

Committee and date

South Planning Committee

13 January 2015

Development Management Report

Application Number: 14/02390/FUL	Parish:	Much Wenlock
Proposal: Erection of one low profile wind turbine		
Site Address: Lea Quarry, Wenlock Edge, Much Wenlock, TF13 6DG		
Applicant: Mr S Lloyd-Jones, Edge Renewables		
Case Officer: Grahame French	email: planningdmc@shropshire.gov.uk	

Recommendation:- Approve subject to the conditions sets out in Appendix 1 of Annex 1 attached and subject to amendment of conditions 4 and 6 as follows:

- 4a. Prior to the commencement date a scheme detailing the finish and colour of the wind turbine pole shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.
- b. Notwithstanding the details submitted in support of the application the nacelle and blades of the wind turbine hereby approved shall be treated in black.

Reason: To confirm surface treatments within the Site in the interests of visual amenity.

6. The turbine hereby approved shall be used specifically for training use only. There shall be no unattended running, no running for more than an hour per day and no running other than in daylight hours.

Reason: To protect birds and bats.

Note: Any proposal to turn the turbine shall be the subject of a separate variation application accompanied by appropriate bird and bat reports.

REPORT

1.0 BACKGROUND TO THE REPORT

- 1.1 This application was reported to the South Committee at the meeting on 11th November 2014. The original officer appraisal report recommending approval is attached as Annexe 1. Members resolved to defer the application after hearing from speakers for and against the proposals. This was to enable the applicant to provide:

- i. More detailed information with regard to the hours/timings of operation, construction and disassembly and when and how much electricity would be generated; and
 - ii. Submit sufficient information to allow full and proper assessment of the potential impact on protected species.
- 1.2 The principle of allowing the retention and re-use of existing quarry buildings for industrial use at the company's site was established by planning permission reference 12/03034/MAW issued in July 2012. The approval was linked to a wider management arrangement for the company's 61ha landholding which included approximately 6ha within the operational site (including 2 timber storage areas totalling @4.5ha). The company agreed to manage this area sustainably for biodiversity and amenity uses and significant progress has been made with respect to these objectives.
- 1.3 The proposed development falls within the identified plant site area and the company has made a legal commitment not to extend its business operations beyond this area and the associated timber storage areas. The area around the plant site is allocated for landscaping to further improve site containment. Existing quarry buildings in a poor state of repair have either been removed or re-clad, significantly improving the overall appearance of the plant site area. This provides reassurance that the business use will be restricted to the existing operational site whilst the far greater surrounding area under the company's control will be sustainably managed.

2. OFFICER CLARIFICATIONS

- 2.1 Hours / timings of operation: The detailed hours and timings of operation are dependent on ecological considerations. The Council's Natural Environment section has advised that the turbine should not turn unless ecological reports on birds and bats have confirmed that there would not be adverse impacts on these protected species. The original officer report included a condition covering this matter (in appendix 1).
- 2.2 The applicant has confirmed that the detailed hours when the turbine would be vertical and turning would be dependent on the outcome of the above ecological reports. If ecological criteria can be fully met then the applicant confirms that the intention would be for the turbine to be vertical and turning for the majority of the time. This is except for 1-2 days per month when it would be disassembled and reassembled for training purposes. A visual appraisal has been submitted which supports the conclusion that the proposed turbine would not have an unacceptable adverse effect on local visual amenities and the AONB (see section 2.5).
- 2.3 Ecology / Protected species: The Council's Natural Environment section has responded as follows:
 - i. Without the required bat and bird surveys, permission can only be given for the turbine to be raised and taken down again during the training exercises. It cannot be allowed to run when people are not present as part of the training event (i.e. creating disturbance) as a bird survey is required for the turbine to run during the day and a bat survey is required for night time running. Wenlock Edge, as a major linear landscape feature could be used by both species groups for long distance migration or commuting. Both groups naturally follow edges of woodlands and may

feed over water bodies. Peregrines and other birds of prey may be using the quarry and bats will be roosting in the woodland above and possibly in the quarry faces.

