

TWC/2011/0022 Sainsburys, Unit 8, Telford Forge Retail Park, Colliers Way, Old Park, Telford, Shropshire, TF3 4AG
Variation of condition 13 of W95/0969 and condition 21 of W97/0108 (as amended by W2010/0029) to increase the non-food floorspace from 21,019 square metres to 27,799 square metres

APPLICANT

Sainsburys Supermarkets Ltd

RECEIVED

12/01/2011

PARISH

Lawley and Overdale

WARD

Lawley and Overdale

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: MAIN ISSUES: Retail Impact, Town Centre Regeneration.

PROPOSAL:

Variation of condition 13 of W95/0969 and condition 21 of W97/0108 (as amended by W2010/0029) to increase the non-food floorspace from 21,019 square metres to 27,799 square metres.

SITE AND SURROUNDINGS:

The site comprises the Forge Retail Park, which along with the neighbouring Bridge Retail park are typical out of town retail parks offering predominantly non-food comparison shopping. The retail park is accessed via Colliers Way which links Hall Park Way and Junction 5 of the M54. The site comprises 6.9 hectares.

THE DETAILS:

The proposal is to increase retail floorspace at the Retail Park and is required to enable the proposal at the Sainsbury's store to take place (Application TWC/2011/0094). The variation affects only the non-food retail floorspace and in effect will increase this retail activity by 1,105 sq m – the food floorspace as proposed by Sainsbury's remains within the floorspace restriction (the additional food floorspace is 2,2052 sq m which totals 6,759 sq m Gross External Floor Area (GEA)).

The application relates only to the non-food retail activity and therefore the applicants contend, correctly, that we should only consider this aspect and not seek to justify the additional floorspace for food retailing. However it is difficult to ignore the composite proposals completely as the applicants wish the local planning authority to consider overall qualitative improvements that they say will occur if planning permission is granted for the Sainsbury's extension under TWC/2011/0094.

PLANNING HISTORY:

W95/0969 Outline permission for demolition of existing retail store and redevelopment for food and non food development, leisure, fast food, car parks, alterations to petrol station and associated works – granted February 1997.

W97/0108 – Reserved matters approval - siting and design, external appearance and landscaping for new foodstore, non-food retail units and A3/leisure uses together with associated parking, servicing and pedestrian/cycle routes. – Approved June 1997.

W98/0435 – Modification of condition 21 of W97/0108 and W95/0969 to increase max floorspace area of non-food retail from 18,580sq m to 19,420sq m and an additional 2,575 sq m for ancillary storage/admin areas

W98/0878 – Modification of condition 21 of W97/0108 and condition 13 of W95/0969 to increase the max area of ancillary storage/admin areas relating to non-food retail units to 3,040 sq m

W99/0916 – Modification of condition 21 of W97/0108 and condition 13 of W95/0969 to allow a max gross retail floor space of 20,350 sq m and 4,675 sq m gross floor space for ancillary storage and admin areas

W2004/0399 – Amendment of condition 13 of W95/0969 and 21 of W97/0108 to increase admin and storage areas by 1,000 sq m (to 5,675 sq m gross)

W2010/0029 – Variation of outline condition no. 13 of W95/0969 and Condition 21 of W97/0108 to increase the maximum area of non-food retail to 21,019 sq.m. Approved June 2010.

Adjacent Applications of relevance

TWC/2011/0151- Unit 12 – Certificate of Lawful Development for the erection of a 199.5 sq.m. mezzanine floor - Granted Approval 2011.

W2010/003 – Unit 10 - Installation of 669sq m mezzanine floorspace for retail sales -Granted Approval May 10.

PLANNING POLICY CONTEXT:

National Planning Guidance:

PPS 1 – Planning Policy Statement 1: Delivering Sustainable Development (2005): underlines Government's commitment to a planning system that creates sustainable development. Development which contributes to the creation of safe, sustainable, mixed use developments, use of previously developed land, building in sustainable locations and those well served by public transport is a key to this approach.

PPS 4 – Planning Policy Statement 4: Planning for Sustainable Economic Growth (2009) and accompanying practice guide on need, impact and the sequential approach:

- Policy EC 10 contains a positive presumption in favour of sustainable economic growth. All applications to be assessed against five impact considerations relating to climate change resilience, accessibility, inclusivity and quality of design, economic and physical regeneration and local employment.
- Policy EC14 – sequential assessment necessary where developments exceed 200 sq m and not in an existing centre or in up-to-date

Development Plan. Town Centre impacts must be assessed if development exceeds 2500 sq m.

- Policy EC15 – sequential test requirements in terms of availability, suitability and viability.
- Policy EC16 – sets out impacts applying to unplanned edge/out-of-centre developments (in addition to those required to be assessed under Policy EC10, including impact on existing committed and planned public/private investment in the town centre, vitality and viability and consumer choice, impacts on trade turnover, appropriateness of scale; and, locally defined impacts.
- Policy EC17 – consideration of impacts (positive and negative). Applications should be refused where there is non-compliance with sequential approach or clear evidence of significant impacts. Where impacts are not significantly adverse there is a direction to consider positive and negative impacts and other material considerations.
- Policy EC18 – parking standards (PPG13 should apply where no local standards)
- Policy EC19 – how conditions to be used to mitigate impacts where possible.

