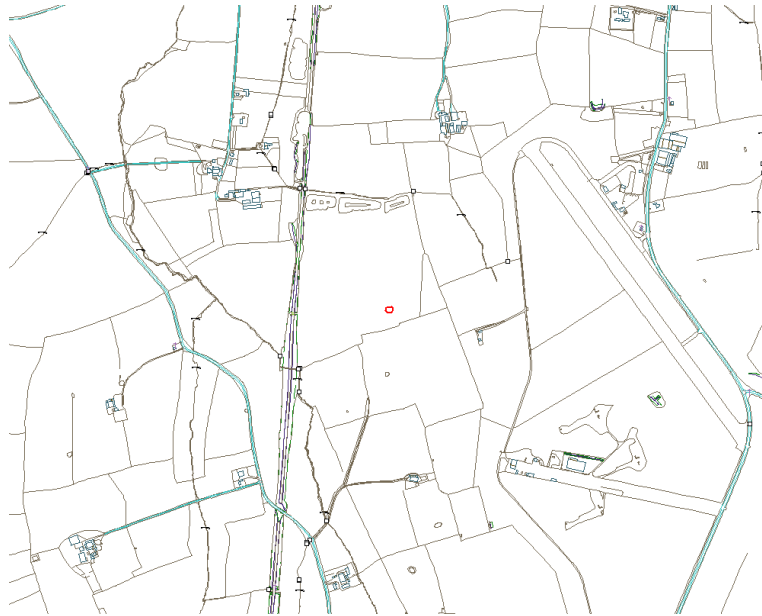


Reference: 12/00621/FUL
Date submitted: 07.09.2012
Applicant: Mr Martin Lomas
Location: Field OS 0043, The Driveway, Eye Kettleby
Proposal: Erection of 1 no. 50kw wind turbine measuring 24.8m to the hub (34.5m to tip).



Introduction:-

This application seeks planning approval for an Endurance E-3120 50 KW wind turbine with an associated transformer. The turbine is to be located within a field associated with Eye Kettleby Lakes fishing and touring site. The electricity provided will be to support the existing business, touring facilities and provide electricity to the residential dwelling on the site, any surplus energy will be fed back to the national grid. The site is an established fishing facility and operates touring facilities for caravans and motor homes with purpose built hard standing pitches and facilities. The site is wholly within the open countryside to the south of Melton. The village of Kirby Bellars is approximately 2.5 km to the north and Great Dalby approximately 1.7km to the south.

The turbine will have a hub height of 24.8 metres with a blade length of 9.6 metres giving a total height from ground to blade tip of approximately 34.5 metres. The tower will be of galvanized steel and will be painted white colour with a semi gloss finish.

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

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

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

Relevant History:-

11/00569/FUL – New fishing lake, permitted 18.10.11

10/00343/FUL – Continued use of land to a caravan and camping site, including access way, caravan pitches and associated landscaping and the erection of amenities blocks and creation of waste disposal points, granted 12/07/10

09/00593/FUL – Change of use of agricultural land for use for the placing of a marquee for weddings and other social events, construction of a car park, ornamental pond, bunding and landscaping, withdrawn 07.09.09

05/00978/COU – To create a leisure area purely for caravan clubs and caravan owners for short breaks, permitted 11.01.06

98/00405/COU – Proposed construction of 2 no. fishing lakes, permitted 17.09.98

Planning Policies:-

Adopted Melton Local Plan

Policy OS2 – planning permission will not be granted for development outside the town and village envelopes except for 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

Policy UT7 has not been ‘saved’

The Melton Local Development Framework Core Strategy (Publication) Development Plan document February 2012 is 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:

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)

