

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 May 2014

AUTHOR/S: Planning and New Communities Director

Application Number:	S/0053/12/FL
Parish:	Caxton
Proposal:	Erection of Wind Turbine
Site address:	Land at Caxton Gibbet, St Neots Road, Caxton
Applicant:	The Abbey Group, Cambridgeshire
Recommendation:	Delegated Approval
Key material considerations:	Principle, landscape impact, neighbour amenity and highway safety
Committee Site Visit:	No
Departure Application:	No
Presenting Officer:	Paul Sexton
Application brought to Committee because:	The officer recommendation of delegated approval is contrary to the recommendation of refusal from Caxton, Elsworth and Papworth Everard Parish Councils
Date by which decision due:	7 March 2012

Planning History

1. The site has been the subject of a number of planning and advertisement applications in relation to the redevelopment of the site to the current restaurant/takeaway uses. The main applications for redevelopment of the site are set out below.
2. S/0059/12/OL – Erection of two drive thru restaurants (Class A3/A5), associated parking, landscaping and alteration to existing access following demolition of existing restaurant/takeaway –Refused

S/0060/12/OL – Erection of restaurant/takeaway (Class A3/A5) (including approval of access details) – Approved

S/1723/12/OL – Erection of restaurant/takeaway buildings (Class A3/A5) (including approval of access layout and scale) – Approved

S/2284/12/RM – Submission of reserved matters in respect of appearance and landscaping for the erection of restaurant/takeaway buildings (Class A3/A5) following outline consent S/1723/12/OL, and in respect of appearance, landscaping, layout and scale for the erection of restaurant/takeaway building (Class A3/A5) following outline planning consent S/0060/12/OL – Approved

Planning Policies

3. *National Planning Policy Framework*
4. The NPPF confirms the presumption in favour of sustainable development (paragraph 14)
5. Paragraph 17 supports the transition to a low carbon future and encourages the use of renewable resources, such as the development of renewable energy. It also states that planning should contribute to conserving and enhancing the natural environment.
6. Paragraphs 97 and 98 refer to renewable energy. They state that Local Planning Authorities should have a positive strategy to promote energy from renewable and low carbon sources. Applicants for renewable energy should not be required to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emission. An application should be approved if its impacts are (or can be made) acceptable
7. Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.
8. *Planning Practice Guidance – Renewable and Low Carbon Energy*
9. This document updates previous Government advice in respect of the issues to be considered when determining applications for wind turbines.
10. *Local Development Framework*
 - DP/1 – Sustainable Development
 - DP/2 – Design of New Development
 - DP/3 – Development Criteria
 - DP/7 – Development Framework
 - NE/2 – Renewable Energy
 - NE/4 – Landscape Character Areas
 - NE/6 – Biodiversity
 - NE/15 – Noise Pollution
 - NE/16 – Emissions
 - CH/2 – Archaeological Sites
11. *Supplementary Planning Documents*
 - Biodiversity SPD - adopted 2009
 - Landscape in New Developments SPD – adopted 2010
12. *Draft Local Plan*

S/3 – Presumption in Favour of Sustainable Development
CC/2 – Renewable and Low Carbon Energy Generation
CC/6 – Construction Methods
HQ/1 – Design Principles
NH/2 – Protecting and Enhancing Landscape Character
NH/4 – Biodiversity
SC/11 – Noise Pollution