LDF Core Strategy Policies

CS3 Telford – focus for Borough's spatial development

CS4 Telford Town Centre

Central Telford Area Action Plan DPD policies

CT2 Retail

CT9 Other Highway Network Improvements

CT10 Parking

OP5 Old Park East

CONSULTATION RESPONSES:

Parish Council:

Members of the Parish Council trust that officers will ensure that the capacity allowed is not exceeded

Planning Policy Section:

Recent planning permission was granted to vary condition no.13 of planning application W95/0969 and condition no.21 of planning application W97/0108 to enable an increase in non-food retail floorspace at the Forge Retail Park to 21,019 m². The non-food floorspace has been increased over the years and this has most recently facilitated the provision of a mezzanine within Currys, Unit 10.

The proposal includes an application for the extension of the Sainsbury's store and a s73 to create a new planning permission for the park as a whole. To accommodate the proposal would require both planning applications to be granted.

The key issues are the creation of entirely new floor space on what was originally permitted for the Forge. Key policy concerns relate to the impact of

additional retail development in the out of centre location, and are based on national policy (PPS4), the current development plan (including in particular, the Central Telford Area Action Plan), and the White Young Green (WYG) Retail Capacity Study 2009. In line with PPS4 guidance, judgements about the extent and significance of any impacts should be informed by the development plan (where this is up to date), and other published local evidence (such as the WYG retail study) will also be a relevant material consideration.

The White Young Green (WYG) Telford & Wrekin Retail & Leisure Study was updated in May 2009 with a Town Centre Capacity Update. The study identifies the Forge retail park as an out-of-centre location, in line with PPS4 and as it is outside the Town Centre Character Area boundary as defined in the Central Telford Area Action Plan. WYG considered the number of extant planning permissions relating to additional retail development at Telford Forge. The retail parks were deemed almost complete and any additional floor space provided would be minimal.

PPS4 sets out the considerations through the sequential and impact assessments required for a main town centre use not in a centre and not in accordance with an up to date development plan. The retail parks are an out of centre location in the context of PPS4. Whilst land remains available for retail development within and adjacent to the shopping area expansion of the retail parks would not accord with PPS4, and allowing further expansion would have a detrimental impact on an identified centre. The PPS4 relevant policies being EC10, EC14, 15, 16 & 17.

Policy CS4 of the Core Strategy identifies Central Telford for the major retail development serving the needs of the borough and the sub-region, and seeks to consolidate Central Telford and enhance it as the hub of the service centre hierarchy.

The newly adopted Central Telford Area Action Plan is very clear in terms of extensions at the Forge. The retail park is an 'out of centre' facility, and the vision for the Character Area of Old Park does not refer to the provision of additional retail development. Policy OP5 seeks to resist any further development stating that the Council will not support future expansion of the Forge Retail Park for additional retail or leisure uses. There is also a clear policy directive to accommodate future retail growth in the existing shopping area through Policy SA1.

Highways Section:

The development can be accommodated on the local highway network subject to the physical works proposed in the Transport Assessment and a contribution to CTAAP, subject to the following Conditions (summary):

- a) Before development commences details of the junction improvements to The Forge Roundabout to be submitted and works to be constructed before occupation.
- b) Before development becomes operational the revised internal layout including new internal roads/pedestrian/cycle links and circulating

carriageway, car parking (including the permanent decked area), bus stop/shelter and associated infrastructure and recycling centre shall be implemented.

- c) Prior to occupation, details of the Travel Plan for the development shall be approved by the Local Planning Authority and thereafter implemented.

Contaminated Land Officer (Pollution Control)

Landfill gas condition recommended.

THIRD PARTY REPRESENTATIONS:

An objection has been received on behalf of Telford Trustees (owners of the Telford Shopping Centre) by GL Hearn planning consultants on the following grounds:

- The application site is clearly out of centre
- CTAAP is the relevant planning policy
- CTAAP Policy OP5 does not propose further expansion of The Forge
- Recent evidence suggests that adequate capacity for retail development exists in the town centre
- PPS4 sets out the relevant tests – this application fails the sequential test in particular

A very detailed case is then made in support of the Trustees' objection. Includes arguing that the Trustees are committed to providing additional retail development in the town centre; that the Forge consent originally set a ceiling to retail development; they do not accept applicant's arguments that disaggregation cannot occur (establishing more than one unit to fulfil the operator's requirements for additional floorspace); other sequential sites exist closer to the town centre amounting to a potential 116,466 sq m gross retail floorspace and thus this proposal is contrary to PPS4; the proposals would impact on planned investment in the town centre and therefore contrary to PPS4; would draw trade away from the town centre; town centre impacts inadequately explained/justified.

