields and Enclosed Land, a classification which dominates rural Leicestershire. The countryside around Easthorpe 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 Vale of Belvoir. This character area is the southern part of an exposed, almost flat, plain which stretches from the foot of the Belvoir Scarp north and north-eastwards into Nottinghamshire and Lincolnshire.</p> <p>The Landscape Character Assessment of Melton Borough (2006) prepared by ADAS, places the wind turbine in Area LCA1 Vale of Belvoir described as An expansive gentle vale landscape with a strong pattern of medium scale rectangular shaped pastoral and arable fields with managed hedgerows and the Grantham canal, punctuated by nucleated villages with prominent church spires.</p>



The turbine will have a hub height of 36 metres with the base to tip height of approx 45 metres. There is no argument that the turbine would not be visible, nor introduce a new feature into the landscape. However, this on its own is not considered a reasonable ground for refusal and it is the **harm on the landscape** that will need to be assessed. The NPPF is clear in its guidance that Local Planning Authorities should approve planning permission unless “any adverse impacts of doing so would **significantly and demonstrably** outweigh the benefits” (emphasis added). Therefore, when considering the impact on the surrounding landscape of the proposal this needs to be the key consideration.

The NPPF then sets out guidance in relation to conserving and enhancing the natural environment. Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by; ‘protecting and enhancing valued landscapes, geological conservation interests and soils’. Paragraph 115 states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

Melton Borough does not have any special designated landscaped areas and has no green belt. The location of the turbine is described as ‘Vale of Belvoir’ (Melton Borough Historic Character Landscape Assessment).

This area covers the Leicestershire part of the much larger Vale of Belvoir, in the northwest of the Borough. It contains the Grantham Canal and a string of small-nucleated villages within a strongly rectangular landscape pattern of arable and pastoral fields,. This is a neat, intensively farmed, domesticated and well-managed farmland area where the landscape is gentle and subtle, and the dominant and most attractive element is the traditional villages with fine stone houses and churches.

The character descriptions states ‘*An expansive gentle vale landscape with a strong pattern of medium scale rectangular shaped pastoral and arable fields with managed hedgerows and the Grantham canal, punctuated by nucleated villages with prominent church spires.*’.

The location of the proposed turbine is reflective of the distinctive characteristics. The landform indeed consists of medium scale arable fields with nucleated villages.

**In assessing the impact on the landscape it is considered that the proposal would be one feature within a small part of the available panorama and would not be dominant. Accordingly it is not considered that it would be significantly detrimental to the appearance and rural character of the open countryside. Crucially, it will not impact upon any designated landscapes and as such the impact falls short of that which the NPPF advises requires greatest protection.**

<p>Comments in relation to vistas - The location of the turbine between Belvoir Castle and St Mary's Church (Bottesford) will ruin the outlook between villages and across the Vale.</p>	<p>The proposed turbine will be located approximately 3.6 km from Belvoir Castle. It is likely that the turbine will be visible from certain parts of the Castle and some limited locations within the grounds and may well be within the line of sight from the Castle towards the Spire of St Mary's Church, Bottesford. However this is a single turbine which when compared to the array of electricity pylons, power station chimneys and other man made intrusions into the natural landscape is considered of minimal significance.</p> <p>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 turbine is in an area classified in historic landscape terms as Fields and Enclosed Land. The landscape in the immediate area has apparently undergone minimal changes throughout the years. The area as a whole displays subtle variations which include unchanged remote and pastoral landscapes.</p> <p>Clearly there must be concerns that the introduction of a wind turbine 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 village. However, it is considered that Belvoir Castle, St Mary's Church and other heritage assets in the vicinity are sufficiently distant and in some cases screened so as not to present any such concerns. Likewise the wind turbine is relatively small at 46 metres to the tip of the blade and 36 metres to hub, which will serve to lessen its impact. Furthermore it is described as a temporary installation and as such its removal can be conditioned to ensure that it doesn't remain a more permanent fixture within the rural landscape.</p> <p><b>It is considered that the proposal will not have a detrimental impact on heritage assets in the locality due to its location and size. The electricity produced will contribute to the national renewable energy targets</b></p>
<p><b>Impact on the setting of listed buildings and heritage assets</b> Harm caused</p>	<p>The importance attached to the setting of heritage assets is recognised by the Governments National Planning Policy Framework (NPPF) and in guidance including the Historic Environment Planning Practice Guide (HEPPG), Wind energy and the Historic Environment (English Heritage) and The Setting of Heritage Assets (English Heritage). The recent publication Planning practice guidance for renewable energy contains the following statement ' <i>As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of wind turbines on such assets. Depending on their scale, design and prominence a wind turbine within the setting of a heritage asset may cause substantial harm to the significance of the asset</i>'.</p>

In the case of potential impact on the setting of heritage assets the villages of Easthorpe, Bottesford, Normanton and Muston are considered below.

