



REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER

TO: COLNE & DISTRICT COMMITTEE

DATE: 3rd March 2016

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO COLNE AND DISTRICT COMMITTEE ON 03 MARCH 2016

Application Ref: 13/16/0021P

Ref:19245

Proposal: Full: Variation of Condition: Vary Condition 2 (Plan numbers) of Planning Permission 13/14/0226P to allow for installation of 46.5m high, 300kw turbine.

At: COWFIELD FARM, BURNLEY ROAD, TRAWDEN, COLNE BB8 8PP

On behalf of: DC21 Group

Date Registered: 20 January 2016

Expiry Date: 16th March 2016

Case Officer: Neil Watson

Site Description and Proposal

This application seeks to vary a condition on application 13/14/0226P. This application was for a wind turbine which was 47m in height to tip. The application was refused by Pendle but was subsequently approved on appeal.

The variation of condition is to vary the type of wind turbine to be supplied by a different manufacturer. The proposal is to now erect a turbine which would be 46.5m to tip of blade. There are no other changes proposed.

Relevant Planning History

13/14/0226P Appeal allowed for the siting of a single wind turbine.

Consultee Response

Coal Authority: No objection

LCC Highways: No objection

NATS: No objection

Environmental Health: The noise assessment demonstrates that the turbine will comply with the noise limits set in ETSU-R-97.

Defence Infrastructure Organisation: No objection

Natural England: No objection to the variation of condition.

Craven District Council: No comments to make.

Public Response

Objections received based on the following:

- Devaluation of property
- It is noisy and unsightly

- Appears that the application is to continue to submit applications to get a consent
- The development therefore fails to accord with policies 1, 5, 10 & 13 of the Replacement Pendle Local Plan and the policies of the National Planning Policy Framework
- Significant visual impact
- The whole area prides itself on attracting visitors with its lovely walking routes [routes 37, 38, 40, 42 & 188 are located close to the proposed site].
- Safety concerns due to the proximity to public footpaths
- Loss of wildlife
- How will this bring benefit to the local community
- The development would undermine the planning integrity of the area
- There are listed buildings in the area that would be affected by the proposal

Officer Comments

The principle of development has been established through the appeal decision that was issued on 10th November 2015. The proposal now seeks to vary that consent by amending the design of the proposed turbine.

The turbine proposed comprises of three blades which is the same as the approved scheme. The height of the hub would be reduced by 0.5m as would the height to the tip of the blade.

There will be no discernible landscape impact through the proposed change of turbine.

The application has been accompanied by a noise assessment. No adverse impacts are predicted arising from the new turbine.

