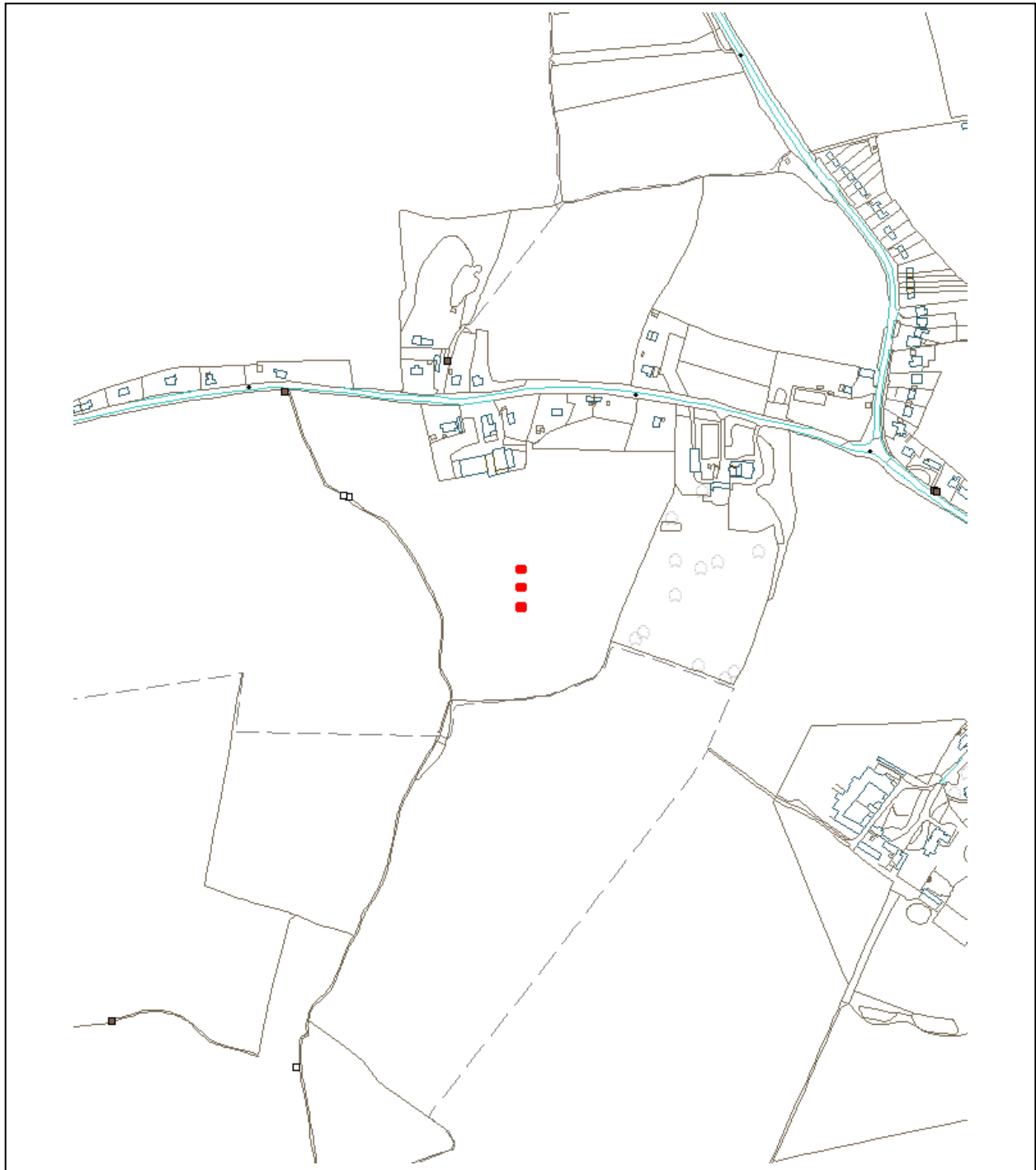


**PLANNING COMMITTEE**

**27 MARCH 2013**

**REPORT OF THE HEAD OF PLANNING**

**A.4 PLANNING APPLICATION - 12/01406/FUL - BROOKLYNNE FARM, CHAPEL ROAD, BEAUMONT, CLACTON ON SEA, CO16 0AR**



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**Application:** 12/01406/FUL

**Town / Parish:** Beaumont

**Applicant:** Mrs Carr

**Address:** Brooklyne Farm, Chapel Road, Beaumont CO16 0AR

**Development** Installation of three micro scale wind turbines (14.9m to hub, 5.6m diameter blades).

## 1. **Executive Summary**

- 1.1 The proposal is for a small scale renewable energy scheme comprising 3 No. wind turbines 14.97m to hub height, with 3 No.x 5.6m diameter blades. The proposal will not be harmful to local or residential amenity and will not be harmful to landscape character or have harmful visual effects. It will not be harmful to the setting of any listed buildings or be likely to cause any material harm to biodiversity, including protected species. It accords with national and local planning policies for sustainable development, including renewable energy and will help to support local business.