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>MBC Environment Health Officer – no objection</p> <p>The application was been supported by a noise assessment conducted by Philip Dunbavin Acoustics Ltd, dated August 2012, in support of the Proposed Wind Turbine at Eye Kettleby Lakes.</p> <p>The aim of the report is to determine whether or not noise target levels described in the ETSU Report “ The Assessment and Rating of Wind Farms” are likely to be exceeded. The ETSU report is generally accepted as being the reference document to be used for this purpose and this has been confirmed at Public Inquiries.</p> <p>Having had regards to the submitted report the E3120 50kW Wind Turbine, as proposed within this application, it has been demonstrated that a turbine of this size would not require any mitigation as the separation distance from the nearest residential property; without financial interest in the proposals is considered to comply with the noise limits specified in ETSU-R-97 guidance.</p> <p>Accordingly in the case that this application is recommended for approval, subject to the suggested conditions relating to noise levels not exceeding the recommended allowances when measured at the boundary of the nearest non-associated residential property, and that no tonal element to the noise</p>	<p>Under ETSU R 97 guidance, 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>With reference to the ETSU document minimum typical daytime targets fall within the range of 35-40 dB L_{A90}. For properties with financial involvement, a target of 45 dB L_{A90} can be used.</p> <p>The night-time noise limit (expressed a $L_{A90,10min}$) is an absolute minimum target level of 43 dB $L_{A90,10min}$</p> <p>The turbine is to be located within a parcel of land associated with the farm and leisure/touring site. Due to the topography of the area being one of rolling hills the turbine will sit to the south of the touring facility and leisure lodges in the open countryside on high land. The nearest residential dwellings are to the northeast of the site; Eye Kettleby Hall, which is situated on the The Driveway is set apart by the distance of approximately 728 metres away from the proposed turbine. Woodland View (approximately 610m) whilst the caravan and camping park being the closest to the turbine at a distance of 232 meters. To the southeast sits Great Dalby Lodge which is an abandoned dwelling (approximately 316m).</p>

<p>generated by the turbine is to be audible at the boundary of the nearest non-associated residential dwelling.</p>	<p>The application was supported by a noise assessment and the Environmental Health Officer has been consulted who has raised no objections with the methodology used.</p> <p>The NPPF includes footnote 17 which states that in determining application for wind developments LPA 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 within the National Policy Statement, that this methodology is appropriate. The Environmental Health Officer recommends acceptance of the findings of the report.</p>
<p>Conservation Officer - no objection</p> <p>The English Heritage guidance document entitled Wind Energy and the Historic Environment advocates a sustainable approach to renewable energy generation which requires a balance to be drawn between the benefits it delivers and the environmental costs it incurs. Therefore whilst recognising the need to invest in renewable energy it recognises the potential implications for the historic environment.</p> <p>The guidance adds that high quality design is the key to minimising the adverse effect of projects such as the siting of wind turbines in the landscape and suggests that considerable weight should be given to ensuring the reversibility of renewable energy projects and their associated infrastructure</p> <p>Due consideration must be given to the following factors:</p> <ul style="list-style-type: none"> • Impacts of the proposed development on the historic environment (archaeological remains, historic structures and buildings, designed landscapes, designated sites/areas) • The setting of historic sites • The visual amenity of the wider landscape that may detract from its historic character, tranquillity and remoteness <p>This can be further broken down into the following elements:</p> <ul style="list-style-type: none"> • Visual dominance – 	<p>The application has been supported with Landscape Visual Impact assessments, which concludes that the landscape effects would become slight to negligible when taking into account the character of the area and the nature of the proposal. Eye Kettleby Lakes fishery and touring site is situated wholly within the open countryside where the topography is one of undulating hills. The Borough’s Landscape Character Assessment places the application site in landscape character area 11 – Pastoral Farmland. This character area is characterised by gently rolling lowland pastoral farmland landscape, which is well managed, with diverse field shapes and sizes, good hedges and scattered trees. The turbine will be situated to the south of the fishing lakes and touring pitches approximately 230 metres away. The turbine will be visible in the landscape from long distance views but as the approach roads are bound by high hedges views will be limited to glimpses.</p> <p>Cumulative impact has been taken into consideration from the 9 no. turbines at the site at Asfordby, 1 no. turbine Hall Farm and 1 no. turbine at Park Farm at Thorpe Satchville. All proposals are currently in the appeal system. Due to the separation distances from each site and the topography and character of the landscape it is considered that no unduly detrimental impact from cumulative will be had.</p> <p>The NPPF seeks to approve such proposal unless the harms outweigh the benefits to be gained through permitting renewable energy proposals. It is not considered that the presence of the turbine will</p>