**Easthorpe** - The village of Easthorpe is located approximately 1.1 km north west of the turbine site on the north side of the A52 and is the closest settlement. The village has two listed buildings and a designated conservation area.

There are several other heritage assets within the village, all of which are considered to be sufficiently distant from the wind turbine site to ensure that their settings are not compromised by it

**Bottesford** - lies to the north of the proposed wind turbine site. Bottesford benefits from conservation area status, the boundary being drawn around the historic core of the village.

The grade I listed Church of St Mary the Virgin benefits from a fine spire, which at 210 feet is the highest in Leicestershire and as such a significant landmark within the Vale.

From certain viewpoints it is possible that the turbine will be visible be within the same line of sight as the Spire of St Mary's Church, Bottesford. However this is a single turbine, some 60 feet shorter to tip, which when viewed along with pylons, power station chimneys and other man made intrusions into the natural landscape is considered of lesser significance. It is therefore considered that the turbine will not be a prominent feature within the landscape and will be absorbed into it.

There are several other listed buildings within the village, all of which are considered to be sufficiently distant from the wind turbine site to ensure that their settings are not compromised by it.

**Normanton** -. The village, which lies to the north of the turbine site benefits from a conservation area and its boundary includes all of the built up area of the village but is somewhat widely drawn to include tracts of open countryside to the rear of the buildings on either side of Main Street The open spaces that both separate and enclose the built environment are important elements in the village scene.

The village has three listed buildings all situated on the west side of Main Street and hence sufficiently distant from the wind turbine site to ensure that their settings are not compromised by it.

**Muston** - is to the east of the proposed wind farm site. The village has no conservation area but does have several listed buildings. The turbine site is sufficiently distant so that those heritage assets will not be directly affected by the

	<p>proposal.</p> <p><b>It is considered that this proposal would result in less than substantial harm to designated heritage in the locality due to its location and size. As such the proposal will not have a detrimental impact on heritage assets and the setting of listed buildings</b></p>
<p><b>Impact upon the Character of the Countryside</b> Will effect wildlife particularly horses along the public highway.</p> <p>Future requests as a result of this application will disturb the countryside further</p>	<p>The turbine is at a sufficient set back distance from the footpath/bridle way and no objections has been received from LCC Rights of Way Officer. There is no evidence to demonstrate that the proposal would impact on users of the footpaths/bridleways in the area.</p> <p>Any application for subsequent turbines will be considered on its merits.</p> <p>The turbine may be visible from many higher view points across the Borough but this on its own is not a sufficient reason to refuse planning permission. Turbines by their nature are visible and an assessment is needed to balance the benefits of the energy production against any significant harmful affects to the landscape.</p> <p><b>This landscape has no ‘special’ designation. The policies contained within the Local Plan relating to ‘Area of Particular Attractiveness’ was not saved and the designation no longer exists. It is considered that the landscape is capable of absorbing the turbine The benefits arising from the energy production are considered to outweigh the limited degree of harm on the landscape resulting from the proposal which is reversible.</b></p>
<p><b>Energy production</b> Inefficient way of producing electricity</p> <p>Do these turbines actually produce electricity efficiently or is it so minimal that they are not a viable option except for the subsidies from the Government?</p> <p>There will be little gain in terms of electricity production.</p> <p>Inefficiency – the potential output is small and the proposed turbine will not meet the requirement of farm activities.</p> <p>Wasting money on ‘childish’ technology and subsidy ‘grabbing’</p>	<p>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 60 per cent by 2050 with real progress by 2020.</p> <p><b>Regardless of these comments it should be noted that the NPPF clearly states that LPA should not require applicants for energy developments to demonstrate the overall need.</b></p>
<p><b>Impact upon Wildlife/Ecology</b> Turbine will cause disturbance to wildlife</p> <p>There is an established Rookery close by – understand it is an offence to cause disturbance to a rooks environment.</p> <p>No bat survey appears to have been undertaken, bats are a protected species</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 has also responded (above).</p> <p><b>It is considered that matters relating to ecology have been addressed and the proposal is considered to be</b></p>

