

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ML	12/06/2018
Planning Development Manager authorisation:	AN	14/6/18
Admin checks / despatch completed	AN	15/6/18

ML

Application: 18/00639/FUL **Town / Parish:** Great Bentley Parish Council

Applicant: Dr Kara Davies

Address: Hill House Farm Thorrington Road Great Bentley

Development: To change the head unit (hub and blades) of existing three 5kW HY5 wind turbines at Hill House Farm with equivalent Britwind R9000 5kW wind turbine components.

1. Town / Parish Council

Great Bentley Parish Council wishes to make no comment and no objection to this application

2. Consultation Responses

Environmental Protection The replacement head units appear to be compatible with the noise assessment submitted with the original application therefore EP have no comments to make on this application to change the head units.

3. Planning History

00/00246/AGRIC	Lean-to extension to existing building	Determination	13.03.2000
91/00572/LBC	Retention of replacement attic window in west elevation gable.	Approved	23.07.1991
92/01161/LBC	Alterations - west side door replaced; west side rear door replaced with window; replace window in east side with French doors	Approved	07.12.1992
97/00682/LBC	Brick boundary wall	Approved	02.09.1998
06/00430/OUT	Erection of permanent agricultural dwelling for farm worker.	Approved	10.05.2006
07/01710/DETAIL	Agricultural dwelling - application of reserved matters following outline planning permission 06/00430/OUT.	Approved	
08/01231/DETAIL	Erection of permanent agricultural	Approved	24.10.2008

	dwelling for farm worker.		
95/00015/AGRIC	Agricultural Building	Determination	24.08.1995
10/00967/AGRIC	Grain Store.	Determination	15.09.2010
12/01022/FUL	Installation of three micro scale wind turbines (14.97m to hub, 5.6m diameter blades).	Approved	13.11.2012
14/30195/PREAPP	Proposed maintenance works and porch.	Refused	03.07.2014
14/01821/FUL	New porch to side elevation.	Approved	04.02.2015
14/01822/LBC	New porch to side elevation.	Approved	04.02.2015
15/00291/DISCON	Discharge of condition 3 (materials) of planning application 14/01821/FUL & 14/01822/LBC.	Approved	20.04.2015
16/00575/AGRIC	Proposed new building for storage of potatoes	Determination	12.05.2016
18/00639/FUL	To change the head unit (hub and blades) of existing three 5kW HY5 wind turbines at Hill House Farm with equivalent Britwind R9000 5kW wind turbine components.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL11 Environmental Impacts and Compatibility of Uses

EN1 Landscape Character

EN13A Renewable Energy

EN23 Development Within the Proximity of a Listed Building

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

PPL3 The Rural Landscape

PPL9 Listed Buildings

PPL10 Renewable Energy Generation

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 216 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Part 1 was examined in January 2018 with the Inspector's report awaited and whilst its policies cannot yet carry the full weight of adopted policy, they can carry some weight in the determination of planning applications. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 216 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is located on the northern side of Thorrington Road to the west of Gt Bentley. Located to the north are telegraph poles, whilst to the south is an existing telecoms mast and the Clacton to Colchester railway line with overhead structures. Further to the east is a complex of farm buildings. Present on the site are 3 wind turbines approved in 2012. The application site is relatively level. The nearest residential property outside the control of the applicant is approx 300 metres away to the east. The land surrounding the turbines is mainly put to agricultural use. The nearest listed building to the turbines is Hill House, situated approx 160m to the southeast.

Proposal

Planning permission was granted at Hill House Farm in 2012 for the installation of three micro-scale wind turbines - 14.97m to hub and 5.6m diameter blades under reference 12/01022/FUL. This application seeks to replace the hub and blades of the installed turbines only, the tower and foundations will remain as existing.

Due to a fault developing within the current head units this application seeks to replace the head and blades which will result in a slightly shorter blade diameter of 5.5m. The existing foundations and tower structures will remain so the hub height (at 14.97m) will be unchanged. The existing cabling will also be used, so there are no additional groundworks proposed as part of this application.

Appraisal

Visual Impact

As the proposal is solely to change the head unit and blades of each turbine the overall impact upon the landscape remains largely unchanged. If anything the smaller blade diameter will result in a slight reduction to the overall tip height of the turbines.

The new blade and head unit will be finished in a matt grey colour to match the existing tower. A condition will be included to ensure the equipment is removed if it becomes redundant.

Noise

A noise report has been provided which confirms that all third party residential properties exceed the distance required to remain under the lower-day time limit.

The Council's Environmental Protection Dept. has no comments to make in this respect.

Aviation

As the proposal is to simply replace the faulty turbine with an equivalent model of equal size, the change would not result in risk to MOD or aviation radar systems.

Other Considerations

Great Bentley Parish Council has no objections to the proposals. No further letters of representation have been received.

6. Recommendation

Approval

7. Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans; ATC10070-1000* and Figure 4: Proposed R9000 Elevation.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 If any of the wind turbines fail to produce electricity to supply the dwelling or grid for a continuous period of six months it shall be removed from the land within a period of six months from the end of that period and written proof of electricity production from the wind turbines shall be provided to the Local Planning Authority upon its request within a period of 28 days of the date of any such request.

Reason - In order to ensure that the wind turbines fulfil their required purpose or are removed from the land in the interests of rural visual amenity.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO