

## DELEGATED DECISION REPORT

<b>Application Reference Number</b>	14NP0096
<b>Description / Site Address</b>	Erection of 6KW Kingspan Wind Turbine on 9 metre mast at Cottonshope Farm, Otterburn, Newcastle upon Tyne, NE19 1TF
<b>Consultation Expiry</b>	19 December 2014
<b>Last date for decision</b>	8 January 2015

### Details of Proposal

The proposal is to erect a new domestic Kingspan 6kW wind turbine (9 metre hub height, 11.8 metre tip height) close to Cottonshope Farm, a remote farmstead that lies towards the southern edge of the Otterburn Military Training Area, a couple of miles north of the A68.

The turbine is proposed in a dark green colour and would be located approximately 50 metres west (and upslope) from a collection of agricultural buildings and a residential property that it is understood is currently powered by a generator. Cabling would run to this residential property.

There is an existing turbine of a similar design already in situ, located a few hundred metres further to the south-east, and further downhill, which powers the collection of buildings main farmhouse at Cottonshope Farm.

### Planning Policy

- *NNPA Core Strategy and Development Policies Document (Core Strategy)*

Policies 1, 2, 3, 17, 18, 19, 20

- *NNPA Building Design Guide SPD*
- *NNPA Landscape SPD*
- *National Planning Policy Framework*

### Relevant Planning History:

06NP0059 – Prior notification for general purpose agricultural building – application approved

06NP0021 – Circular 18/84 consultation in respect of provision of wind turbine (on site to the south east) – approved

### Summary of Consultations/Representations

**Defence Infrastructure Organisation (MOD Safeguarding): No objection.** In the interests of air safety the MOD will request that the development should be fitted with aviation safety lighting. All turbines should be fitted with 25 candela omni-directional red lighting or infrared

lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point.

**NNPA Ecologist: No objections.**

**NNPA Access and Recreation Officer: No objection.** The proposed location is close to public bridleway 8 in Rochester Parish, which should be protected throughout.

**NNPA Landscape Officer: No objection**

No comments were received in response to consultations sent to Rochester Parish Council, NNPA Historic Environment Officer, NNPA Farming Officer, NCC Development Management and NCC Building Control.

MoD Otterburn provided no written comments, but provided verbal confirmation that there were no concerns about the development.

**Site Notice/Neighbour Consultations:** No representations were received in response to neighbour notifications.

### **Assessment**

The key material planning considerations are;

- Principle, location and sustainability of the development;
- Renewable energy and climate change;
- Design, impact on landscape, tranquility & amenity;
- Impact on ecology & protected species;
- Heritage impacts;
- Impact on national defence safeguarding

#### *Principle of Development*

The National Planning Policy Framework is clear that a presumption in favour of sustainable development is at the heart of decision-taking. Policy 1 of the NNPA Core Strategy seeks to ensure that development proposals will conserve and enhance the special qualities of the National Park. Policy 1 also states that applications should demonstrate a reduced impact on climate change by maximising renewable energy generation.

The proposal will not have an adverse impact on the Park's special qualities. The design and the location of the turbine is such that a harmful adverse impact will be avoided, in terms of the design and location within the surrounding landscape that will not allow the development to break skylines from the majority of wider views of the landscape. The location has also been chosen to avoid any negative ecological implications and with the intention of achieving a higher gain in terms of renewable energy generation, as it is understood that the current turbine location means that it is difficult to achieve the expected electricity generation from the turbine.

It is considered that the proposed development meets the criteria set out in Policy 1 and therefore the principle of development is established.

#### *Impact on Renewable Energy and Climate Change*

Policy 2 of the Core Strategy & Development Policies Document states that the National Park Authority will facilitate the reduction of greenhouse gas emissions by supporting proposals which increase small scale renewable energy. Policy 1 also states that to deliver sustainable development, proposals should reduce climate change by maximising renewable energy generation.