SECTION 106 CONTRIBUTIONS:

In the event of this Plans Board supporting the application, there will be a requirement to enter into a section 106 Obligation with the applicants. As with all strategic applications affecting the local highway network, CTAAP requires developers to contribute to the provision of highway improvement schemes. The level of CTAAP contribution based on the scale of the development has been calculated as £187,959.96. This has been agreed in principle by the Developer. An additional sum of £5,000 will be required for monitoring of the store travel plan. These will need to be secured through S106. A contribution for ongoing Monitoring of conditions and section 106 Obligation of £10,000 will be required.

PLANNING CONSIDERATIONS:

Retail Impact and Planning Policy

The retail park is an out of centre location. The applicant seeks to address the issue of an expansion of the existing retail use in this location within the terms of a retail assessment. Various documents, information and plans

have been submitted in support of the application including a retail assessment, a sequential assessment including potential development sites giving an overall view of need, including available expenditure and catchment areas, appropriateness of scale, location of sites, impact on existing centres and accessibility relating to the proposal.

The main cornerstone of Planning Policy Statement 4 is that in order to deliver the Government's objective of promoting vital and viable town centres, development should be focussed in existing centres in order to strengthen and where appropriate, regenerate them. The applicants have placed some reliance on the proposed development satisfying National Planning Policy Statement 4 (PPS4) and this is discussed further below. However the Council has an up-to-date Development Plan Document, CTAAP, which post-dates PPS4. Policy CT2 of CTAAP establishes the retail capacity for the period to 2016 with 50,000 sq m (gross) coming forward within the existing shopping area part of the Primary Shopping Area (PSA) with approximately 15,000 sq m within part of the PSA at Southwater. Policy OP5 is specific. It states that the Council will not support the future expansion of the Forge and Bridge Retail Parks.

The starting point for consideration of this application must therefore be the latest Development Plan policy, which as mentioned above, post-dates PPS4 and has to be considered to be PPS4 compliant in all respects, having been "tested" so very recently. Indeed the Inspector in his report states that the retail park is "separated from the existing PSA at its nearest point... by about 300m of other, non-retail uses and a considerable distance in level." (paragraph 121). He concluded in response to representatives of the Forge Retail Park, that there is no need to seek further land to accommodate comparison retail expenditure growth, and the owners' representations were rejected (paragraph 122). The Forge and Bridge Retail Parks are now clearly defined as 'out-of-centre' and CTAAP is clear that 'retail development in out-of-centre locations will be resisted, as such growth would undermine the vitality and viability of Telford Town centre' and 'whilst land remains available for retail development within and adjacent to the Shopping Area expansion of these retail parks would also not accord with PPS4.' (CTAAP paragraphs 4.2.19 and 3.3.25). The Inspector's report recognised that Policy OP5 will not support future expansion of the retail park, and "no amendment is proposed to this policy" (Inspector's report paragraph 85).

PPS4 is relevant in so far as it represents Government's policy approach in relation to the protection of town centres. CTAAP acknowledges that PPS4, in particular, the sequential approach to site selection should be used when determining out-of-centre applications. PPS4 sets out two key tests that such developments must meet in order for them to be considered acceptable.

They are:

- To demonstrate that there are no sequentially preferable sites either in the town centre or edge of centre or edge of centre locations.
- To demonstrate that proposals will not have any significant impact on the vitality or viability of the town centre.

In considering these two tests, PPS4 indicates that it is for the local planning authority to determine what constitutes 'acceptable', 'adverse', or 'significant' impacts.

PPS4 sets out the requirements for the undertaking of a sequential analysis in Policy EC15. First preference is that developments should be located on sites within the town centre where they are suitable and available. This is then followed by consideration of sites at edge-of-centre and only then, by sites that are out-of-centre. Applicants are required to provide clear evidence as to why sequentially preferable sites are not appropriate for the proposed development based on availability, suitability and viability tests. Part 6 of the Practice Guide expands further on how these tests should be applied. Developers are required to adopt a flexible approach in assessing alternative sites in terms of the scale of their development, the format of their scheme, car parking provision and the scope for disaggregation. Local Authorities should take into account genuine difficulties that can be demonstrated by the applicant in terms of operating the proposed business model by comparison with a sequentially preferable site and furthermore, a single retailer should not be expected to split their proposed development into separate sites if this was deemed to be unreasonable.

The applicants have largely ignored the fact that CTAAP is a fully adopted Development Plan Document and relegated it to the status of an 'emerging policy'. They have not updated their retail assessment to reflect the Development Plan's current status.

