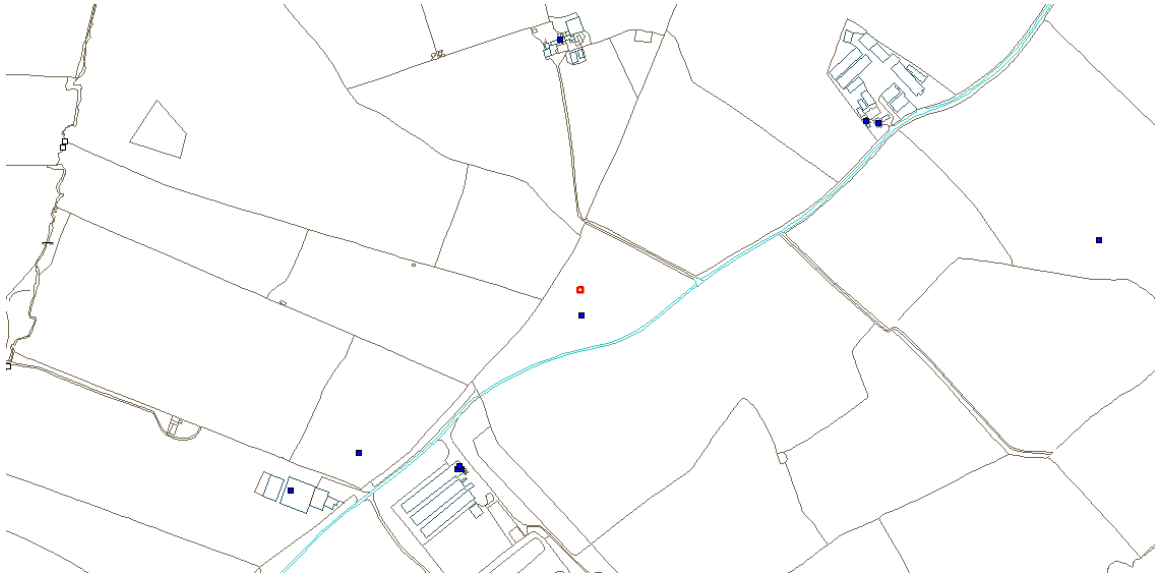


Reference: 11/00913/FUL
Date submitted: 25.11.2011
Applicant: Mr Mark Gale
Location: Baytree Farm, Stygate Lane, Pickwell
Proposal: One wind turbine and associated control kiosk



Proposal:-

This application seeks approval for the erection of one 50kw Endurance E-3120 which will measure 26.4m to the hub and 34.2m to the tip.

The turbine will be located on land to the North East of Baytree Farm. The turbine will produce electricity from a renewable source which will be used by the agricultural operation at Baytree Farm.

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

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

The application is to be heard by the Development Committee due to the level of representations received.

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; if 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 Melton Local Development Framework Core Strategy (Publication) Development Plan document February 2012

Supportive of renewable energy development, accepting that it has a place in locations which support the resource but that it needs to be balanced against impacts in landscape and amenity terms.

East Midlands Regional Plan

Much of the region could be suitable for the location of wind turbines subject to a number of criteria, including visual impact and the cumulative effect of a number of turbines and their actual size.

Policy 1: Regional Core Objectives - seeks a reduction in CO2 emissions by, in part, maximising renewable energy generation.

Policy 40 – Regional Priorities for low carbon energy generation - promotes renewable energy and states that in establishing criteria for on-shore wind energy, Local Planning Authorities should give particular consideration to:-

- Landscape and visual impact;
- Effect on the natural and cultural environment;
- Effect on the built environment;
- No. and size of turbines proposed;
- Cumulative impact of wind generation projects, including ‘intervisibility’;
- The contribution of wind generation projects to the regional renewables target;
- The contribution of wind energy projects to national and international environmental objectives on climate change

The East Midlands Regional Plan (2009) requires that on-shore wind installations should increase capacity from 54MW to 175 MW) by 2020, with an interim target for 2010 of 122MW.