- ii. In view of the above, permission can only be given (for the turbine to run) specifically for training use only – not unattended running and not running for more than a short period (less than an hour?) during training sessions in daylight hours – this should be conditioned.
- iii. Imposition of a condition requiring submission of reports on birds and bats at some future date as part of any planning decision at this stage is not supported as it would be conditioning surveys without the required knowledge. If, at some future date, adequate surveys for birds and bats are submitted with an application to vary the condition, then we can reconsider the hours of operation.

2.4 Natural Environment has confirmed that this approach would ensure that the Council's duties with respect to protected species are fully met and this is acceptable to the applicant. The original ecological condition recommended in Appendix 1 of Annex 1 requires amendment in order to comply fully with this response. An amended condition 6 has been put forward in the 'recommendations' section of this report. The effect of this is similar to the originally worded condition, except the applicant would have to submit a planning application in order to vary condition 6, accompanied by bird and bat reports, if it wished to run the turbine.

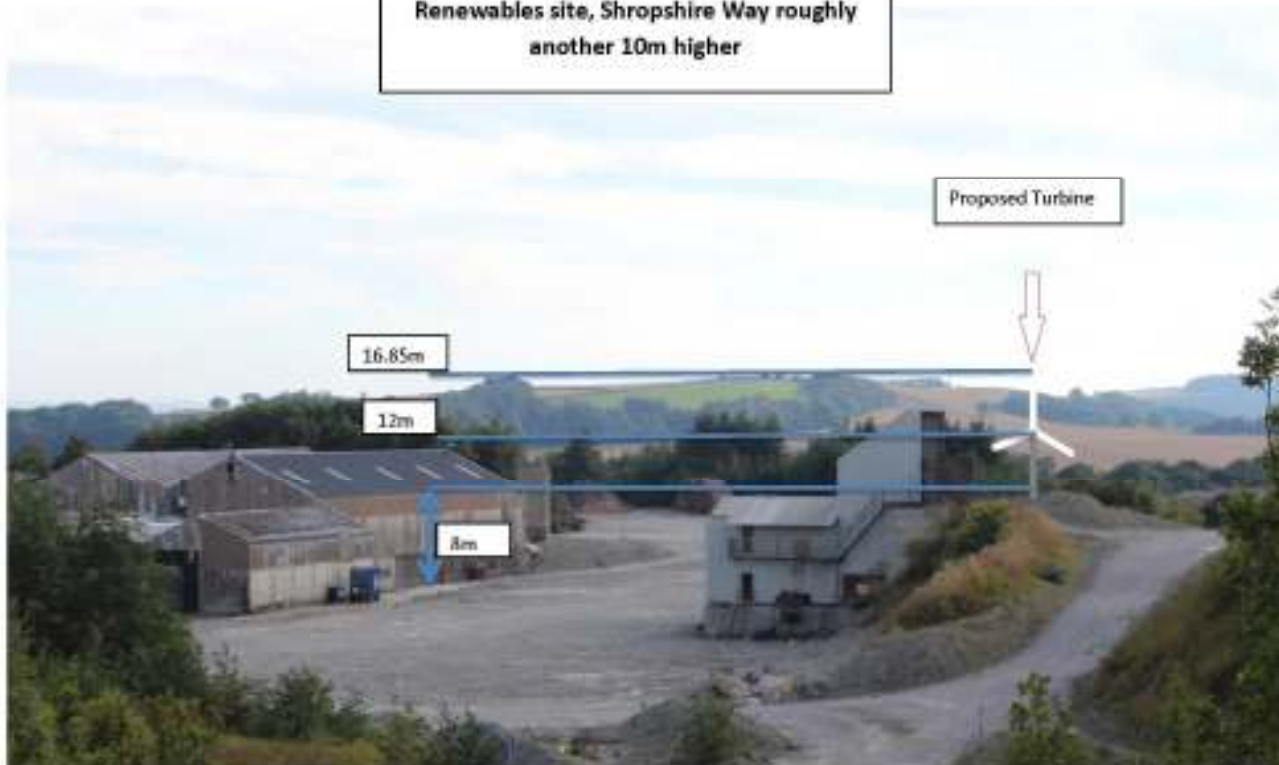
2.5 Planning Policy: Weighing against the proposals are policies and guidance with respect to protection of the AONB / countryside and in particular NPPF section 112, Core Strategy Policy CS17 (environmental networks) and relevant policies in the AONB Management Plan as referred to in Annex 1. In favour of the proposals are policies and guidance in support of renewable energy and economic development and in particular NPPF sections 97 and 98, Core Strategy Key Objective 9 and policy CS13 (economic development) and national energy policy including EN3. In this case it is considered that the proposals are not 'major development' and therefore do not require to be assessed in relation to the exceptional circumstance criteria set out in NPPF para 112.