Sequential Analysis:

The applicants have undertaken a sequential analysis in accordance with Policy EC15 of PPS4 and considered the following sites, all of which would in theory be sequentially preferable:

- Telford Shopping Centre, specifically Red Oak Car Park: There are no suitable sites other than Red Oak Car Park suitable for this proposal. The WYG Study identifies that the Shopping Centre has longer-term potential but there are no firm proposals, despite the shopping centre's ambitions as expressed in the masterplan 'The Round'. The Council however has assessed that there is capacity for 50,000 sq m of comparison retail within the Character Area SA1 – The Existing Shopping Centre (CTAAP). However, Members will be aware that outline planning permission exists for a new supermarket at the Red Oak car park for a development of between 7,030 sq m and 8,460 sq m. ASDA is likely to vacate to other premises within the town centre, giving a realistic potential for a development such as Sainsbury's proposal to be accommodated at this location. Your officers are not convinced that the Shopping Centre is neither suitable nor viable for the proposal to accommodate either the proposed additional floorspace or a new Sainsbury's store in its entirety.
- Telford Shopping Centre, specifically Ash Grey Car Park – your officers accept that this site is not available, suitable or viable for the proposal – it represents a valuable car park. However the Shopping Centre owners have carried out their own assessment and conclude that this

site could accommodate up to 39,348 sq m (gross) retail floorspace although car parking would need to be resolved.

- Town Centre Bus Station – WYG identified that this location could accommodate up to 3,750 sq m (gross) retail floorspace. It is considered that this site could accommodate the extension element of the Sainsbury's application proposals.
- Undeveloped Land in the PSA – a landscaped area comprising 0.6 ha adjoining Lawn central (opposite Darby House). The applicants believe that this site would be discounted as forming a landscape buffer and it was noteworthy that it was excluded from the Red oak development proposal. Its availability furthermore is uncertain. This land has never been "tested" and cannot be discounted in such a random way. Your officers believe that there is some prospect for this land to be used in connection with the Red Oak car park site.
- HCA Offices, Hall Park Way and Matherson House – your officers accept the applicant's arguments that there is little prospect of these sites coming forward in the near future, irrespective of Government's rationalisation of office accommodation within the town centre. They do provide valuable town centre office accommodation and their loss to employment uses may prejudice other economic development policies.
- Lime Green, Blue Willow, Cherry Pink Car Parks – your officers accept that these sites represent valuable town centre car parking facilities and are unlikely to come forward in the short term. Their loss at this stage may affect the viability and vitality of the town centre.
- Severn Gorge PH – Your officers accept the arguments put forward that policies would not support retail activity at this location and that the site is too small.
- Odeon Cinema site: Although the applicants contend that as this site is in active use and therefore unavailable in the short term, CTAAP recognises the potential of the site to consolidate and enhance connectivity between the PSA and the Forge/Bridge Retail Parks. Officers also question whether genuine efforts have really been made to identify whether this site can realistically come forward within reasonable timescales.
- Southwater – the applicants have included the Civic Offices within their analysis of Southwater; however your officers accept that there is a degree of uncertainty concerning Southwater. This uncertainty could provide further opportunities for retail activity – particularly as the Character Area TC1c Central Southwater now forms part of the PSA within CTAAP. Officers conclude that Southwater has not been properly assessed to reach a conclusion that the site is unavailable or unsuitable. In fact officers believe that the applicants' sequential analysis of Central Southwater is particularly flawed and could easily accommodate the Sainsbury's proposals in its entirety i.e. both existing and proposed floorspace.

The applicants have failed to provide a robust analysis of sequentially preferable sites as noted above. Indeed it has also omitted the area of Central Southwater that is currently occupied by two unattractive buildings and substantial areas of surface parking. Your officers conclude that the

sequential assessment undertaken is inadequate in that all in-centre options have not been thoroughly assessed and does not comply with the sequential tests set out in PPS4.

The Impact Assessment:

Following the sequential test, PPS4 requires that the impact of the proposals is considered. PPS4 indicates that proposals should be refused where there is clear evidence that development would lead to significant adverse impacts. Where no significant adverse impacts are identified, planning applications should be assessed taking account of the positive and negative impacts of the proposal and other material planning considerations, and also the likely cumulative effect of recent developments.

Examining impacts, firstly your officers consider that the proposals are unlikely to impact on the growth of comparison goods expenditure in the Town Centre – the applicant's assertions that the comparison turnover of the proposed store can be accommodated several times over in the Town Centre is accepted.

However, PPS4 also requires the impact on existing, committed and planned investment in the centre to be considered (Policy EC16a). CTAAP has obviously been tested against PPS4 and there is a strong prospect that the development will prejudice the Council's ambitions for the regeneration of the Town Centre, which is very dependent on retail-led redevelopment schemes coming forward – in particular comparison goods retailing. The potential impact on these opportunities arising from further unrestrained out-of-centre competition would also be likely to affect 'spin-off' trade arising from 'linked-trips' shopping to other stores and traders in the town centre. The Area Action Plan has identified retail growth scenarios which are focussed entirely on the Town Centre for very good reasons. The Town Centre must remain the hub for comparison goods retailing for it to retain its status as a sub-regional shopping centre.