The National Planning Policy Framework was published 27th March 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 (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:

Paragraph 93 states that 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 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)

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Environmental Health Officer – Objection</p> <p>The proposed turbine involved in this application, an Endurance E3120, is the same model which has given rise to justified complaints of noise at another location in the borough. The affected property being some 450m from the turbine. Accordingly the initial response of the Environmental Health Officer is to recommend refusal of the application.</p> <p>The Officer is however aware that another application involving the same model turbine has been approved since the problems associated with the development referred to above became apparent and to date, no complaints have been associated with it.</p> <p>In the case that this application is recommended for approval, Environmental Health have suggested that conditions should be placed on the approval relating to noise levels not exceeding 30dBA(5min) when measured at the boundary of the nearest non-associated residential property, however the Officer is aware that the adherence to the ETSU guidelines should be the basis of planning conditions which relates to noise levels not exceeding 35dBA(5min), and that no tonal element to the noise generated by the turbine is to be audible at the boundary of the nearest non-associated residential dwelling.</p>	<p>The turbine is to be located within a parcel of land associated with the farm and farm dwelling which is approximately 410m to the South West of the site. The nearest residential dwellings, not associated with the farm, are Bocker Farm approximately 300m to the North, Marylands Farmhouse 416m to the North and Pickwell Grange, 1km to the North.</p> <p>The noise assessment submitted with the application has established the predicted noise levels from the turbine at the nearest noise sensitive receptor due to the operation of the proposed turbine and has assessed the impact from those noise levels against the requirements of ETSU-R-97. The report highlights two noise sensitive receptors without financial interest at approximately 310m and 416m from the proposed location of the turbine.</p> <p>ETSU recommends that for locations with low noise levels that noise levels should be limited to the range 35dBA to 40dBA during the day time and 43dBA during the night time. For properties with a financial interest a target of 45dBA can be used. Wind turbine noise (expressed as $L_{A90,10min}$) should not be greater than 5 dB above the prevalent background level ($L_{A90,10min}$) at that wind speed, except where the background level is very low.</p> <p>The noise level predictions of the report have been undertaken in accordance with noise prediction framework set out in ISO9613-2. The manufacturer’s noise data indicates that the turbine is predicted to produce a sound power level of 94.8dB L_w at a wind speed of 10m/s. Using this data it is concluded that the calculated noise levels at both noise sensitive receptors are below the day and night time noise criteria as recommended by ETSU.</p> <p>It is therefore considered that the initial objections from the Environmental Health Officer could be overcome by conditions to prevent noise nuisance issues arising and that the noise levels will not exceed the ETSU target levels.</p> <p>The NPPF includes footnote 17 which states that in determining applications for wind development</p>

	<p>Local Planning Authorities should follow the approach set out in the National Policy Statement for Renewable Energy Infrastructure. This guidance states in very clear terms that ETSU R 97 “should be used” and states also that the Government is satisfied it is “a sound basis for planning decisions”.</p> <p>It is considered that given the NPPF endorses the use of ETSU-R-97, and the clarity of the position with the National Policy Statement, that this methodology is appropriate.</p>
<p>LCC Highways - No observations</p>	<p>The proposed turbine would be delivered to the site by three 40ft articulated lorries, one carrying the blades, one the hub and one for the tower. A 75ft crane would also be required which would be delivered by a further 40ft articulated lorry. There are no weight restrictions on the roads proposed to be used to deliver the turbine and crane, and the route is frequented by other similar sized vehicles. No highways alterations are required to any sections of the delivery route. Temporary aluminium sheeting will be laid from Stygate Lane to the proposed location of the turbine so that delivery vehicles can gain access to the site which will minimise impact on the landscape as a new permanent track will not be required.</p> <p>It is considered that the junctions near to the site are of sufficient size to accommodate a heavy goods vehicle of this size, and the police and Highways Agency would not need to be involved.</p> <p>The turbine would be located in a field to the west of the A6006 (Melton to Oakham Road), approximately 1km from the road. Concerns have been raised in regards to driver distraction and this matter has been put forward to the Highways Authority who has expressed no concerns given the separation distance from the highway. The site location plan cites the proposed turbine around 1km from the road which would lessen the impact of the proposal and the potential for driver distraction, at no point is a driver driving directly towards the wind turbine in close range. Views of the turbine on approach towards the site will be from further afield, which should ensure that drivers are not overly distracted once the turbine comes into closer view.</p> <p>The turbine is relatively small scale having an overall height of 34.2 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</p>