### **Recommendation: Approve**

#### **Conditions:**

1. Time limit for commencement – three years
2. Development in accordance with submitted plans
3. Turbines to be removed if not working for six months

#### **Reason for approval:**

In approving this application the Local Planning Authority has taken account of the development plan policies and/or proposals listed above and it considers that the proposed development is in accord with those policies and does not harm public amenity. This renewable energy scheme will enable power to be generated on a local scale, which will help to support the viability of the farm enterprise and help to reduce carbon emissions.

## 2. **Planning Policy**

### **National Policy:**

*National Planning Policy Framework*

### **Local Plan Policy:**

*Adopted Tendring District Local Plan (2007)*

QL7 – Rural regeneration

QL9 – Design of New Development

QL11 – Environmental Impacts and Compatibility of Uses

COM22 – Noise Pollution

EN1 – Landscape Character

EN6 – Biodiversity

EN6a – Protected Species

EN13a – Renewable Energy

EN23 – Development within the Proximity of a Listed Building

*Tendring District Local Plan Proposed Submission Draft (2012)*

PRO15 – The Rural Economy

SD9 – Design of New Development

PLA4 – Nature Conservation and Geo-Diversity

PLA5 – The Countryside Landscape

PLA6 – The Historic Environment

PLA8 – Listed Buildings

PLA10 – Renewable Energy Installations

### 3. **Relevant Planning History**

None

### 4. **Consultations**

Public Experience (Pollution and Environmental Control) – No comments to make.

ECC Highways – No objection.

Natural England – No likely significant effects. Appropriate Assessment not required. General recommendations regarding protected species; in particular, bats.

RSPB – No comments received.

Essex Wildlife Trust – No comments received.

MoD – No objection

Civil Aviation Authority – Standard advice.

National Grid Gas Networks – No potential problems foreseen.

Arquiva (BBC/ITV transmission network) – No objection.

### 5. **Representations**

5.1 Eight specific objections have been received raising the following planning issues:

- Effect on open aspect from residential properties - unobstructed views.
- Noise impact on residential properties to east.
- Will turbines remain if no longer in use?
- Harm to setting of Beaumont House (Grade II\*).

- Turbines will cast shadows over grounds of Beaumont House
- Shadow flicker from blades
- Clearly visible from surrounding footpaths and bridleway
- Severe damage to rural views across valley.
- Proliferation of similar turbine applications in locality.
- No specific impact assessment on Fisher's Estuarine Moth
- Great Crested Newt breeding colony within 130m of site.
- No local community consultation pre-application.
- Siting is most convenient and cheapest (not best for affected neighbours).
- View from Swan Road is an extremely rare example of a completely unspoiled Essex landscape (no pylons, no telegraph poles, no aerials, no masts).

These issues will be considered below in Section 6.

5.2 One general objection has been received:

- Appears that large companies override local residents.
- Must be other sources of renewable energy available.

5.3 Your Officers advise that:

- Each application must be considered on its merits
- Whether alternative sources of renewable energy may be available is not a material planning consideration.

5.4 One representation in support has been received:

- Turbines are well away from residential area and will help the farm and the UK's legal commitment to renewable energy supply.

## 6. **Assessment**

6.1 The main planning considerations are:

- Landscape character;
- Visual effects;
- Settings of Listed Buildings;
- Protected species; and,
- Residential amenity.

6.2 The proposal is for three wind turbines 14.97m to hub height, with 3No.x 5.6m diameter blades. The wind turbines would be sited in an open field about 150m south of Willow Cottage, a Grade II listed building. About 200m away to the north east is Beaumont Rectory, which is listed Grade II\* and associated buildings, listed Grade II. About 400m to the south east, Beaumont Hall is also listed Grade II\* and associated buildings are listed Grade II. Public footpaths run about 80m to the west of the proposed wind turbines, in a north-south direction and 100m south, in an east-west direction. A permissive bridleway runs about 240m to the south east at its closest point.

6.3 The central issue is whether there would be any material adverse impact on the local environment to outweigh the general presumption in favour of sustainable development, including renewable energy schemes.