In addition, PPS4 Policy EC16b requires the impact of the proposal on town centre vitality, viability, including local consumer choice and the range and quality of the comparison and convenience retail offer to be assessed. The applicants acknowledge that the proposal will draw trade away from the Town centre but because the town trades well, they conclude that the proposal would not have an impact on the viability and vitality of Telford TC. However there is growing evidence, some anecdotal, that the Shopping Centre is seeing more vacancies and short term lets that suggests that the Council's CTAAP policy preventing further development at the Forge and Bridge retail parks is sound. The additional 1,986 sq m of comparison floorspace is not insignificant and will perform much in the way of a standalone comparison unit with its own customer base. The same goes for the applicant's assessment of available capacity, resulting in the quoted additional requirement to vary the condition by a total of 1,105 sq m.

In summary therefore, it is considered that the proposals are in direct conflict with the Development Plan, that they have not been properly assessed

against the sequential analysis requirements of PPS4 and that they would have an unacceptable detrimental impact on the viability and vitality of the town centre.

RECOMMENDATION: REFUSE PLANNING PERMISSION for the following reason:

- 1 The Local Planning Authority considers that there are sequentially preferable town centre/edge of centre locations which could accommodate the proposed development. Development in this out of centre location would be contrary to the Spatial Development Strategy for the Borough as set out in the Core Strategy and would seriously undermine the Council's efforts to ensure that the town centre remains at the hub of the service centre hierarchy and the Council's objective of regenerating Telford town centre. The proposal conflicts with Policies CS4 of the adopted Core Strategy, CT2 of the adopted Central Telford Area Action Plan and EC15 of Planning Policy Statement 4.

- 2 The proposal is contrary to Policy OP5 of the adopted Central Telford Area Action Plan and to Policy EC16.1 of Planning Policy Statement 4. In the absence of reasoned justification, the proposed development in the opinion of the Local Planning Authority would be likely to have an unacceptable detrimental impact on the vitality, attractiveness and viability of Telford Town Centre and would be likely to establish an undesirable precedent for the further development for retail purposes at out-of-centre locations which would undermine existing and potential investor confidence in Telford Town Centre..

OrIS capture of
W95/0969 +
W97/0108



TWC/2011/0069 North Lynn Manor, Lynn, Newport, Shropshire, TF10 9BB
Erection of 2no. 20kW wind turbines with 20m high towers (27m max height with blades)

APPLICANT
B & PJ Davies

RECEIVED
25/01/2011

PARISH
Chetwynd Aston and Woodcote

WARD
Church Aston and Lilleshall

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Appearance, Siting, Visual Impact and Intrusion, Highway Safety, Noise

THE PROPOSAL:

This application relates to the erection of two 20kw wind turbines on 20 metre high towers on land at North Lynn Manor, Woodcote, Newport. Each turbine would have three blades, 6 metres long, and the maximum height of the turbines when the blades are fully extended in a vertical position, including the hub, would be 27 metres. Each turbine can produce 40,000kW/hrs. The two turbines would stand alongside the existing 18 metre high wind turbine.

SITE AND SURROUNDINGS:

The site lies in the open countryside approximately 4 miles south east of Newport, one kilometre the east of the A41, and 250 metres north west of North Lynn Manor. The site forms part of the 384.5 hectare agricultural holding at North Lynn Manor.

The landscape here is fairly undulating and the turbines would be located on one of the lowest parts of the farm, along an old field boundary, in line with the existing turbine. The closest farm building at North Lynn Manor lies 200 metres away from the nearest proposed turbine, the farm house at North Lynn Manor lies 300 metres away, and the nearest residential property not owned by the applicant lies 350 metres away. There is a mature hedge that runs along the southern and eastern boundaries of the field that would contain the new turbines.

BACKGROUND:

North Lynn Manor is an owner-occupied farm which extends to approximately 950 acres (384.5 hectares), being a combination of agricultural land, farm buildings, and farm house. The principal enterprise is arable cropping, being a combination of winter wheat, oil-seed rape and potatoes.

The total electricity demand on the farm is in the region of 130,000kW/hrs, equating to an annual cost of approximately £13,000. The main demand for electricity is providing a constant supply for the grain drying facilities and potato storage.

The existing wind turbine which was granted planning permission (TWC/2010/0093) in 2010 has been running for 9 months, and is on target to produce 22,000kW/hrs per annum. The new turbines would produce an annual production of 40,000kW/hrs each, thus giving a total of around 102,000kW/hrs (approximately 78% of the farm's electricity demand).

The average wind speed at this site is 5.4 m/s at a height of 25 metres. The turbines will produce electricity at wind speeds as low as 2.2m/s.

The applicant states that this is not an exercise to make a profit but a way of seeking to control the cost of energy used by the business, whilst at the same time contributing to the Government policy in respect of providing a renewable energy source.

The principal objective of the wind turbines will be to reduce the applicant's need to purchase power. At times when electricity is not required on the property surplus energy will be exported to the national grid. This is unlikely to occur on a regular basis due to the farm's requirement to keep the potato store at a constant temperature, and use of the grain drying facilities in the summer months.

PLANNING HISTORY:

W2009/0441 – Erection of a 15kw wind turbine on a 15 metre high tower – approved

W2010/0093 – Erection of 11kw wind turbine on an 18 metre high tower (amendment to application W2009/0441) – approved

PLANNING POLICY CONTEXT:

National Planning Guidance

PPS7 – 'Sustainable Development in Rural Areas'

PPS22 – 'Renewable Energy'. PPS22 states that planning authorities should recognise the full range of renewable energy sources, and the wider environmental and economic benefits of renewable energy projects. "Small-scale projects can provide a limited but valuable contribution to overall outputs of renewable energy and to meeting energy needs both locally and nationally. Planning authorities should not therefore reject planning applications simply because the level of output is small".

Saved Wrekin Local Plan Policies

Policy NR1 – 'Location of Renewable Energy Developments'. The policy supports proposals for the generation of power from renewable energy sources within the District.

Policy NR2 – 'Proposals for Wind Turbines'. The policy permits the development of schemes to generate energy from the wind provided that the visual impact on the landscape is minimised; sensitive skylines are avoided; there is no detrimental impact on wildlife habitats; and the turbines are located so as to minimise their impact on residential development and highways.

LDF Core Strategy

Policy CS7 – ‘Rural Area’

Policy CS13 – ‘Environmental Resources’. The policy promotes small and large scale renewable energy projects. “The production of energy from renewable sources will be supported where this is consistent with other policies and national guidance”.

CONSULTATION RESPONSES:

7 letters of support have been received which can be summarised as follows:

- Renewable energy projects should be supported
- We cannot go on being reliant on fossil fuels
- They will reduce our carbon footprint
- Wind turbines are a cleaner way to produce power, with no harmful side effects or emissions
- Excess power that is generated would be added to the national grid
- It would create a self-sustaining community
- These small-scale wind turbines are ideal for siting on farmland
- They would barely be visible from the surrounding countryside
- They would be unobtrusive, and would not detract from the landscape as they would be below the skyline
- They would be no taller than a mature oak tree
- They are ideally positioned far enough away from existing dwellings to avoid any noise problems
- They will have no effect whatsoever on the immediate fauna and flora
- Birdlife is unlikely to be affected as recent RSPB surveys have shown
- Opponents of the application are dredging up unsubstantiated claims about the turbines because they are worried about the value of their houses

56 letters of objection have been received which can be summarised as follows:

- The turbines would dominate views from many points
- They would be seen from considerable distances
- They would be noisy and unsightly
- These are alien structures in the countryside
- They would have an adverse effect on the visual amenities of the area
- They would have a detrimental effect on the landscape and look out of character with their surroundings
- They would spoil people’s enjoyment of the countryside
- They would distract drivers on local roads, particularly the A41 which is a known accident ‘blackspot’
- Light flicker off the turbines would pose a danger to passing traffic
- They would devalue property prices
- The wind is often too weak to drive the existing turbine
- Less harmful renewal energy projects should be considered such as solar panels
- They will pose a risk to low flying aircraft, helicopters, and hot air balloons
- They will pose a danger to bats, birds, and other wildlife
- They would be detrimental to the health of local residents

- They would interfere with television and telecommunications signals
- It would set a precedent and lead to more turbines in the future
- Farms should be limited to having one turbine, otherwise they will ruin the countryside for everyone else
- This is a greedy farmer who is only concerned with the grants that come with the turbines

The Parish Council objects to the application, believing that the turbines will spoil the open views across the countryside, and the turbines are in a poor position.

The Ministry of Defence has no objections to the application.

The National Farmers Union supports the application. It considers that the existing turbine blends in discreetly against the tree-lined backdrop and that the two similar turbines that will be sympathetically sited in the same area. "This small scale operation allows electricity production without disrupting the landscape. The enterprises carried out on the farm will allow much of this electricity production to be used on site with any surplus then being exported in the national grid for other local users to benefit from a green energy source. By generating electricity from the wind turbines Mr Davies will be able to lower his carbon footprint by generating electricity from wind rather than conventional sources. This enterprise in investing in renewable energy sources on a small local scale should be encouraged".

The Council's Sustainability Officer has no objections to the application. He states that Planning Policy Statement 22 encourages planning authorities to support the use of renewable energy. We should actively support and help drive the delivery of micro-renewable energy. He considers that planning permission should only be refused where the concern relates to a heritage asset protected by an international or national designation, and the impact would cause material harm. We should give significant weight to the wider environmental, social and economic benefits of micro-renewable projects whatever their scale, recognising that small-scale projects provide a valuable contribution to cutting greenhouse gas emissions.

The Council's Ecologist has no objections to the application. She considers that the turbines are being located more than 50m from habitat features (hedgerows, woodland, water etc.) so the risk of harming any protected species is extremely low.