Consultations

13. **Caxton Parish Council** – recommends refusal for the following reasons:
14. “The benefit is minimal. The feature is inappropriate given the low level of all other buildings. It is an unsightly blemish on the existing ridge line of the A428. The proximity to the A428, so close to the roundabout would be a distraction and hence dangerous to traffic.
15. Photovoltaics are also used by MacDonald’s and would be a better solution and have lower visual impact more suited to the low level of this development. It was also noted that the nearby school development had ruled out wind turbines and had opted for solar alternatives.”
16. **Elsworth Parish Council** – recommends refusal. It comments were originally submitted as part of an objection to the applications for the redevelopment of the whole site.
17. “The application to erect a wind turbine is similarly opportunistic. It is clear from the application that the purpose is to reduce the energy costs of the applicant’s proposed businesses. It will make no material contribution to the local environment and community, particularly bearing in mind that the development will consume enormous amounts of energy to run and illuminate the site. Its proximity to the road may distract drivers and cause traffic accidents. The other environmental disadvantages of wind turbines are well documented to see.
18. Finally it is suggested that a turbine is desirable as it will act as a local landmark. That is a matter of subjective opinion and, in any event, is not a valid planning reason for building it.”
19. **Papworth Everard Parish Council** – recommends refusal.
20. “The Parish Council objects to this proposal for reasons of road safety. The presence of the turbine adjacent to the A428 will be extremely distracting for drivers and may result in an increase in accidents.
21. If the LPA is minded to approve the applications for the drive-through restaurants, other ways of providing electricity and reducing greenhouse gas emissions should be considered, such as solar panels and/or ground source, or air source, heat pumps.”
22. **Cambourne Parish Council** – recommends approval.
23. **Local Highway Authority** – due to the low traffic generation of the site when operational the Highway Authority considers that the proposal will have no significant impact on the adopted public highway, however the delivery of the wind turbine to the site, and the potential increase in HGV movement fall outside the normal operation of

the adopted public highway. Any consent should therefore include a condition requiring submission and approval of a Traffic Management Plan.

24. **Highways Agency** – has no objection.
25. **Landscapes Officer** – the wind turbine, 25m to tip height, could visually dominate the area, and from the west of Cambourne will be seen in conjunction with the Wind Turbine development at Graveley. From within the built area there will be clear line of site along the circulation road to the gap between the Costa and Subway buildings.
26. To reduce visual impact it is suggested that some additional tree planting would be beneficial along the western boundary of the site, which would then form a tall green edge, both when viewed from the existing built area, filling the gap between the buildings, with the top 25-40% of the turbine visible over the trees. It would also lessen the visual impact when viewed from Swansley Wood Farm/Oak Tree Cottages access road by providing a substantial green backdrop to the turbine.
27. To reduce visual impact and cumulative impact from the A428 tree planting is suggested at the east boundary of the site. It is suggested that some of this might take place outside the site boundary.
28. The site contains mounds of mixed sub-soil, hardcore and rubbish scrapped from the existing built area and it suggested that there should be a clean-up with some low cost landscape treatment to these areas.
29. **Environmental Health Officer** – the proposed turbine will be approximately 470m from the nearest residential premises at Swansley Wood and Oak Tree Cottage, to the east. Having regard to the relatively high day and night-time background noise levels in the area (dominated by traffic noise from the A428 and retail/commercial premises nearby), due to separation distances alone, which will reduce noise levels, no unacceptable adverse noise impact on residential living conditions and quality of life is envisaged.
30. With regard to shadow flicker, technical advice advises that adverse impacts are unlikely to arise at distances beyond approximately 10 times the rotor blade diameter length, which in this case equates to a distance of approximately 134m, and it is therefore unlikely that residential premises will be affected.
31. With regards to impacts on the existing retail/commercial premises closer to the turbine, noise from the turbine may be audible from time to time, particularly during lulls in traffic. However, due to traffic and other commercial activity noise levels in the area, it is not considered that such uses are particularly sensitive and no significant adverse impact is envisaged.
32. With regard to the potential health and safety issues associated with members of the public having access to areas close to the turbine location, and the rare possibilities of tower collapse, blade breakages/failure or ice throw, it assumed that the applicant/agent or contractor will be considering such issues as part of Construction Design and Management Regulation requirements.
33. It is noted that residential premises may be allocated/proposed in closer proximity as part of Land West of Cambourne to the south, under the emerging local plan. The proposed turbine may introduce a noise and other constraints if such residential proposals are allocated in locations close to the turbine, however it is noted that the local plan is emerging and has yet to undergo public examination at Public Inquiry.

34. In conclusion there are no objections to the proposals.
35. **Cambridgeshire Archaeology** – comments that the site is an area of high archaeological potential and recommends that it is subject to a programme of archaeological investigation prior to commencement of development, which can be secured by condition.

Representations

36. A letter of objection has been received from the occupiers of Kenyon, St Peters Street, Caxton, commenting that the wind turbine is an intrusion into the air space and the landscape, and is wholly unnecessary.
37. One letter of support has been received from a resident of Gamlingay, stating that it is good to see a company making a contribution to reducing CO₂ emissions, and will be for the good for the environment.