### **Landscape character**

6.4 The application land is not subject to any special landscape designation and is not of special landscape importance. In respect of local character, the adopted Tendring District Landscape Character Assessment describes the land as being within the Tendring and Wix

Clay Plateau. The study states that “The landscape is visually sensitive as a result of its open and rural character and long views – here the inappropriate siting or location of any development such as a farm building or tall structures has the potential to have a high visual impact. However, the woodlands and gently undulating topography provide some opportunities to integrate development.” Although the merits of the proposal are to some extent finely balanced as the landscape setting does not include similar features such as telegraph poles or pylons, your Officers do not consider that the landscape character of the site and its surroundings is so visually sensitive as to warrant the refusal of planning permission.

### **Visual effects**

- 6.5 The Landscape Character Assessment Guidance for Built Development includes specific advice in relation to the potential for development to be highly visible at plateau edges, which are particularly sensitive. The application land is not at the plateau edge, however. The visual effects of the proposal will be mitigated by the gently undulating topography and the site is constrained visually by a wooded area to the east and to some extent by surrounding field hedgerows and hedgerow trees.
- 6.6 Your Officers consider that there will be a degree of visual intrusion into the local landscape due to the number of turbines proposed and the relatively open character of the site and its surroundings to the south and west. However, they do not consider that any visual harm which might result would be so great as to warrant the refusal of planning permission.
- 6.7 Views from adjacent public vantage points will be generally constrained by the local topography and natural landscape features. More open views will be either:
- short distance, where the turbines will be seen mainly in context with the farm buildings;
  - medium distance, where the turbines will be seen in context with nearby trees; or
  - longer distance, where the turbines will recede visually into the landscape.
- 6.8 Although the merits of the proposal are to some extent finely balanced, in reaching this conclusion they have had particular regard to the general presumption in favour of sustainable development embodied in the National Planning Policy Framework and to the absence of any identified overriding visual harm.

### **Settings of Listed Buildings**

- 6.9 The application accompanying Design and Access Statement considers the Grade II\* listed buildings nearby and those Grade II listed buildings which are within 500m of the application land. The report concludes that “the small scale of the development will be unlikely to cause an unacceptable adverse effect on [those] Listed Buildings, due to the distance and the intervening features between the proposed site and the listing locations.”
- 6.10 Your Officers consider that the settings of the listed buildings would not be affected by the proposed siting of the wind turbines due to their small scale, the distances involved and intervening buildings and landscape features, including trees.

### **Protected species**

- 6.11 Beaumont Parish Council has expressed concerns over possible impact upon wildlife, including Fisher’s Estuarine Moth. An Ecological report submitted by the Agents for the application considers that “the realistic likelihood of this turbine impacting on this species is negligible”. Natural England has been consulted and does not consider that there would be any likely or significant risk from the proposal and has no specific comment to make on that basis. There is no evidence to suggest that the proposal would have any harmful effect upon any protected or other species.
- 6.12 The RSPB and Essex Wildlife Trust have also been consulted but have not commented.

### **Residential amenity**

- 6.13 The nearest unrelated dwellings are about 150m away to the north. Having regard to the size and siting of the proposed turbines and their distance from the nearest dwellings, there would be no material loss of residential amenity. The fact that the proposed turbines may be visible from a residential property, or properties, would not be a sustainable reason to refuse planning permission.
- 6.14 There would be no loss of residential amenity due to noise.

### **Other issues**

- 6.15 If any wind turbine fails to produce electricity for a period of six months, a planning condition will require its removal.
- 6.16 Having regard to the siting and small scale of the proposed wind turbines, your Officers do not consider that there would be any material harm to Beaumont House, or any other residential property, due to shadows or shadow flicker.
- 6.17 Your Officers note the additional objections of Beaumont Parish Council but advise that each application must be considered on its merits. In terms of local planning policies, the central policy in this case is Policy EN13a, which is permissive in its approach to renewable energy schemes; rather than seeking to resist such proposals. The development plan must be read as a whole and all other material considerations taken into account, including national planning policy. National policy seeks to encourage sustainable development, including renewable energy schemes. Although this does not mean that all such proposals will be acceptable, in the absence of any clear and overriding reasons to refuse planning permission, the expectation is that planning permission will be granted. A similar wind turbine already exists to the south of Oak Corner. Your Officers do not consider that there would be any adverse cumulative effects if all of the proposed micro wind turbines which appear on this agenda were erected; having regard to their small scale, numbers and locations.

### **Background Papers**

None