<ul style="list-style-type: none"> • Scale • Inter-visibility • Vistas and sight lines <p>Archaeology</p> <p>It is my understanding that the foundation of a wind turbine would typically comprise in excess of 100 cubic metres of concrete in a block of up to 16 m diameter and 3.5 m depth. In this instance it appears that the foundations will be shallow. There is also additional infrastructure including a new control kiosk which will be positioned on the turbine foundation and a length of permanent track.. These combined have the potential to damage underlying archaeological remains although disturbance may be limited.</p> <p>Landscape Character</p> <p>Historic</p> <p>The definition of the historic landscape is:</p> <p>Landscape is the product of millions of years of geological evolution combined with thousands of years of human settlement and activity. The ways in which people in the past and the present have and continue to shape our physical environment is not just a matter of academic interest it affects us all both in the way we identify with our surroundings and with our quality of life.</p> <p>The Leicestershire Historic Landscape Characterisation, recently completed places the wind turbine site within the area Landscape Character Area known as pastoral farmlands, a classification which dominates rural Leicestershire. The countryside south of Melton Mowbray is typical of this classification where there has been little change in landform, apart from some hedgerow loss, since the eighteenth or nineteenth centuries</p> <p>The Leicester, Leicestershire and Rutland Landscape and Woodland Strategy (2001 Revised 2006) places the wind turbine in the area known as High Leicestershire. This is described as consisting of a hilly plateau dissected by radiating watercourses which have formed moderate to steep sided valleys separated by broad ridges.</p> <p>The Landscape Character Assessment of Melton Borough (2006) prepared by ADAS, also places the wind turbine in Area LC11, Pastoral Farmland. This is further described as <i>‘A typical, pleasant, rural, gently rolling lowland pastoral farmland landscape, generally well managed, with diverse field shapes and sizes, good hedges and scattered trees’</i></p>	<p>unduly impact upon the character of the landscape and the benefits to be derived from the energy generation outweigh the limited degree of harm on the landscape. The energy produced will reduce the overall CO2 of the existing business and will assist in meeting national, regional and local energy targets albeit a small contribution.</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</p> <p>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.</p> <p>In this instance the proposed location of the wind turbine is in an area classified in historic landscape terms as Pastoral Farmland. The landscape in the immediate area has undergone some changes throughout the years. With the creation of the fishing lakes and introduction of the lodges and touring park. There are some scattered buildings to the north west including Eye Kettleby Hall. Clearly there must be concerns that the introduction of a wind turbine within the local landscape will present an ‘alien’ feature in the landscape.</p> <p>Eye Kettleby Hall and other heritage assets within the village of Great Dalby are sufficient distant so as not to present any such concerns. Likewise the wind turbine is relatively small being 35.4 metres to the tip of the blade and 24.8 metres to hub, which will serve to lessen its impact. Furthermore its associated transformer (2m x 1.08m x 2.13m) will be coloured green to lessen its impact in the countryside.</p> <p>It is considered that the landscape is capable of supporting a turbine of this size and that it will not have a demonstrable or significant impact upon the local landscape.</p>
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<p>Listed Building</p> <p>There is only one listed building in the immediate vicinity of the wind turbine, namely Eye Kettleby Hall, which is approximately 720 metres to the north west of the turbine. It is an C18/early C19 house situated on Eye Kettleby Drive and sits amongst a group of other dwellings and farm buildings.</p> <p>In my opinion the turbine will be sufficiently distant so as not to adversely affect its setting.</p> <p>Settlements</p> <p>The closest settlement is Great Dalby approximately two kilometres away. The village has a designated conservation area and several listed buildings.</p> <p>It is my view that the turbine site is sufficiently distant from the village so as not to directly affect its conservation area setting, nor any listed buildings or other heritage assets.</p>	
<p>Civil Aviation Authority –</p> <p>It is a civil aviation requirement for all structures of 300 feet (91.4 metres) or more to be charted on aeronautical charts.</p> <p>However, on behalf of other non-regulatory aviation stakeholders, in the interest of Aviation Safety, the CAA requests that any feature/structure 70 feet in height, or greater, above ground level is notified to the Defence Geographic Centre at least 6 weeks prior to the start of construction, to allow for the appropriate notification to the relevant aviation communities.</p> <p>Any structure of 150 metres or more must be lit in accordance with the Air Navigation Order and should be appropriately marked.</p>	<p>Noted. The turbine is below the 300ft height scale so no mitigation is required.</p> <p>Noted, a note could be included if consent is granted.</p>
<p>NATS – No objections</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>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</p>	<p>Noted.</p>