	justification to warrant a refusal based on highway safety.
LCC Footpaths – No comments	The proposed turbine would be sited approximately 400m from the nearest public footpath with runs to the south of the site. The footpath is approximately ten times the falling distance away from the turbine, therefore in the unlikely event that the turbine was to fall over no walkers using the footpath would be harmed.
<p>MBC Conservation Officer – Objects</p> <p>The area within which the turbine is proposed to be located is defined within the Landscape Character report for Melton Borough as High Leicestershire and further refined to High Leicestershire Hills. The report describes this type of landscape as perhaps the quintessential type within the Borough the distinct characteristics of which are:</p> <ul style="list-style-type: none"> • Rolling hills with a pronounced escarpment (Burrrough Hill) • Historic features, green lanes and parkland • Unimproved grasslands <p>Burrough Hill Fort is the most prominent landmark within the Borough and at 210 metres is the highest point. A major consideration in conservation terms therefore is the potential effect of this turbine on views to and from the Iron Age Hill Fort at Burrrough on the Hill which is a Scheduled Ancient Monument. Photomontage L as supplied by the applicants indicates that there will be little impact on those views.</p> <p>Also to be considered are the potential effects on the heritage assets within the vicinity of the site. The spire of Little Dalby Church is visible but views in the opposite direction are negligible. Photomontage G indicates that there will be distant views of the turbine but these are disrupted by the trees within the grounds and surrounding the lake.</p> <p>The closest settlement is Pickwell which has a designated conservation area and several listed buildings. That said the Officer feels that the turbine is sufficiently distant (2km+) so as not to directly impact on the heritage assets of the village.</p> <p>The Officer is however concerned at the potential impact on what is a generally unspoilt rural landscape, typified by undulating land with remote farm buildings etc. There are no pylons or overhead power lines etc although there is a mobile phone mast at Marylands Farm which is relatively close to the proposed location of the turbine.</p>	<p>The proposed turbine is located approximately 1.4km north east of Pickwell and 2.5km north east of Somerby. The site lies within the National Character Area 93 High Leicestershire which covers a wide geographical area. The key characteristics of the area are:</p> <ul style="list-style-type: none"> • broad, rolling ridges and varied often steep sided valleys • well-treed character from hedgerows, hedgerow trees, copses, spinney’s and small woodlands, often sited on ridges. • Mixed farming, but with arable mainly on the ridge tops and wide valley bottoms. • Sparse settlement of small villages with little modern development. • Ironstone and limestone churches and vernacular buildings but also abundant brick. • Frequent and prominent ridge and furrow and many deserted settlements. • Green lanes, quiet country and a remote, rural and often empty character. <p>At a County level the Character Area is also described as High Leicestershire. The applicants Visual Impact Assessment has assessed the potential visual impact of the proposed turbine from 12 separate viewpoints, selected from where the impact upon the view is likely to be the greatest. It is clear that the turbine would have a direct effect on the landscape fabric and an indirect effect on the landscape character due to its size and visibility. Due to the footprint of the turbine, the direct physical (as opposed to visual) effects on the landscape fabric would be negligible.</p> <p>The main effects would arise from the visual impact upon the landscape character area of ‘High Leicestershire’ which is a predominantly agricultural landscape. The proposed turbine is a modest scale (compared to many other proposed turbines) and the large scale agricultural buildings at the nearby farm are assimilated well into the local landscape. It is considered that beyond 500m from the turbine the changes in ground level and impact</p>

