
MAIN CASE

Proposal: Proposed new Wind Turbine

Location: Unit 48 Lancaster Way Business Park Ely Cambridgeshire CB6 3NW

Applicant: Mr J J Salmon

Agent: DSP Architects Ltd

Reference No: 11/00302/FUL

Case Officer: Lucie Turnell

Parish: Ely
Ward: Ely South
Ward Councillor/s: Councillor Jeremy Friend-Smith
Councillor Tom Hunt

Date Received: 31 March 2011 Expiry Date: 26 May 2011

[L16]

1.0 **EXECUTIVE SUMMARY**

- 1.1 The application seeks consent for a wind turbine to be erected at an existing business premises within Lancaster Way Business Park. The structure would sit within the grounds of Michell Instruments, which lies at the eastern edge of the park. The application follows the approval of a large extension to the building, which requires consequential improvements to energy provision through Part L of the Building Regulations.
- 1.2 Applications for such proposals will be supported wherever possible. However, whilst the proposal may fulfil the requirements of Part L the planning system must also assess the wider implications and under Core Strategy Policy EN4 consider the following: -
- Protected species
 - Key views, in particular those of Ely Cathedral
 - Residential amenity
 - The environment and amenity
- 1.4 The applicant has failed to demonstrate the visual implications of the proposal and as such a balanced view cannot be taken that fully considers the visual impact of the wind turbine in the wider landscape. For this reason the application is recommended for refusal.

1.5 The application has been referred to the Planning Committee at the request of Cllr Jeremy Friend-Smith.

1.6 A site visit has been arranged for 12:40 prior to the site visit.

2.0 THE APPLICATION

2.1 Planning permission is sought for a wind turbine at Unit 48, Michell Instruments, Lancaster Way.

2.2 Michell Instruments occupies the existing site, which extends to approximately 1.61 hectares (4 acres) with buildings positioned at the southern end. Approval has been granted for a large extension, with plans to expand further in the future.

2.3 The proposed turbine is model GAIA 133-11kw. This measures 18.4m to the top of the hub, with a blade diameter of 13.0m resulting in a total height of 24.9m. It is proposed to site the wind turbine towards the north end of the site, approximately 10m from the north boundary.

2.4 The application has been submitted in an attempt to comply with the requirements of Part L, 2010 of the Building Regulations.

3.0 THE APPLICANT'S CASE

3.1 The applicant has submitted an assessment of a number of viable zero carbon technologies, which concludes that wind turbines in this situation are the most economical and efficient system.

3.2 A comparison of turbines/ locations has been carried out, following the withdrawal of previous applications due to concerns regarding noise levels from the Council's Environmental Health Department.

3.3 At the request of the Local Planning Authority a visual impact assessment has also been submitted in support of the application.

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The Michell Instruments' site lies in the north east corner of the Lancaster Way business park. Lancaster Way itself loops around the top of the site leading into Wellington Way. Planning permission has been granted under ref: 08/00563/ESO for an extension of 36 hectares to the business park to the east of this site.

4.2 Neighbouring buildings are predominately light industrial / office sheds within the business park, with the exception of Lancaster Lodge, a residential property that lies at the edge of the site, approximately 70 metres from the proposed wind turbine.

5.0 **PLANNING HISTORY**

5.1

10/00974/FUM	Phase II - (Building B) Extension to existing unit (Building A) and the erection of a detached storage unit (Building C) - B1, B2 & B8, with associated landscaping and extension of the car park to provide 39 additional spaces. New cycle parking for 30 cycles and smoking shelter.	Approved	28.03.2011
11/00303/FUL	Proposed new Wind Turbine		

6.0 **REPLIES TO CONSULTATIONS**

6.1 Ely City Council – No concerns

6.2 Environmental Health – The information supplied implies that the proposals will adhere to current guidance regarding noise, however predictions are not guaranteed and the proposals still raise concerns due to the proximity to a residential property.

6.3 NERL Safeguarding Office – The proposed development has been examined from a technical safeguarding aspect and does not conflict with the safeguarding criteria.

6.4 Witchford Parish Council – The PC considers the issue of flicker (visual) should be addressed in the D&A Statement. Also that the turbine is located too close to Lancaster Lodge.