There is a risk of bird and bat collision with the turbines but this is very small given the number of turbines and their position in the landscape.

The Council's Highways and Geotechnical Engineers have no objections to the application.

PLANNING CONSIDERATIONS:

The applicant has stated that he looked at all the possible locations for these wind turbines on his land, taking into account the direction of the prevailing wind, obstructions, personal preferences, planning considerations, and the

distance from the distribution board. The application site meets all the requirements.

The possibility of having one larger turbine, instead of the proposed two, was considered by the applicant but was dismissed for the following reasons:

- A larger turbine would be more expensive to install, service & maintain
- There is much greater initial capital investment
- The turbine would be significantly higher, with the tip of the blades being nearly 40m high. This would mean it standing above the horizon line, when looking from the A41. As a result, it was felt one larger turbine would bring more objections and have a greater visual impact over a wider area than two smaller ones

The possibility of using solar energy in preference to wind turbines has also been explored. However, the applicant states that photovoltaic cells are not ideally suited to this holding, given the amount of roof space available, and the costs involved. The capital investment would be double, with the same output as one turbine. This would not be enough to meet the electricity needs of the farm.

The site lies in the open countryside, but does not lie within an area which has been given any special designation in relation to its countryside, amenity, or wildlife value. It is not within an Area of Outstanding Natural Beauty or an Area of Special Landscape Character, and neither is it a Site of Special Scientific Interest or a nature reserve.

The turbines would be located 350 metres from the nearest residential property not owned by the applicant, and there are six properties within a 400 metre radius, two of which are owned by the applicant. Only five dwellings would see the entire turbines – two of which are 900 metres away and the others 350-400 metres away. The existing turbine is 18 metres high and it is considered that the proposed turbines would not appear significantly dominant when viewed from the nearest cottages that lie 350-400 metres away. A series of photographs, with the proposed turbines superimposed on them, have been submitted with the application, and these have helped in the visual assessment of the proposal to demonstrate that the turbines will have a minimal impact on the surrounding landscape.

Officers consider that the turbines would not have a detrimental impact on the character and appearance of the landscape in the vicinity of the site. The most prominent point from which the turbines will be seen would be from the A41, one kilometre to the west, from where long views of the turbines would be glimpsed. However, even from here the turbines would be difficult to detect as they would be below the horizon, and a backdrop of mature woodland would help to conceal them.

The nearest public highway to the proposed site – the one that runs through Lynn - is approximately 300 metres away and the high hedge that borders this road will effectively screen the turbines to a considerable extent from most of

the road users. The natural galvanised or light grey colour of the turbines will also help to minimise their visual impact on the landscape.

The Council's Highways Engineer has no objections to the application. He does not believe that the rotation of the turbine blades would distract drivers of vehicles on local roads to any significant extent. Neither does he feel that light flicker off the turbines would pose a danger to passing traffic.

The principal source of noise emitted by the turbines would originate from the rotation of the blades. However, the applicants have submitted an acoustic report which states that even at a distance of 60 metres from the turbines the maximum noise level would only be a modest 40dBA. Such a noise level comes within Category A of the Noise Exposure Categories contained in PPG24 (Planning and Noise) where such noise is not considered to be an issue when determining planning applications. At distances of 350-400 metres from the turbines the noise levels would be well below existing ambient background noise levels. Therefore, noise is unlikely to be a nuisance to those residents living in the nearest dwellings to the site.

The Council's Ecologist has no objections to the application. The siting of the proposed turbines follows good practice by being located more than 50 metres from habitat features such as hedgerows and woodland which could be used as foraging and commuting routes for bats and birds, and away from buildings where bats may be roosting. Therefore, there is a very low risk of harm being done to any wildlife.

It is acknowledged that this application has met with a considerable amount of local opposition from people living in East Shropshire and West Staffordshire. However, after careful deliberation of the issues and for the explanations stated above, it is considered that the proposal is acceptable.

It is considered that the proposed wind turbines would be acceptable. It is felt that their simple design and sympathetic siting will not have an adverse impact on the character and appearance of the countryside in the vicinity of the site, even when considering the cumulative impact of the three turbines. The profile of the land and the backcloth of the existing mature trees mean that there are very few locations from where the whole turbines will be seen from, and very few people will see them above a skyline.

The turbines will not appear too dominant or intrusive in the landscape, even when viewed from the nearest residential property, and they will not have a detrimental impact on the prevailing visual amenities of the surrounding area. The turbines will not distract drivers' attention to any significant extent, or pose a danger to existing wildlife in the area. The scheme will provide a limited but valuable source of renewable energy for the farm that will play its part in reducing greenhouse gas emissions and our carbon footprint.