Turbines endanger winged animals	<b>acceptable.</b>
<p><b>Highway Issues</b> Site is very close to the A52 and will cause distraction to passing motorists.</p>	<p>The Highway Agency have been consulted on this application and have not raised any objections on this matter</p> <p><b>The turbine is relatively small scale having an overall height of 46 metres and would be set back sufficiently from the highway to not have a detrimental impact upon highway safety. The Highways Authority has raised no objections and it is considered that there is insufficient justification to warrant a refusal based on highway safety.</b></p>
<p><b>Cumulative effect</b> The turbine will set a precedent and could result in a 'forest' of turbines.</p> <p>One turbine could lead to another on same site and we could be blighted by a wind farm of innumerable turbines</p> <p>Decisions should take into account the cumulative impact of wind turbines on both the landscape and local amenity.</p> <p>This may be a single turbine but it could set a precedent for similar applications in the future.</p> <p>Granting consent would set a precedent which could make it difficult to refuse further applications</p> <p>Applications could also be submitted from other parties which could result in a littering of the landscape</p> <p>Tens of applications in the region for turbines and the cumulative impact will industrialise the landscape</p>	<p>There is no evidence to suggest that further applications will follow and cumulative effect is therefore conjecture at present. However should other applications follow as a result of this application each will be treated on its own merits. The Council is not aware of similar structures in the vicinity that the proposal would interact with, either already built or with permission. The Council has been notified of proposals near Orston (Rushcliffe BC) and a larger proposal at 'Palmer's Hollow' (near Normanton but within South Kesteven) but both of these have been refused.</p>
<p><b>Impact on residential amenity</b> Turbine will be situated too close to residential homes in Easthorpe</p> <p>The turbine will increase the negative impact on numerous residential properties</p>	<p>The proposed development is in open countryside where few dwellings exist. The closest dwelling is California, an isolated detached house on Castle View Road approximately 250 metres to the north east of the turbine site. The turbine will naturally be visible from this property but given the separation distance, oblique views and existing pylons and overhead power lines in the same line of view as the proposed turbine this is not considered to be a reason for refusal. In addition the occupant of California House has raised no objection to the application.</p> <p>To the south west, is another isolated dwelling, Kennel House which is also approximately 250 metres away. Similarly given the separation distance, natural tree cover partially screening the proposed turbine and existing pylons and overhead power lines in the same line of view as the proposed turbine this is not considered to be a reason for refusal.. In addition the occupant of kennel House has raised no objection to the application.</p> <p>The village of Easthorpe is located approximately 1.1 km north west of the turbine site on the north side of the A52 and again, whilst it will be visible from some of the dwellings in Easthorpe, it is considered that due to the intervening distance it would not reduce amenities to</p>