7.0 **THE PLANNING POLICY CONTEXT**

7.1 **East Cambridgeshire Core Strategy 2009**

EN1 Landscape and settlement character
EN2 Design
EN4 Renewable energy
EN8 Pollution

7.2 **National Planning Policy**

PPS22 Renewable Energy

8.0 **PLANNING COMMENTS**

8.1 Lancaster Way comprises an established business park that contains a mix of industrial and warehouse units. The park extends to approx 21 hectares with planning permission, granted under ref: 08/00563/ESO, for an extension of 36 hectares to the east. This proposal has come about following the approval of a large

extension to this building that requires consequential improvements to energy efficiency under Part L of the Building Regulations.

- 8.2 Core Strategy Policy EN4 confirms the requirement for the provision of decentralised and renewable or low carbon energy sources. Applications for such proposals will be supported wherever possible, unless their wider environmental, social and economic benefits would be outweighed by significant effects on any of the following; -
- Protected species
 - Key views, in particular those of Ely Cathedral
 - Residential amenity
 - The environment and amenity
- 8.3 The first 2 criteria have been addressed in this case. First, there are no known protected species on this site so this issue requires no further consideration. Secondly, a visual impact study has been submitted at the request of the planning officer. The site lies approx 2.6km to the south west of Ely Cathedral. Direct views of the Cathedral and the wind turbine will therefore only be possible from within the park itself. Photographic evidence demonstrates that the turbine will not impinge on views of the Cathedral.
- 8.4 As a matter of principle the proposed wind turbine is considered to be compatible with the existing uses. However, the proposed site is within approximately 70 metres of Lancaster Lodge, a residential property that comprises a separate planning unit and which lies beyond the business park's northern boundary. Initial proposals, that have since been withdrawn, were considered to be inappropriate due to the proximity of the turbine and anticipated levels of noise. An assessment has been undertaken comparing the original proposal, the same turbine in a different location with noise mitigation measures and an alternative turbine in the original location. The final option forms the proposal in this application. The noise levels from this turbine are lower than from that previously proposed. Whilst the information supplied implies that the proposals will adhere to current guidance regarding noise, Environmental Health continues to have concerns that the proximity of the turbine to the property may cause a noise problem.
- 8.5 The principle of a wind turbine may comply with the requirements of Part L, however the planning system must also assess the individual case put forward and come to an objective view on its conformity with the development plan, the extent of any positive or negative impacts and whether application-specific matters such as landscape and cumulative visual impact been properly addressed?
- 8.6 The hub of the proposed turbine would extend to 18.4m in height with blades of 13.0m, resulting in a maximum total height of 24.9m. The existing building and extensions measure a maximum of 9m high, which is comparable with other buildings across the site. The proposed wind turbine would obviously be visible above the building line.
- 8.7 PPS22 makes it clear that landscape and visual impact are key considerations and it is therefore reasonable to expect such information to accompany a planning application. This evidence was lacking in the original submission but a visual impact study was submitted during the course of the application at the request of the

planning officer. However, whilst the visual assessment considers the potential impact on views of Ely Cathedral, there is no evidence relating to the impact of the turbine itself on the landscape and wider views across the countryside, which could have been illustrated by a photomontage with the proposed turbines superimposed. This is particularly important given its height and proposed siting at the edge of the park, making it clearly visible from the A142 and A10 approaches into Ely. Whilst it is inevitable that a structure of this height will have a visual impact, by omitting a full visual impact assessment, the applicant has failed to demonstrate that it may be possible to make a balanced case that such a visual impact is acceptable when providing a zero carbon technology of this standard that not only meets the requirements of the building but provides surplus energy that can be fed back into the grid.

8.8 Lancaster Way is already an extensive site with plans for considerable expansion. It is therefore appropriate for the LPA to query whether any consideration has been given to the possibility of a more comprehensive scheme for the business park and/or the measurement of the cumulative impact of a number of turbines if they were to be put up on an ad hoc basis.

9.0 **RECOMMENDATION**

9.1 Clearly, every support should be given to measures that reduce Carbon emissions but this does not absolve those proposing schemes from doing so in a responsible and cohesive manner. If the scheme is insignificant or neutral the permission should be granted. However if there is an element of doubt or lack of clarity of the implications of this turbine, or additional ones, then it would be reasonable to refuse the application. For these reasons the application is recommended for refusal.

<u>Background Documents</u>	<u>Location(s)</u>	<u>Contact Officer(s)</u>
This casefile and those referred to PPS22 – Renewable Energy	Lucie Turnell Room No. 011 The Grange Ely	Lucie Turnell Team Leader Development Control 01353 665555 lucie.turnell@eastcambs.gov.uk