<p>The Officer feels that the turbine will introduce an alien feature into the area, and for that reason suggests refusal in this instance.</p>	<p>of hedgerows and trees would assist in mitigating its overall effect from several perspectives. Beyond 1km there would be glimpses of the turbine screened by woodland, hedges or further built development.</p> <p>The Conservation Officer does not consider that the proposal would have an impact upon the heritage assets surrounding the area, including the churches and Conservation Areas, therefore the introduction of a wind turbine at the site and the potential of the impact on the landscape needs to be considered on balance.</p> <p>Guidance within the NPPF states that the harm to the landscape would need to be significant. 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 guidance needs to be the key consideration.</p> <p>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.</p> <p>This landscape has no ‘special’ designation, and therefore cannot be afforded ‘great weight’. The policies contained within the Local Plan relating to ‘Areas of Particular Attractiveness’ were 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.</p> <p>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 reduce the carbon emissions of Baytree farm and contribute to the national renewable energy targets.</p>
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<p>East Midlands Airport – The proposed development has been examined from an aerodrome safeguarding aspect and does not conflict with safeguarding criteria. Accordingly, this department has no safeguarding objection to the proposal providing the following condition is applied to any consent granted:</p> <p>The Applicant must notify the local planning authority in consultation with East Midlands Airport within 1 month, of the turbine commencing operation.</p>	<p>Noted. A condition to this effect can be attached to any permission issued.</p>
<p>MOD – Defence Infrastructure Organisation – The MOD initially objected to the proposals, however in August 2012 the objection was removed as the MOD have ceased safeguarding the Primary Surveillance Radar at RAF Cottesmore from wind farm development proposals.</p> <p>The MOD therefore now have no objection to the proposal, subject to them being informed of the date construction of the turbine starts, the maximum height of the construction equipment and the latitude and longitude of every turbine.</p>	<p>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 this wind turbine 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 objection</p>	<p>Noted. The turbine is below the 300ft height scale so no mitigation is required</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.</p>
<p>LCC Ecology – No objection</p> <p>The ecology report (B J Collins, August/September 2011) submitted with this application is satisfactory. Bats and birds were recorded in the vicinity of the proposed turbine, but they are in agreement with the conclusions of the report that the development is unlikely to impact on any species at a population level. However, they would recommend that the turbine is sited so that no part (including blade tips) are within 50 metres of any hedgerows. This should also be considered when micro-siting the turbine.</p> <p>In addition, they would request that the following conditions be added to any permission granted:</p> <ul style="list-style-type: none"> - Prior to the decommissioning of the wind turbine, a further protected species survey must be completed. This will ensure that no protected species are harmed during the removal of the turbines - Throughout the active phase of the wind turbine, any incidental records of bat and bird strike must be 	<p>Noted.</p> <p>These conditions as stipulated on the consultation response can be attached to any permission issued for the turbine.</p> <p>It is not considered that the proposal would have a detrimental impact on protected species.</p>

<p>reported to the LPA. This will enable a broader picture of the impact of turbines on bats and birds to be gained.</p>	
<p>Somerby Parish Council – Object</p> <p>On the grounds that;</p> <p>1)The application seeks to site a disproportionately large turbine on an exposed ridge visible for miles around. Computer generated images of the proposed turbines supporting the application do not portray the impact of the turbine accurately, being taken from very “selected” locations. The turbine is not “farming technology” nor is it valid farm based diversification as required in Melton policy C2. The electricity produced is well in excess of the farm requirements and so the turbine is either to supply the proposed abattoir or to sell large amounts of electricity to the National Grid, neither of which are valid farm based diversifications.</p>	<p>Noted.</p> <p>These comments were made prior to release of the NPPF in March 2012 which replaced the collection of PPS documents.</p> <p>A wind turbine will be visible within the landscape due to its nature, and it is unlikely that it would be in keeping with other types of development within the surrounding area. The impact is a subjective matter of and the impact of the turbine on the open countryside and the villages of Somerby, Pickwell and Little Dalby must be assessed in line with the policies addressed above.</p> <p>Guidance within the NPPF states that the harm to the landscape would need to be significant. 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” (Officer’s emphasis). Therefore, when considering the impact on the surrounding landscape of the proposal this guidance is considered to be the key consideration.</p> <p>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.</p> <p>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 as discussed in relation to the Conservation Offices comments (above). The benefits arising from the energy production are considered to outweigh the harm on the landscape resulting from the proposal which is considered to be of limited severity.</p> <p>Farm diversification is defined by DEFRA as “the entrepreneurial use of farm resources for a non-</p>