<p>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>East Midlands Airport – No objection from a safeguarding view point.</p> <p>Requests the imposing of a condition that the applicant notifies the authority within one month of the turbine commencing operation so that the locations can be charted to assist with cumulative assessments.</p>	<p>Noted. A condition can be imposed should permission be granted.</p>
<p>Ministry of Defence – No objection. The MOD has 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>Noted. A condition can be imposed should permission be granted.</p>
<p>LCC Footpaths –No objection</p> <p>two issues of concern:</p> <p>1) The applicant has considered what would be a safe distance from a public right of way i.e. the topple distance plus 10% as set out in PPS22 but has however omitted to note that the right of way in question is a <i>bridleway</i>. The recommended minimum safe distance for a route capable of being used by horse riders is 200m. Although the proposed location is 190m from the bridleway to the north east, it is only 160m from the route as it passes south east of the location. It is suggested that the developer considers what scope there is for moving the proposed location further north and west. This would entail construction of a longer access road but satisfy the safety concerns that the current location presents.</p> <p>2) The proposed access road is concurrent with the bridleway for part of its length and can find no details within the application discussing how the potential conflict between heavy construction vehicles and the walking/riding public will be met. If planning permission is granted, suggest a condition is made on the development in relation to mitigation measures.</p>	<p>Noted. Public Bridleway D94 is the vicinity of the proposed wind turbine.</p> <p>The agent has confirmed that there is no objection to the requirement for a scheme for mitigation measures to reduce conflict between vehicular and public use of Public Bridleway D94 to be agreed before development commences.</p> <p>However, the agent has commented that it is not easy to move the location of the turbine to ensure it is 200m from the nearest bridleway. The location has been specifically chosen so that it is an acceptable distance in terms of noise from the residential properties (including the caravan park) to the north west, which limits the opportunity to move the turbine either north or west to move it further away from the bridleway. It is noted that the 200m distance from the bridleway referred to is guidance from the British Horse Society, rather than a statutory requirement. It is considered the turbine would not suddenly appear in the landscape when viewed from the bridleway but instead would be seen when approaching the site from either the north or south, therefore horses and riders would have sufficient opportunity to become used to the movement of the blades of the turbine.</p> <p>LCC Footpaths have acknowledge that the location for the turbine has to be a compromise or "best fit," given all the competing limitations and are now satisfied and do not object to the proposed location of the turbine.</p>
<p>LCC Highways Authority – No objection</p>	<p>Noted. The most significant traffic impact of the development will be during the construction and decommissioning stages.</p>

	<p>The turbine will be delivered to the site from Liverpool Docks by three 40ft articulated lorries and an addition lorry used for transporting the crane. The route the lorries will take to the site is using the A6006 Rempstone to Melton, A606 along Wilton Road out onto the A607 Melton to Leicester Road, turning right towards the application site.</p> <p>No objections have been received from the highways authority in regards to highway safety relating to the transportation of the turbine. The highway network is considered accessible by long vehicles.</p>
<p>Natural England – No objection</p> <p>Would expect the LPA to assess and consider the possible impacts resulting from this proposal on the following issues; protected species, local wildlife sites, biodiversity and local landscape.</p>	<p>Noted, the application has been assessed at a local level.</p>
<p>LCC Ecology – No objection</p> <p>The wind turbine is sited in accordance with the Natural England Guidance (TIN051 – Bats and onshore wind turbines), in that it is situated at least 59 metres from the nearest habitat feature (59 meters is calculated from ensuring that each part of the turbine is at least 50 metres from the feature, allowing for a hub height of 24.8m, a blade length of 9.7m and trees of 15m).</p> <p>Recommend that a condition is added to any permission granted stating that ‘any micrositing must be agreed with the LPA, and the base of the turbine must be at least 59 meters from any hedgerow’.</p>	<p>Noted, the turbine is located sufficient distance away from nearby hedgerows in accordance with protocols. It is not proposed to microsite the turbine.</p> <p>No objections have been received by the Ecologist or Natural England in regards to the installation of the wind turbine.</p>
<p>Arqiva - has assessed the proposal and have no adverse comments to make</p>	<p>Noted</p>
<p>Burton and Dalby Parish Council – Object</p> <ol style="list-style-type: none"> 1. Councillors consider that this is an oversized industrial development set in the guise of farm diversification, 2. It will be clearly visible from the roads on Melton Airfield, the A607, and Kirby Lane causing distraction to drivers especially on bends near to the old railway line. 	<p>The turbine is of relatively small scale having a hub height of 24.8 metres considerably smaller than the commercial turbines which have a height ranging from 80 metres to 120 metres. Farming activities still operate at the site with diversification in the form of fishing lakes and touring facilities. The turbine will provide the electricity for use at the site; powering the touring pitches and providing electricity for the farm dwelling, any surplus energy will be fed back to the national grid.</p> <p>The turbine will be some distance from the classified road A607. With regards to driver distraction/horse riders, PPS 22 companion guide advises on the issue of distraction to drivers and states: <i>“Drivers are faced with a number of varied and competing distractions during any normal journey,</i></p>