The Design and Access Statement sets out the reason for the siting of the proposed turbine, which is in order to achieve a suitable level of performance from the prevailing wind direction, taking into account the topography of the surrounding area. While the statement does not provide information on the amount of renewable energy generation that will be produced, it is accepted that it would be ordinarily accepted that a turbine of this size will produce a positive renewable energy benefit that will provide an energy source to the adjacent buildings as a minimum. The renewable energy generation is a positive material consideration in favour of the application, but can only be given a limited amount of weight, as the exact benefit is unknown.

The development is acceptable in terms of this policy, as Policy 2 of the Core Strategy is supportive of small scale renewable energy development. The proposal also accords with NPPF paragraphs 94 – 98. However, it is also essential that this benefit is not outweighed by any detrimental impacts that a proposal may have, including, but not limited to, on the landscape and special qualities of the National Park, scale, design and the relationship with the surroundings and biodiversity and tranquility within the National Park.

#### *Design, Impact on Landscape, Tranquility & Amenities*

The proposed location of the turbine is within an open landscape that forms part of the Otterburn training area. The land rises rather steeply towards the north west of the site, sloping more gradually towards the south east, where Cottonshope Farm and the existing turbine are located. Land rises more gradually from the south heading north. The turbine would be located just to the north west of the existing cluster of buildings and immediately north east of an existing pile of hay bales. This is located directly adjacent to a road through the military training range, which also has public access when military activity is not taking place.

Rochester footpath 32 is also a sensitive viewpoint, as it forms part of the Pennine Way, which is a designated National Trail. However, the turbine would not have a harmful effect on the landscape when viewed from this trail, as it lies around 1 kilometre to the north-west, which as stated is some way upslope. Therefore, views from this point would be elevated and see the turbine against a landscape backdrop, rather than breaking the skyline. When looking north along the road within the military training area, the turbine would be seen against a backdrop of the land for the most part, with the exception of a short period closer to the turbine. When travelling southwards the turbine would remain below the horizon and would be set against a backdrop of rising land throughout.

NNPA's Landscape Officer has also considered the proposal and provided comments, which state that, on balance, there will not be unacceptable adverse landscape effects caused by the development, although some concern is raised due to the proposed turbine breaking the skyline for a period of an estimated 300 metres when travelling north/north-east along the road through the military training range.

In respect of this issue, whilst the road where it could be viewed (bridleway 8) has public access on non-firing days, it is believed that this is rarely used by the general public. The

turbine would also only break skylines along this for a short, fleeting period from one area only, when close to the turbine and travelling towards the north/north-east.

As all, or the vast majority of the turbine would be against a landscape backdrop when viewed from the majority of points from public receptor sites, the choice of a green colour for the turbine is suitable. The turbine is also the smallest option of the Kingspan turbines available.

Having taken the Landscape Officer's comments into account whilst assessing the landscape effects of the development, it is not considered that this proposed development will have an unacceptable detrimental impact upon the special landscape character of the National Park.

While the MOD has requested that a light is fitted for air safety purposes, 25 candelas is a very low level and such lighting is an ordinarily expected feature on turbines in areas where aircraft may fly. There is not considered to be any unacceptable detrimental impact on the tranquility of the National Park.

There are also no neighbouring properties whose amenity could be affected that are not supplied by electricity from the turbine. The development accords with Core Strategy Policies 3, 19 and 20 and NPPF paragraphs 56 and 115.

#### *Impact on Ecology/Biodiversity*

NNPA's Ecologist has confirmed that they have no objections or concerns in relation to protected species and in particular raises no concerns relating to bats. The development accords with Core Strategy Policy 17 and NPPF paragraph 118.

#### *Impact on Cultural Heritage*

There are not considered to be any direct or indirect impacts upon any heritage assets. The development accords with Core Strategy Policy 18 and NPPF Chapter 12.

#### *Impact on National Defence Safeguarding*

Impacts on defence infrastructure safeguarding and any impacts upon military aircraft is a material consideration in determination of this application. No objections have been raised by DIO in response to consultation with them, although the incorporation of an appropriate light on the turbine has been requested for air safety reasons.