2.6 NPPF 112 requires that 'significant weight' should be given to protecting the AONB, but NPPF 98 advises that renewable energy proposals should be permitted if the impacts are or can be made acceptable. None of the relevant policies and guidance automatically outweighs the others. It is necessary instead to assess the overall planning balance of the proposals with reference to the above matters. This is having regard to the following matters:

- The comments received during the planning consultation process;
- The spatial context of the proposed development;
- Planning history, including the precedent established by previous permissions for use of the plant site in connection with the applicant's business as part of a wider management arrangement for the company's landholding.

2.7 Visual amenity: The applicant has provided a visual appraisal which supports the conclusion that if the turbine is maintained in an upright and turning condition it will not have an unacceptable adverse impact on local visual amenities and the AONB. The images provided are reproduced below. Unfortunately these were received too late to be incorporated in the officer report to the November committee:

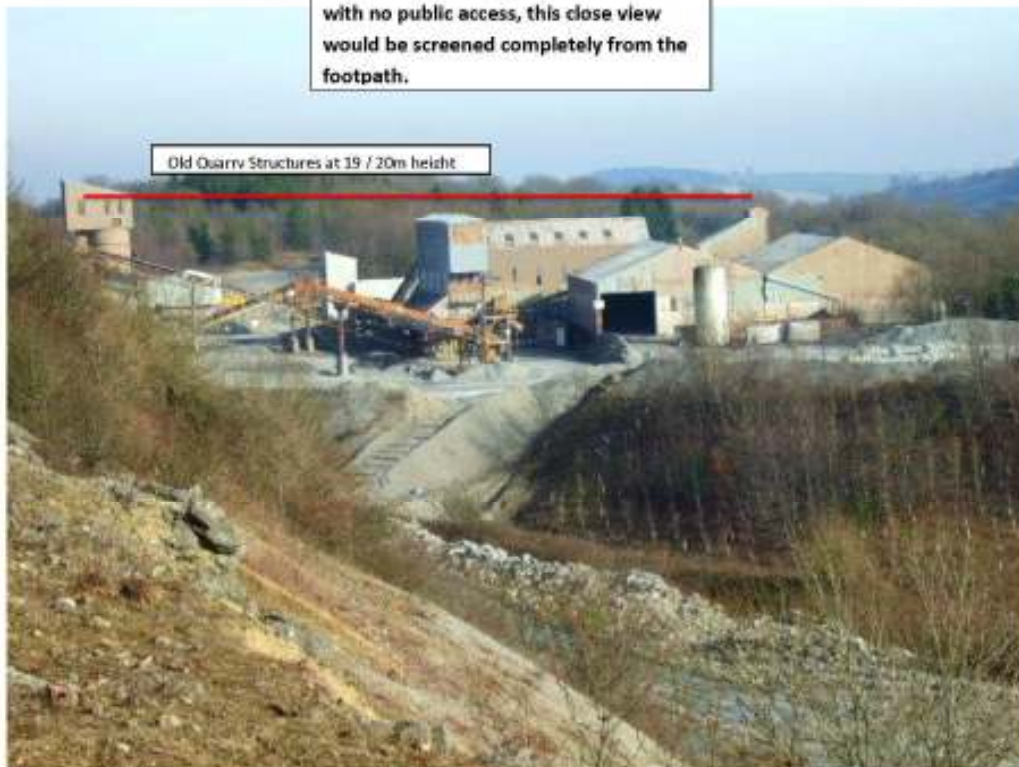
Site after Quarry Equipment Removed with
Proposed Turbine as viewed from Edge
Renewables site, Shropshire Way roughly
another 10m higher