<p>2) Whilst PPG24 and ETSU-R-97 suggest that a level of 5dB(A) over the background noise level of 35dB(A) with a maximum of 43dB(A) is considered reasonable for relatively quiet areas at night, the Parish Council has three concerns;</p> <p>a)The applicant has never measured the background noise level in the middle of the night anywhere in the area, our suspicion is that it might well be less.</p> <p>b)+5dB(A) in a very quiet area especially where it a regular frequency “whooshing” noise would be very intrusive over a wide area which may well include Pickwell. This is made more likely by the very prominent position of the proposed turbine on the ridge.</p> <p>c)At our meeting the applicant tried to convince us that the noise of the turbine would be completely inaudible at 280 metres – we cannot accept this statement.</p> <p>In addition Councillors would also comment:</p> <p>Is a single 37m wind turbine the most all inclusive solution to the production of green electricity on the site? Does it balance absolute engineering efficiency with due regard to the visual amenity, noise and disturbance which it will inevitably have on the immediate neighbourhood and beyond?</p> <p>Are there other solutions which would allow the same power production with less impact such as a smaller turbine or turbines supplemented with Solar PV panels? There are a range of turbines from 5</p>	<p>agriculture purpose for commercial gain”. It is considered that this proposal represents farm diversification for the purposes of the NPPF.</p> <p>The turbine is proposed to provide electricity to the farm and dwelling to reduce the carbon footprint. The surplus energy generated would be fed back into the National Grid, and will contribute to providing green energy.</p> <p>It is not considered that it would be appropriate to require a smaller turbine on site. As stated above, the NPPF encourages Local Planning Authorities to consider renewable energy proposals in a positive light. This proposal would produce additional renewable energy which would help to meet the Government’s renewable energy targets which aim to reduce the UK’s carbon emissions by some 60% by 2050.</p> <p>The NPPF also includes footnote 17 which states that in determining applications for wind development LPA’s should follow the approach set out in the National Policy Statement for Renewable Energy Infrastructure. This guidance states in very clear terms that ETSU R 97 “should be used” and states also that the Government is satisfied it is “a sound basis for planning decisions”.</p> <p>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 with the National Policy Statement, that this methodology is appropriate.</p> <p>As stated above it is not considered that the proposal would have an adverse impact through the introduction of unacceptable noise, subject to control by condition.</p> <p>The Parish Council’s constructive comments are noted but the Local Planning authority is required to determine the application as presented, i.e. based on assessment of the impacts it will create. The possibility of an alternative approach to energy generation is not considered to be material to this exercise.</p>
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<p>KW up to 50 KW virtually in 10KW increments. The applicant's supplier has stated, that there is no intermediate solution (either 5KV or 50 KV) which is incorrect.</p> <p>There is a real danger that given the extent to which the adjacent businesses both use and need power that there will inevitably be applications for further turbines and that collectively we could end up with a totally disproportionate scale of almost industrialised farming with all the issues that would bring with it.</p> <p>The application makes no provision for an access track and hard standing for service vehicles of Stygate Lane, which would be needed if the application is approved.</p> <p>Government policy guidance document PPS22 states: The landscape and visual effects of particular renewable energy developments will vary on a case by case basis according to the type of development, its location and the landscape setting of the proposed development. Some of these effects may be minimised through appropriate siting, design and landscaping schemes, depending on the size and type of development proposed. Proposed developments should be assessed using objective descriptive material and analysis wherever possible even though the final decision on the visual and landscape effects will be, to some extent, one made by professional judgement.</p>	<p>Any future proposals will be considered on their own merits.</p> <p>The applicant proposes to use a temporary aluminium access track if the ground is too soft during the construction phase.</p> <p>The PPS documents no longer apply, and were replaced by the NPPF. Landscape and visual impact of the turbine have been discussed above.</p>
<p>Rutland County Council – no comments received to date.</p>	

Representations:

A site notice was posted in line with consultation procedures, as a result 10 objections have been received from 10 separate households.

The objections are summarised below:

Representation Objection/Concerns	Assessment of Head of Regulatory Services
<p>Lack of Public Consultation</p> <ul style="list-style-type: none"> The consultation period is too short, therefore unfair to people who are on holiday 	<p>The application site sits in the open countryside with no immediate neighbours to notify. A site notice was placed at close to the site on a telegraph pole on 20th December 2011 after the planning application was validated on 25th November 2011. This approach complies with the level of consultation required by the local authority as part of the Consultation Strategy. Whilst it is acknowledged that this was close to the Christmas holidays and a period when the Council offices were closed, there have now been approximately 9 months to make representations on the application. The consultation period of 21 days to respond is set</p>