#### *Conclusion*

On balance, it is considered that the proposed development, by virtue of the size, location and design avoids any harmful negative impact on the wider landscape and special natural qualities of the National Park. The application is therefore considered to accord with Policies 1, 2, 3, 17, 18, 19 and 20 of the Northumberland National Park Local Development Framework Core Strategy and the NPPF.

#### **Recommendation**

Grant planning permission subject to the following conditions:

1. The development hereby approved shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 91 of the Town & Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- Application Form received on 3<sup>rd</sup> October 2014
- Foundation Details received on 16<sup>th</sup> October 2014
- Baseplate Drawing WT6000/TW900 received on 16<sup>th</sup> October 2014
- Location Plan received on 13<sup>th</sup> November 2014
- Site Plan received on 3<sup>rd</sup> October 2014
- Design and Access Statement received on 3<sup>rd</sup> October 2014
- Proposed Elevations DWG NO. 6000 FO 006 received on 16<sup>th</sup> October 2014

Reason: For the avoidance of doubt, to enable the LPA to adequately control the development and to conform with Policies 1, 2, 3, 17, 18, 19 and 20 of the Northumberland National Park Authority Core Strategy & Development Policies Document and the National Planning Policy Framework.

3. If the turbine ceases to operate for a continuous period of six months (unless such cessation is due to the turbine being under repair or replacement) then, unless otherwise approved in writing by the Local Planning Authority, within three months of the end of that period a scheme shall be submitted to the Local Planning Authority for its approval in writing which sets out the following:

i. Proposed details for the decommissioning and removal of that turbine and any ancillary equipment and structures relating solely to that turbine;

ii. A restoration scheme for the land where the turbine and any associated ancillary equipment and structures was removed from; and

iii. Proposals for the management and timing of the works.

The approved scheme shall be implemented within 12 months of the date of its approval by the Local Planning Authority.

Reason: To ensure that the turbine provides a source of renewable energy generation whilst in situ, to ensure that it is removed from the land if it ceases to function, and to ensure that the land is reinstated in an acceptable manner in the interests of visual amenity and the landscape character of the National Park and for the development to accord with Policies 1, 3, and 20 of the Northumberland National Park Authority Core Strategy & Development Policies Document and the National Planning Policy Framework.

4. All cabling associated with the development shall be located underground.

Reason: In the interest of visual amenity and for the development to accord with Policies 1 and 3 of the Northumberland National Park Authority Core Strategy & Development Policies Document and the National Planning Policy Framework.

5. The turbine hereby approved shall be fitted with 25 candela omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point.

Reason: In the interests of air safety.

### **Informative Notes**

1. If the planning permission hereby granted is implemented, you should notify the Ministry of Defence (DIO Safeguarding) of the following:

- The date construction starts and ends;
- The maximum height of construction equipment;
- The latitude and longitude of the turbine.

This information is vital as it will be plotted on flying charts to make sure that military aircraft avoid this area.

Contact can be made on 0121 311 2195, by email to: [DIOODC-IPSSG3a@mod.uk](mailto:DIOODC-IPSSG3a@mod.uk) , or in writing to

Ministry of Defence  
Safeguarding – Wind Energy  
Kingston Road  
Sutton Coldfield  
West Midlands B75 7RL  
United Kingdom

2. This planning permission is granted in strict accordance with the approved plans. It should be noted however that:

(a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.

(b) You or your agent or any other person responsible for implementing this permission should inform the local planning authority immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.

3. This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:

(a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.

(b) In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

4. The proposed location is close to public bridleway 8 in Rochester Parish. This Public Right of Way must be protected throughout. The planned works must have no effect on accessing this route. No action should be undertaken to disturb the surface of the path, obstruct the

path or in any way prevent or deter public use of the path without the necessary legal diversion or closure order having been made.

	<b>Signature</b>	<b>Date</b>
<b>Planning Officer</b>		
<b>Head of Development Management</b>		
<b>National Park Officer</b>		