	<p>unacceptable levels.</p> <p><b>The proposal is not considered to have a direct adverse impact on the residential amenities of private dwellings in Easthorpe or other properties in the vicinity..</b></p>
<p><b>Impact on recreational amenity</b> Harm caused by impact on recreational amenity</p> <p>A cyclist comments that there are many beautiful and unspoilt bridleways and many local routes have their stunning natural views blighted by turbines</p>	<p>There is no current evidence to show that the development of wind turbines would have an adverse impact on recreational activities.</p> <p>There is also a lack of evidence as to whether wind turbines 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><b>Melton Mowbray and District Civic Society</b></p> <p>Impact on local landscape and close proximity to A52</p> <p>Government Guidance - The Council ought not to give permission for any new turbines until new government guidance is produced. New practice guidance will set out clearly that:</p> <ul style="list-style-type: none"> <li>• The need for renewable energy should not override environmental protections and concerns of local communities;</li> <li>• Decisions should take into account of the cumulative impact of wind turbines and reflect the impact on the landscape and local amenity</li> <li>• Local topography should be a factor in assessing whether wind turbines have a damaging impact on the landscape</li> <li>• Great care should be taken to ensure that heritage assets are conserved in a manner appropriate to their significance including the impact of proposals on views important to their setting.</li> </ul>	<p>These issues have been addressed above (Highway Issues)</p> <p>The Council is obliged to reach decisions on applications within a statutory period and must continue to do so in the absence of expected guidance.</p> <p>Each of those elements has been thoroughly considered in the decision making process of this application (see commentary above)</p>
<p><b>Belvoir Locals Oppose Turbines - OBJECT</b></p> <p><b>Heritage Assets of highest grade; The Historic landscape and The relationship between heritage assets</b></p> <ul style="list-style-type: none"> <li>• Harm caused to heritage assets, the historic landscape and the relationship between heritage assets, including Belvoir Castle, Staunton Hall and several Vale Churches;</li> <li>• The Vale is rich in heritage assets which should not be tarnished by modern turbines. References to Thackstons Well wind farm appeal and Palmers Hollow wind farm appeal to support this</li> <li>• Belvoir castle has not had its setting compromised by modern development and must be protected</li> </ul>	<p>Please see commentary on various issues above – additional observations made below.</p> <p>The issue of harm to heritage assets such as Belvoir Castle and the Vale Churches and the associated historic landscape has been dealt with above. Staunton Hall is some 6 kilometres to the north. The view between it and Belvoir Castle is interrupted by electricity pylon lines and Normanton Business Park. As such its setting is considered to be unaffected by the single turbine</p> <p>It is acknowledged that there are many heritage assets in the Vale. However there are already modern interventions within the landscape such as widespread electricity pylons and overhead lines and power station cooling towers and chimneys. These appeals related to windfarm proposals that comprise multiple turbines that are far taller, the effects of which cannot be reasonably compared to this application for a single, relatively modest wind turbine</p> <p>See comment above</p>

<p>from such;</p> <ul style="list-style-type: none"> <li>• The heritage assessment provided by the applicant is limited and of poor quality:</li> <li>• Sensitivity levels,</li> <li>• 2 Km Baseline inadequate and broken by inclusion of Belvoir Castle</li> <li>• No reference to Palmers Hollow wind farm or Thackstons Well wind farm appeal decisions in heritage assessment</li> <li>• Take exception to Belvoir Castle photo viewpoint</li> <li>• Harm to the view between Belvoir Castle and St Mary's Church, Bottesford</li> </ul> <p><b>Residential amenity</b></p> <ul style="list-style-type: none"> <li>• Risk of noise impacts on California House and Kennel House ;</li> <li>• Kennel House is noise sensitive from both human and animal standpoints. There is anecdotal evidence of turbines affecting animals</li> <li>• California House specifically is downwind</li> <li>• Assessment of noise issues by applicant considered insufficient to cover lower frequency ranges. The whole character of wind turbine noise needs to be considered</li> <li>• Shadow flicker issues, California House particularly susceptible to the effects.</li> </ul> <p><b>Recreation assets. and Tourism</b></p> <ul style="list-style-type: none"> <li>• Proposed turbine is located in a position where it will be clearly seen from Jubilee Way, Belvoir Castle, Beacon Hill, together with users of public rights of way and the Grantham Canal.;</li> <li>• The rotation of blades draws the eye and detracts from the quality of the countryside;</li> </ul>	<p>English Heritage guidance 'Wind Energy and the Historic Environment' states that all listed buildings, no matter what their grade are of national importance</p> <p>Belvoir Castle is beyond the baseline but was included as a sensitive location at MBC request to ensure a robust assessment was made</p> <p>This issue has been addressed – see comment above</p> <p>The photomontages submitted are only one method of assessing visual impact. A Planning Inspector when considering five turbines (APP/R1038/A/09/2107667 and APP/P1045/A/09/210837) acknowledged that photomontages and ZTV' are useful tools but stated that they cannot replace the human eye and personal judgement. Impact upon the landscape is a subjective matter and one that the officer considers to be acceptable in this instance taking into account the Borough's Landscape Character Assessment and as witnessed on a site visit around the location of the turbine.</p> <p>This issue has been addressed above</p> <p><b>It is considered that the proposal will not have a detrimental impact on heritage assets in the locality due to its location and size. The electricity produced will contribute to the national renewable energy targets</b></p> <p>Neither owner/occupier has objected.</p> <p>Turbine applications are required to be supported with noise assessment and this has been provided. The Councils Environmental Health Officer has been consulted on noise issues and recommended that a condition be attached to any permission (see above)</p> <p>Shadow flicker occurs when the sun travels behind the turbine blades and causes moving shadows to be cast over large areas. This may create a strobe or pulsing effect. It is possible that this may be an issue for California House but there is no evidence that this adversely affects health sufficient to justify the refusal of planning permission. The owner occupier has not made any representation on this issue.</p> <p>These issues have been dealt with above (Impact on recreational amenity)</p>
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<ul style="list-style-type: none"> <li>Introducing an industrial wind turbine will contrast against the landscape and have a harmful impact on tourists and residents.</li> </ul> <p><b>Visual Impact on Landscape</b></p> <ul style="list-style-type: none"> <li>Vale of Belvoir provides beautiful views supported by 2 appeal decisions;</li> <li>Do not consider a 46 metre (to tip) turbine to be a ‘small scale domestic turbine’;</li> <li>The application is supported by photomontages that are not considered best practice, are not taken from the best viewpoints etc – and other issues regarding the photomontages;</li> <li>The colour of the turbine is of material importance – including various issues around the colour</li> </ul> <p>Failure of applicant to submit plans describing the entirety of the proposed development and failure of the applicant to pay the correct planning fee.</p>	<p>This issue has been addressed in several paragraphs above</p> <p>Noted. This issue has been dealt with above</p> <p>The colour issue can be dealt with under a condition attached to any planning permission Having discussed the matter further with the agent representing the applicant it was discovered that the existing tracks that are proposed to be utilised without modification are in fact within the ownership of the applicant limiting the fee to up to 0.1 ha. As such the correct fee has been paid.</p>
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**Other material considerations (not raised through consultation or representation)**