	in planning law and cannot be altered due to holidays, or the time of the year.
<p>Visual Impact on Character of the Countryside</p> <ul style="list-style-type: none"> • Turbine is not in keeping with the countryside it will have a negative impact upon the landscape and character of the area. • The turbine will be visually dominant and be seen from Leesthorpe, Pickwell, Little Dalby and Somerby. • The renewable benefits are not considered to outweigh the harm. 	<p>The NPPF places importance on conserving the natural environment but sets out that the degree of protection should be greater where it is of recognised and designated importance.</p> <p>The turbine is to be located to the north east of the receiving farm and will sit on the brow of the hill ridge. The turbine would have a height to the hub of 24.6m and an overall height of 34.2 metres and will be visible within the landscape from several vantage points. 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. Guidance in the NPPF clearly put the emphasis on protecting international and nationally designated sites such as SSSI's and AONB's.</p> <p>The overall impact of the turbine from Broucker Farm (300m) is noted to be moderate/substantial, as the trees and hedgerows would filter views of the base of the tower, but the higher parts of the tower and blades would be visible above the trees. The overall impact upon Maryland Farm would be moderate overall, there are no windows facing towards the application site, however the turbine would be visible above a hedgerow within the grounds.</p> <p>It is considered that the visual impact from Leesthorpe Road would be slight, and from Leesthorpe Hall would be negligible as vegetation provides a high level of screening. The village of Pickwell would be mostly screened from the turbine due to the level of the land and the vegetation. The visual impact upon the village is considered to be negligible. The applicant has provided within their photomontages a view from Northfield Farm at Cold Overton which is approximately 1.4km from the proposed site and it is considered that although the turbine would be visible at a distance from this site that the overall effect would be slight.</p> <p>Burrough Hill Fort is approx 4km from the site and it is considered that the proposal will not affect the setting of the Scheduled Ancient Monument.</p> <p>It is clear that the turbine would introduce a new feature to the landscape, however it is not considered that the turbine would cause harm to the landscape, with no particularly significant impacts. 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</p>

	<p>any designated landscapes and as such the impact falls short of that which the NPPF advises require the greatest protection.</p>
<p>Historic Assets</p> <ul style="list-style-type: none"> The turbine will impact upon the Conservation Area of Pickwell, the numerous listed buildings and Burrough Hill Fort 	<p>Consideration needs to be given as to whether the benefits gained would outweigh any harm and would provide energy for the farm and contribute to reducing CO² emissions (see NPPF paras 133 and 134).</p> <p>The proposal is required by the applicant's to provide electricity to the farm and dwelling to reduce the carbon footprint. The surplus will be fed into the national grid and will contribute to providing green energy. The NPPF encourages Local Planning Authorities to consider favourably renewable energy proposals given the wider benefits that they produce.</p> <p>It is considered that the turbine is located a significant distance from the heritage assets so as not to have an impact upon their setting.</p>
<p>Health Concerns:</p> <ul style="list-style-type: none"> Wind turbines should not be sited less than 1.6km away from any residential dwelling due to the noise associated with them – the turbine is too close to homes and settlements. 	<p>Whilst many representations have raised the question of noise, no evidence has been provided to show that this particular turbine would have such impacts. This issue has been considered by the Environmental Health Officer, and it is considered that issues regarding noise can be satisfactorily dealt with by means of a condition.</p> <p>There is a private members bill entitled 'Wind Turbines (Minimum distances from residential properties) Bill' which had its first reading in the House of Lords on 14th May 2012, it is still 10 stages away from becoming law, and is yet to be read in the House of Commons and granted Royal Assent. Therefore this Bill cannot be considered to be a material planning consideration in the determination of this planning application.</p> <p>There is no applicable designated policy which stipulates the distance to which a turbine should be sited to a dwelling or settlement and each application should be determined on its own merits.</p>
<p>Size of the turbine</p> <ul style="list-style-type: none"> The turbine is far in excess of the size that a small farm requires and will generate more electricity than required by the farm. Other forms of renewable energy would be more acceptable. The application is financially driven and only of benefit to the applicant. 	<p>The proposal is required by the applicants to provide electricity to the farm and dwelling to reduce the carbon footprint. The surplus will be fed into the national grid and will contribute to providing green energy.</p> <p>It is not considered that it would be appropriate to require a smaller turbine on site. As stated above, the NPPF encourages Local Planning Authorities to consider renewable energy proposals in a positive light. This proposal would produce additional renewable energy</p>

	<p>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>Efficiency of turbines</p> <ul style="list-style-type: none"> • Wind turbines are inefficient, not operating all of the time • Turbines have a relatively short life span which makes them expensive and inefficient • Wind turbines need to have back up from the National Grid provided by non-renewable power as they are not generating sufficiently electricity all of the time. 	<p>As stated above, the NPPF encourages Local Planning Authorities 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>Planning Policy Considerations</p> <p>The application is contrary to policy OS2 of the Melton Local Plan.</p> <p>The application is contrary to policy C2 of the Melton Local Plan</p>	<p>The application is considered to be contrary to OS2 of the Melton Local Plan, however the application needs to be considered against the development plan as a whole, including the East Midlands Regional Plan and the National Planning Policy Framework (see below) .</p> <p>It is considered that the proposal complies with policy C2, as the proposal relates to farm diversification, is ancillary to the main agricultural use and there is no significantly adverse impact on the character and appearance of the rural landscape or conservation of the natural environment.</p> <p>The NPPF encourages Local Planning Authorities 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>Paragraph 28 of the NPPF states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. This proposal is considered to be sustainable development, meeting the three components of sustainability (social, economic and environmental). The proposal however does not create further jobs or employment, and is not considered to be economic growth; therefore this particular paragraph of the NPPF does not fully address this application.</p>