<p>3. The proposed development is within 2 km of Great Dalby.</p> <p>4. Movement and flicker will deflect on properties in Great Dalby, Eye Kettleby and Melton Mowbray.</p> <p>5. The scale of the development is considered too large turbines of this size dominating an essentially rural landscape and being visible across a large area.</p>	<p><i>including advertising hoardings, which are deliberately designed to attract attention. At all times drivers are required to take reasonable care to ensure their own and others' safety. Wind turbines should therefore not be treated any differently from other distractions a driver must face and should not be considered particularly hazardous. There are now a large number of wind farms adjoining or close to road networks and there has been no history of accidents at any of them”.</i></p> <p>In light of the above matters it is not considered that the proposal would cause any significant distraction to drivers/horse riders that could justify refusal on these grounds.</p> <p>There is no set distance embedded in policy. The distance from Great Dalby is acceptable in terms of noise impact. It is not considered that the turbine will have an over bearing presence on the nearby neighbours given its design, separation distance, local screening and the topography of the land.</p> <p>Matters relating to possible shadow flicker have been assessed and for a turbine of this size having a rotor diameter of 19.2m could potentially produce shadow flicker up to 192 m away to the north. The Companion Guide to PPS22 states that “under certain combinations of geographical position and time of day, the sun may pass behind the rotors of a wind turbine and cast a show over neighbouring properties. When the blades rotate the shadow flicks on and off creating shadow flicker”. The companion guide suggests that this only occurs inside buildings where the flicker appears through a narrow window opening, and that the seasonal duration of this effect can be calculated from the geometry of the machine and the latitude of the site. As such, “only properties within 130 degrees either side of north, relative to the turbines can be affected at these latitudes in the UK – turbines do not cause long shadows on their southern side” The nearest property is the east; Old Dalby Lodge (derelict) which is set apart by a distance of 316 meters away. It is considered that shadow flicker will not be an issue at this site.</p> <p>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. Guidance in the NPPF states that this would need to be significant.</p> <p>The NPPF is clear in its guidance that Local Planning Authorities should approve planning permission</p>
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	<p>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.</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 and no cumulative impact will arise from the neighbouring application at Hall Farm. The benefits arising from the energy production is considered to outweigh the limited degree of harm on the landscape resulting from the proposal which is reversible.</p>
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Representations:

A site notice was posted and nearby neighbours were consulted by letter as a result one letter offering comments has been received to date from interested parties. The issues raised through representation are addressed below.

Representation	Assessment of Head of Regulatory Services
<p>Not clear where it proposed to site the turbine and what effect this will have on their dwelling. If the turbine would block their view this would have a detrimental effect on the dwelling and if this were the case they would strongly object.</p> <p>After reassurance as to where the actual site is.</p>	<p>Noted, the location of the turbine has been explained and no further comments have been received.</p> <p>The application has been assessed in relation to neighbouring properties;</p> <p>There is a small cluster of residential dwellings to the northwest of the application site with the nearest residential dwelling without financial interest falling within approximately. 610m; Woodland View and Eye Kettleby Hall which is a listed building lies approximately 728m to the northwest. The users of the touring facility will be within a distance of 232 metres from the turbine to the north with Great Dalby Lodge (derelict dwelling) lying to the southeast approximately 316 metres. The submitted noise assessment states that none of the residents will be unduly affected by noise resulting from the turbine at wind speeds of 10m/s and the ETSU-R-97</p>

	<p>guidance is met of predicted noise levels falling below the guidance of 35 dB L_{A90}. MBC Environment Health Officer has been consulted and have not objected to the submitted noise assessments and has requested conditions to safeguard the residential amenities of the nearby neighbours.</p> <p>It is not considered that the turbine will have an over bearing presence on the nearby neighbours given its slender design, separation distance, local screening and the topography of the land.</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 and de carbonising 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.

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 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. The Applicant must notify the Local Planning Authority in consultation with the MOD and East Midlands Airport of the date construction starts and ends, the maximum height of construction equipment; the latitude and longitude of the turbine.
4. 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.
5. 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.
6. 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.

7. 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 methodology shall be approved by the Local Planning Authority prior to undertaking the detailed assessment.
8. Should the wind turbine noise level specified in Condition 6 be exceeded, whether or not identified as a result of the procedure set out at condition 7 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.
9. 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.
10. Any damage caused to the highway as a result of the construction traffic shall be permanently repaired in accordance with Highway Authority standards within one month of the damage occurring.

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. So that a record can be kept of all operational turbines to aid in the assessment of cumulative impact in the interests of air safety. The cumulative impact of wind turbine generation developments, which are in relatively close proximity, could compromise the safe control of aircraft in this area.
4. To ensure that, on decommissioning, the site is reinstated in order to protect the character of the area.
5. To ensure that a redundant turbine is removed from site in order to protect the visual qualities of the environment.
6. In order to control noise in the interest of residential amenity.
7. In order to control noise in the interest of residential amenity.
8. In order to control noise in the interest of residential amenity.

9. In order to control the noise in the interest of residential amenity.
10. In the interests of highway safety

Officer to contact: **Mrs Denise Knipe**

19th December 2013