Consideration	Assessment of Head of Regulatory Services
<p><b>Planning Policy Considerations:</b></p> <ul style="list-style-type: none"> <li>The application is contrary to OS2 of the Melton Local Plan.</li> <li>There is a balance which needs to be met between the sympathetic siting of renewable energy projects and the extent of the environmental, social and economic impacts. However, the negative impacts on the local community and the environment completely outweigh any benefits which may be achieved from the proposed development.</li> </ul>	<p>In common with all planning applications, the Authority are bound in law to determine the application under s38(6) of the Act, i.e. in accordance with the development plan unless material considerations indicate otherwise. The Development Plan comprises the Melton Local plan</p> <p>The application is considered to be contrary to Local Plan Policy OS2. However, the application needs to be considered in terms of the Development Plan as a whole and the NPPF (see above in respect of the relationship between policy documents). The issue of compliance with Policy OS2 is required to be balanced against the need for Local Planning Authorities to support the delivery of renewable energy.</p>

**Conclusion**

The proposal is considered to be supported in terms of principle by national policy in the NPPF as contributing to the wider aims of encouraging renewable energy and decarbonising the economy. It is also considered that the proposal will not adversely affect the character and appearance of the area to an extent that it is regarded as unacceptable within national guidance. In terms of the landscape, guidance in the NPPF puts the emphasis on protecting international and nationally designated sites such as National Parks. It is considered that whilst there is the need for a balance between the interests of renewable forms of energy and landscape issues, in this instance the impact would be limited in extent on the landscape, although the landscape is unspoilt it is not one that attracts protection through its designation, in the manner explained in the NPPF. Accordingly, the balance of these issues is considered to favour the installation of a single wind turbine..

The site is considered to have adequate access arrangements and to pose no risk to highways users. Having considered all the issues, in this instance, the proposal is considered on balance to be acceptable and is therefore recommended for approval.