	<p>The NPPF states that all three elements of sustainability have equal weight and should all be assessed together and not taken in isolation. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. Therefore in considering development for wind energy there is a balance that needs to be met between the sympathetic siting of renewable energy projects and the extent of the environmental, social and economic impacts. In terms of the environmental impact, the proposal will not cause any harm to protected species, indeed LCC Ecology have no objections. The environmental impact of creating renewable energy is also beneficial in the wider context of reducing CO2 emissions. With regards to the social impact of the proposal, the generation of renewable power could be seen as socially responsible. The impact of the turbine has no particular impact upon the residential amenities of the residents of Pickwell In terms of the economic sustainability, the turbine will generate power for Baytee Farm and any excess power will be sent to the National Grid.</p> <p>A judgment is required to be made as there are policy conflicts between the Melton Local Plan and the NPPF, however the NPPF states that where the development plan is absent, silent or relevant policies are out-of-date, Local Planning Authorities should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. In this instance it is considered that the NPPF carries greater significance and when assessing the application against the development plan as a whole the proposal is considered to be acceptable.</p> <p>Planning decisions are required to demonstrate and support with evidence that adverse affects will arise and it is not considered that evidence exists in this case to enable this. As such, it is not considered that it forms a ground to formally object.</p>
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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, de-carbonising the economy and promoting farm diversification. 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 ‘significantly and demonstrably’ 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.

The proposal is considered by Environmental Health to have a potentially negative impact upon some properties located approximately 300-400m from the application site with regards to the potential noise at low wind speeds. On balance it is considered that this risk could be mitigated by conditions in line with ETSU-R-97. The site is considered to have adequate access arrangements and to pose no risk to highway users. Having considered all the issues on balance, in this instance, the proposal is considered 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 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.
3. Notwithstanding the plans as submitted, all parts of the turbine, including the rotor sweep, should be over 50 metres from hedgerows and trees.
4. 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:
 - o 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;
 - o 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,
 - o 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.

5. 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.

6. Should the wind turbine noise levels specified within condition 4 be exceeded, the wind turbine operator shall take immediate steps to ensure that noise emissions from the wind farm are reduced to or below such levels or less, and obtain written confirmation of that reduction from the Planning Department
7. 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.
8. By the end of 25 years after the first generation of electricity from the site, or should the generating of electricity cease all wind turbines, ancillary equipment and buildings shall be dismantled and removed from the site and the land reinstated to its former condition in accordance with a scheme to be submitted to the local planning authority for written approval not later than 12 months before the expiry of the 25 year period. or 12 months after the generation of electricity ceases. The scheme to be submitted shall include the dismantling and removal of all turbines, equipment and buildings above existing ground levels and the removal of turbine base.
9. The Applicant must notify the local planning authority in consultation with East Midlands Airport within 1 month, of the turbine commencing operation.
10. The applicant should inform the Ministry of Defence of the date construction of the turbine starts, the maximum height of the construction equipment and the latitude and longitude of every turbine.
11. This decision relates to the approved plans numbered G55.1-001; G55.1-002; G55.1-003; G55.1004 received at these offices on 24th November 2011.

The reasons for the conditions are:-

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. To ensure a satisfactory standard of external appearance.
3. To ensure that the proposal does not have an impact upon protected species.
4. In order to control the noise in the interests of residential amenity.
5. In order to control the noise in the interests of residential amenity.
6. In order to control the noise in the interests of residential amenity.
7. In order to control the noise in the interests of residential amenity.
8. To allow the Local Planning Authority to review the installation.
9. To ensure that the turbine can be plotted onto maps and charts.
10. To ensure that the turbine can be plotted onto maps and charts.
11. For the avoidance of doubt.

Case Officer: Mrs Sarah Legge

Date: 3rd October 2012