As Viewed from Permissive Footpath
owned by Edge Renewables (this is not
the Official Shropshire Way)



As Viewed from Edge Renewables Land with no public access, this close view would be screened completely from the footpath.



Old Quarry Structures at 19 / 20m height

Note how well the buildings have settled into the setting, the colour of which was determined by the Planning Committee quite correctly. Also note the landscaping at the bottom of the quarry around the closest pool which has been undertaken to create wetland reserve. Furthest pool is owned by Aggregate Industries.



2.8 It is considered that these photomontages demonstrate that the proposed turbine would not appear out of scale with its surroundings and would blend acceptably into the existing landscape without giving rise to any unacceptably adverse impact. In particular:

- Views of the turbine would be limited due to 1) the limited scale of the structure in relation to the nearby plant site buildings and the screening effects of topography and mature vegetation in the surrounding area;
- The main views would be localised and would come from elevated positions from the permissive footpath to the north-west which the company controls. A localised view would also be available from a public footpath to the immediate north of the plant site area. This would however be peripheral to the main view south and new landscape planting is proposed in this area;
- The photomontages suggest that as the main potential views would be from above they would be seen against the existing buildings and landscape rather than the sky. As such, officers consider that it would be preferable for the turbine blades to be treated in black rather than white as currently proposed (it is understood that the blades come in white and black options).

2.9 It is considered that the information provided by the applicant demonstrates that there would be no unacceptably adverse visual impact on the AONB. This is notwithstanding the applicant's wish that the turbine should be in a vertical and turning position for the majority of the time. Any localised views of the turbine would be seen in the immediate context of the existing large industrial buildings and surrounding mature vegetation, which would be further enhanced by the applicant's landscaping proposals. The ability to specify a black treatment for the blades and nacelle would assist further in visually integrating the proposed development. The Council's ecologist has also confirmed that the proposed conditions would ensure that there would be no adverse impacts on ecology.

3. CONCLUSION

3.1 The proposals were deferred from the November meeting of this committee to allow further information to be provided in relation to operational and ecology matters. The company has confirmed that in operational terms their preference would be for the turbine to be in a vertical position and turning for the majority of time if ecological reports suggest that this will be possible without adversely affecting bats and birds.

3.2 The company has provided a visual appraisal which supports the conclusion that if the turbine is vertical and turning it will not give rise to any unacceptably adverse visual impact, including on the AONB. It is considered however that the colour for the blades and nacelle should be black rather than white in order to further reduce any residual visual effects on the surrounding area. This is given that the main localised views towards the structure would be from above.

3.3 The company has agreed to accept a planning condition which prohibits the turbine from turning other than for training purposes. The Council's ecologist has confirmed that this would ensure that the Council's responsibilities with respect to protected species are fully met. The applicant is prepared to accept this condition because the main purpose of the proposals is stated to be the provision of turbine installation training for the company's employees. If a subsequent application is submitted which is

accompanied by reports which indicate that it is safe in ecological terms to turn the turbine then the company has confirmed that it would wish for this to occur in order to generate renewable energy.

- 3.4 It is concluded that the applicant has provided satisfactory clarification with regard to the deferral reasons specified at the November Committee and that accordingly, the proposals are compliant with relevant development plan policies and guidance. Approval is therefore recommended subject to the conditions listed in appendix 1 of annex 1, with the addition that the blades and nacelle should be treated in black rather than white.

List of Background Papers : Planning Applications 14/02390/FUL and supporting documents and plans.

Cabinet Member (Portfolio Holder): Cllr M. Price

Local Member: Cllr David Turner

Appendices: APPENDIX 1