**RECOMMENDATION:- Permit, subject to the following conditions;**

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The works hereby permitted shall be undertaken strictly in accordance with Drawings:
  - 001, Revised on 28 October 2013;
  - 002, dated 22 August 2013;E-3120 Elevation, Revision A, received on 12 September 2013
3. The external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details
4. Before development commences details of construction vehicles, their tracking at the site access, and any necessary works to provide access, shall be submitted to the planning authority for approval. Any such works shall be implemented prior to commencement of construction of the wind turbine.
5. Before development commences the access drive and any turning space shall be surfaced with tarmacadam, concrete or similar hard bound material, or temporary surfacing for a distance of at least 10 metres behind the highway boundary and shall be so maintained at all times.
6. The Applicant must inform the Defence Geographic Centre [icgdgc-aero@mod.uk](mailto:icgdgc-aero@mod.uk) of the location, height and lighting status of the turbine, the estimated and actual dates of construction and the maximum height of any construction equipment to be used, prior to the start of construction,
7. The Applicant must inform the Ministry of Defence of the following:
  - the date construction starts and ends;
  - the maximum height of construction equipment;
  - the latitude and longitude of the turbine.
8. By the end of 25 years from the first generation of electricity from the development to the grid all surface elements of the development shall have been removed from the site and the land reinstated in accordance with a scheme which shall be approved in writing by and submitted to the Planning Authority for approval not later than 12 months prior to the expiry of the said period of 25 years.
9. If the wind turbine fails to produce electricity to the grid for a continuous period of 12 months, the wind turbine and its associated ancillary equipment shall be removed from the site within a period of 6 months from the end of that 12 month period unless otherwise be agreed in writing by the Local Planning Authority.
10. In the event that the wind turbine and its associated ancillary equipment are removed in accordance with condition 6 the land shall be reinstated in accordance with a scheme to be submitted and implemented as approved by the Local Planning Authority.
11. Any incidental records of bat or bird strike must be forwarded to the Local Planning Authority
12. At wind speeds not exceeding 10 metres per second, as measured or calculated at a height of 10 metres above ground level the wind turbine noise level at the boundary of the nearest non-associated residential dwelling shall not exceed:
  - during night hours (23:00-07:00), 43 dB LA90,10min, or the night hours LA90,10min background noise level plus 5 dB(A), whichever is the greater;
  - during quiet waking hours (18:00-23:00 every day, 13:00-18:00 on Saturday, 07:00-18:00 on Sunday), 35 dB LA90,10min or the quiet waking hours LA90,10min background noise level plus 5 dB(A), whichever is the greater; and,
  - at all times 45 dB, LA90,10min or the (day/night as appropriate) hours LA90, 10min background noise level plus 5 dB(A), whichever is the higher in respect of any house where the occupier is a stakeholder in the development,

Providing that this condition shall only apply to dwellings lawfully existing at the date of this planning permission.

13. At the request of the Local Planning Authority and following a valid complaint to the Local Planning Authority relating to noise emissions from the wind turbine, the wind turbine operator shall measure or calculate, at his own expense, the level of noise emissions from the wind turbine. The measurement and calculation of noise levels shall be undertaken in accordance with "The Assessment and Rating of Noise from Wind Farms", September 1996, ETSU report number ETSU-R-97 having regard to paragraphs 1-3 and 5-11 inclusive, of The Schedule, pages 95 to 97. The assessment approach shall be approved by the Local Planning Authority prior to undertaking the detailed assessment.
14. Should the wind turbine noise level specified in Condition 12 be exceeded, whether or not identified as a result of the procedure set out at condition 13 above, the wind turbine operator shall take immediate steps to ensure that noise emissions from the wind turbine are reduced to or below such levels or less, and obtain written confirmation of that reduction from the Planning Authority is satisfactory.
15. Prior to the commencement of the works hereby permitted details of the colour of the proposed turbine shall first be agreed in writing with the Local Planning Authority
16. No tonal element to the noise generated by the turbine involved in this development is to be audible at the boundary of the nearest non-associated residential property.

The reasons for the conditions are:-

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt
3. To ensure a satisfactory standard of external appearance.
4. To ensure construction vehicles do not cause damage to the highway and are able to access the site
5. To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.)
6. To allow for the appropriate inclusion on Aviation Charts, for safety purposes
7. This information is vital as it will be plotted on flying charts to make sure that military aircraft avoid this area.
8. To ensure that, on decommissioning, the site is reinstated in order to protect the environment
9. To ensure that a redundant turbine is removed from site in order to protect the visual qualities of the environment
10. To ensure that, subsequent to the removal of a redundant turbine, the land is reinstated in order to protect the natural and visual qualities of the environment.
11. In the interests of protected species and habitats.
12. In order to control the noise in the interest of residential amenity.
13. In order to control noise in the interest of residential amenity.
14. In order to control noise in the interest of residential amenity.
15. In order to control the noise in the interest of residential amenity.
16. For the avoidance of doubt.

**Officer to contact : Mr R Spooner**

**Date: 11<sup>th</sup> December 2013**