RECOMMENDATION: Approve

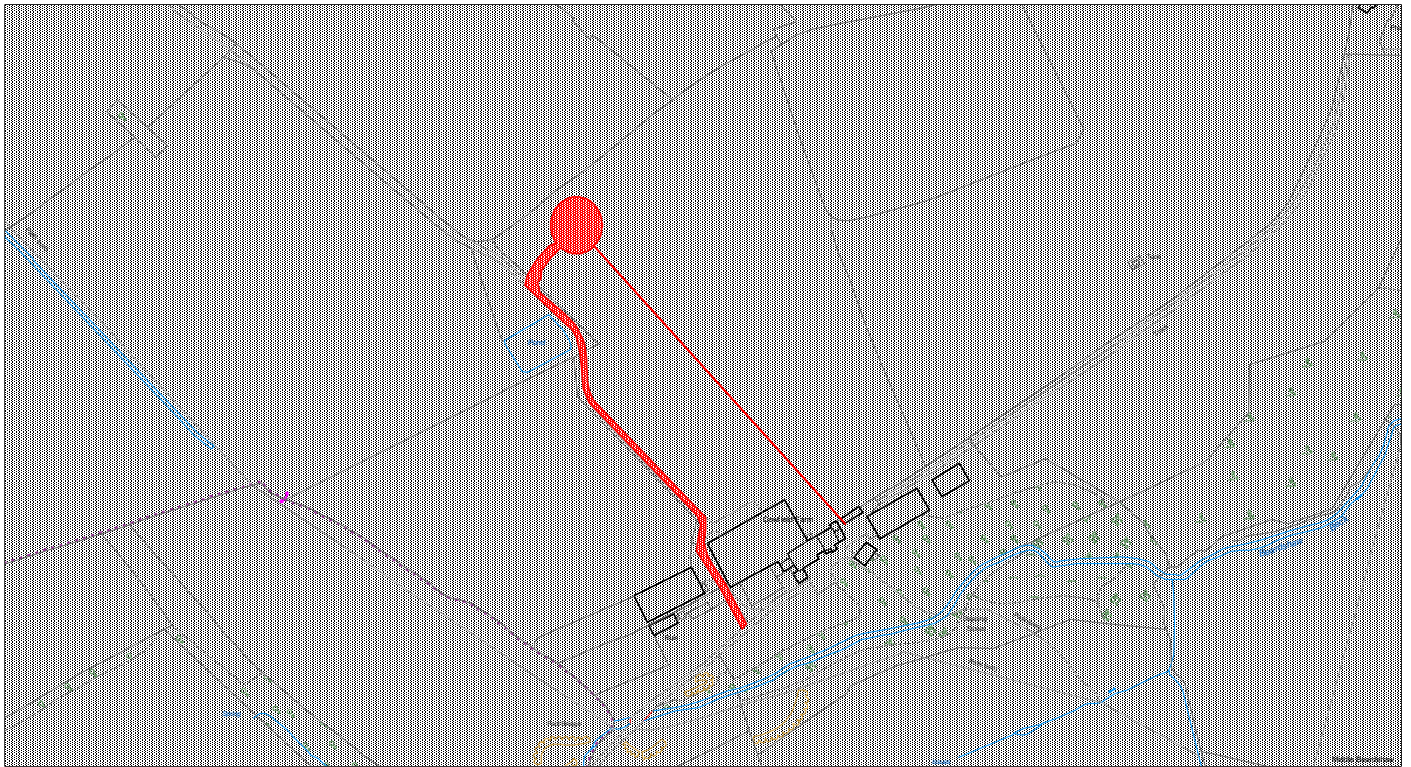
The development is to alter the design of a wind turbine. The development does not have adverse landscape or other impacts and complies with the provisions of the development plan and the National Planning Policy Framework.

Subject to the following conditions:

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the plans registered by the local planning authority on 20th January 2016.
3. No development shall take place until details of the final design, finished colour of the turbine, blades and tower and any above ground structures have been submitted to and approved in writing by the local planning authority. Development shall be carried out as approved.
4. All cabling associated with this proposal shall be run underground.
5. This planning permission is for a period not exceeding 25 years from the date of the first export of electricity from the wind turbine to either Cowfield Farm or the grid. The first export date shall be notified in writing to the local planning authority within 28 days of that event. At the end of the 25 year period the turbine shall be decommissioned and the turbine and all related above ground structures and ancillary equipment shall be removed from the site in accordance with a scheme which shall have been submitted to and approved in writing by

the local planning authority within the 12 month period preceding the expiry of the 25 year period of this permission.

6. In the event of the permanent cessation of the use of the turbine, or if the turbine has not produced electricity for a continuous period of six months, the turbine and its ancillary equipment shall be permanently removed and the site restored to its former condition in accordance with a scheme submitted to and approved in writing by the local planning authority within 3 months of the cessation of use of the turbine. The turbine operator shall provide operational data for the turbine to the local planning authority on reasonable request.
7. Within 4 weeks of the first full operation of the turbine a scheme for the reinstatement of the areas of the site used for the formation of the temporary access track, hardstanding and laying of cables shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved.
8. The rating level of noise immissions from the wind turbine (including the application of any tonal penalty derived in accordance with ETSU-R-97) as measured at the nearest noise sensitive receptor in free field conditions (as legally existing at the time of this planning permission) shall be limited to 35dB(A) LA9010mins at wind speeds of up to 10m/s as measured or calculated at 10m height. Where any residential property is financially associated with the development this limit is increased to 45dB(A) LA9010mins.
9. Within 21 days from receipt of a reasonable written request of the local planning authority following a complaint to it alleging noise disturbance at a dwelling the wind turbine operator shall, at its expense, employ an independent consultant approved by the local planning authority to assess the level of noise immissions from the wind turbine at the complainant's property. The Consultant shall submit a report to the local planning authority in accordance with a timetable agreed with the authority. The report shall be submitted with all recorded data and audio files obtained as part of the assessment in electronic form and shall include any measures necessary to remedy any breach of noise planning authority and shall be retained for the duration of the development.
10. Prior to development commencing the Ministry of Defence shall be informed of the scheduled start date of the construction works, the projected end date of the works, the maximum height of construction equipment. and the latitude and longitude of the wind turbine.



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LIST OF BACKGROUND PAPERS

Planning Applications

NPW/HW

Date: 24th February 2016