Planning Comments

38. The full application, proposes the erection of a single 11kw wind turbine, 18.3m high to the hub, with blade length of 6.7m, giving an overall maximum height of 25m to tip. It will be located on an area of unused land, immediately to the east of the recently redeveloped site at Caxton Gibbet, which is now occupied by McDonalds, Costa and Subway. The proposed turbine will be set approximately 50m from the A428 and 60m from the rear of existing buildings on the Caxton Gibbet site.
39. To the east of the site is a strip of planting running parallel to the A428, with agricultural land to the south. 360m to the east are former agricultural buildings, now in commercial use. Beyond these are two residential properties the curtilage of the closest of which is 470m from the proposed turbine. To the north is the A428, beyond which is agricultural land.

Principle

40. Adopted Local Development Framework policies and Central Government advice support the principle of the provision of development for generation of energy from renewable sources subject to proposals according with development principles set out in Policies DP/1 to DP/3.
41. The planning consents for the redevelopment of the Caxton Gibbet site required the development to make 10% energy savings through the use of renewable energy technologies, and this condition was satisfied by the specification of various measures, which did not include reliance on the proposed turbine. Officers have sought confirmation from the applicant that the other measures agreed have been implemented, and that any energy savings as a result of the turbine would be additional. Even if the energy benefits arising from the turbine are minimal, government advice clearly indicates that even small-scale projects should be supported. The absence of any direct community benefit is also irrelevant (and indeed unnecessary) when considering the benefits of the proposal.

Neighbour amenity

42. Environmental Health has considered the application and has concluded that there proposal is unlikely to give rise to any significant adverse impacts on adjacent land users, including residential users, both in terms of noise or shadow flicker.
43. Reference is made in the Environmental Health Officers comments to the possibility of future development in closer proximity as a result of the proposal for Cambourne West in the Submission Local Plan, however this is not an approved document and the closest site boundary would be 630m from the proposed turbine.

Landscape impact

44. A turbine with a height to tip of blade of 25m will be visible in the landscape. The Landscapes Officer comments highlight potential areas of concern, but also suggest additional planting that could be undertaken to help mitigate the impact of the proposed turbine. When approaching from the south the site is at the top of a ridge, with land levelling to the north, and therefore the blades will be visible on approach from all directions.
45. Existing landscaping will help soften the impact of the lower section of the turbine. The applicant has been asked to confirm that existing planting on the north boundary of the site will be retained.
46. Although the turbine will be visible, due to its small scale (relative to other commercial wind turbines), and subject to additional landscaping, the visual impact upon the surrounding landscape is considered to be of only limited harm, and not sufficient such as to warrant refusal of the application.

Highway safety

47. Neither the Highways Agency nor the Local Highway Authority has raised objections on highway safety grounds. These agencies will have considered the matter of potential driver distraction when commenting on the application.

The advice in the Planning Practice Guidelines suggests that fall over distance plus 10% is normally used as a safe separation distance, and the proposal conforms to these guidelines.

Other matters

48. A condition can be attached to any consent requiring an archaeological investigation of the site, although officers are aware that an investigation was required by condition of the planning consent for the redevelopment of the main area of the site, which was undertaken. Officers have asked for clarification as to whether the investigative work carried out at that time also covered the site of the proposed turbine.
50. It is necessary to impose a condition seeking the removal and reinstatement of the land should the turbine cease to be operational. This is in accordance with policy NE/2.
51. The Local Planning Authority issued an EIA screening opinion on 9 November 2011 advising that it did not consider that the proposed turbine to require an Environmental Assessment under the 2011 Regulations.

Recommendation

52. That subject to agreement of the applicant to additional planting being carried out that delegated powers to approve the application.

Conditions (to include)

- (a) Time limit – 3 years
- (b) List of approved plans
- (d) Landscaping
- (e) Archaeology
- (f) Traffic Management Plan
- (g) Decommissioning

Background Papers

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Plan Proposed Submission July 2013
- South Cambridgeshire Supplementary Planning Documents
- National Planning Policy Framework 2012
- Planning File References: S/0053/12/FL, S/0059/12/OL, S/0060/12/OL; S/1723/12/OL and S/2284/12/RM

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