RECOMMENDATION: to GRANT PLANNING PERMISSION subject to the following conditions:

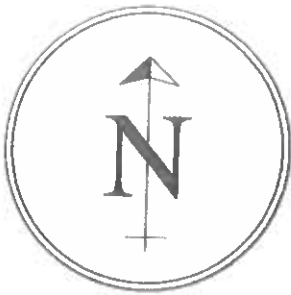
1. A04 Time limit

2. C38 Development in accordance with submitted plans

REASON FOR APPROVAL:

The simple design and sympathetic siting of the turbines will not have an adverse impact on the character and appearance of the countryside in the vicinity of the site. The profile of the land and the existing mature trees mean that there are very few locations from where the whole turbines will be seen from, and very few people will see them above a skyline.

The turbines will not appear too dominant or intrusive in the landscape, even when viewed from the nearest residential property, and they will not have a detrimental impact on the prevailing visual amenities of the surrounding area. The turbines will not distract drivers' attention to any significant extent, or pose a danger to existing wildlife in the area. The scheme will provide a limited but valuable source of renewable energy for the farm that will play its part in reducing greenhouse gas emissions and our carbon footprint.

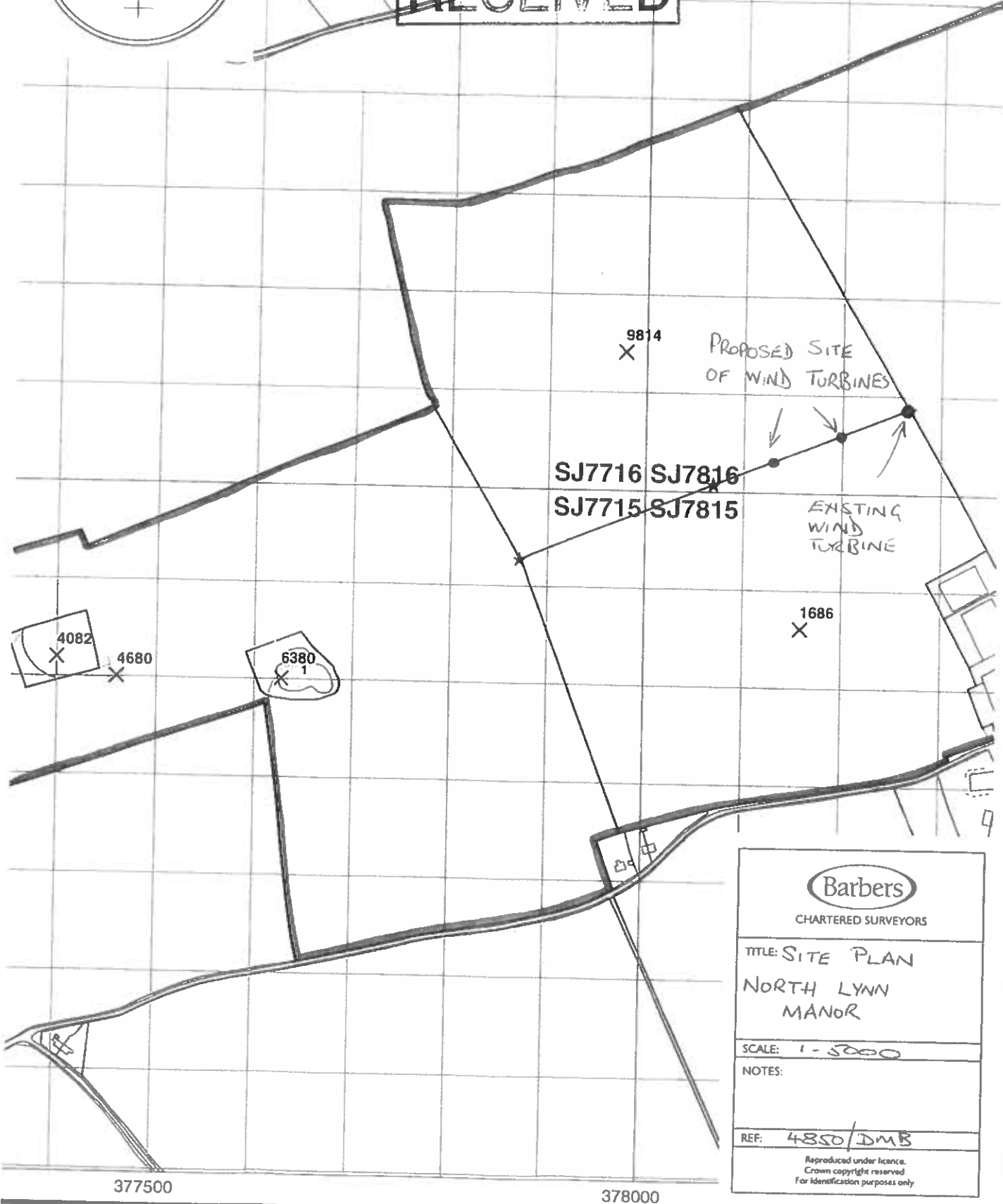


TELFORD & WREKIN COUNCIL

ENVIRONMENT & REGENERATION 378000


25 JAN 2011

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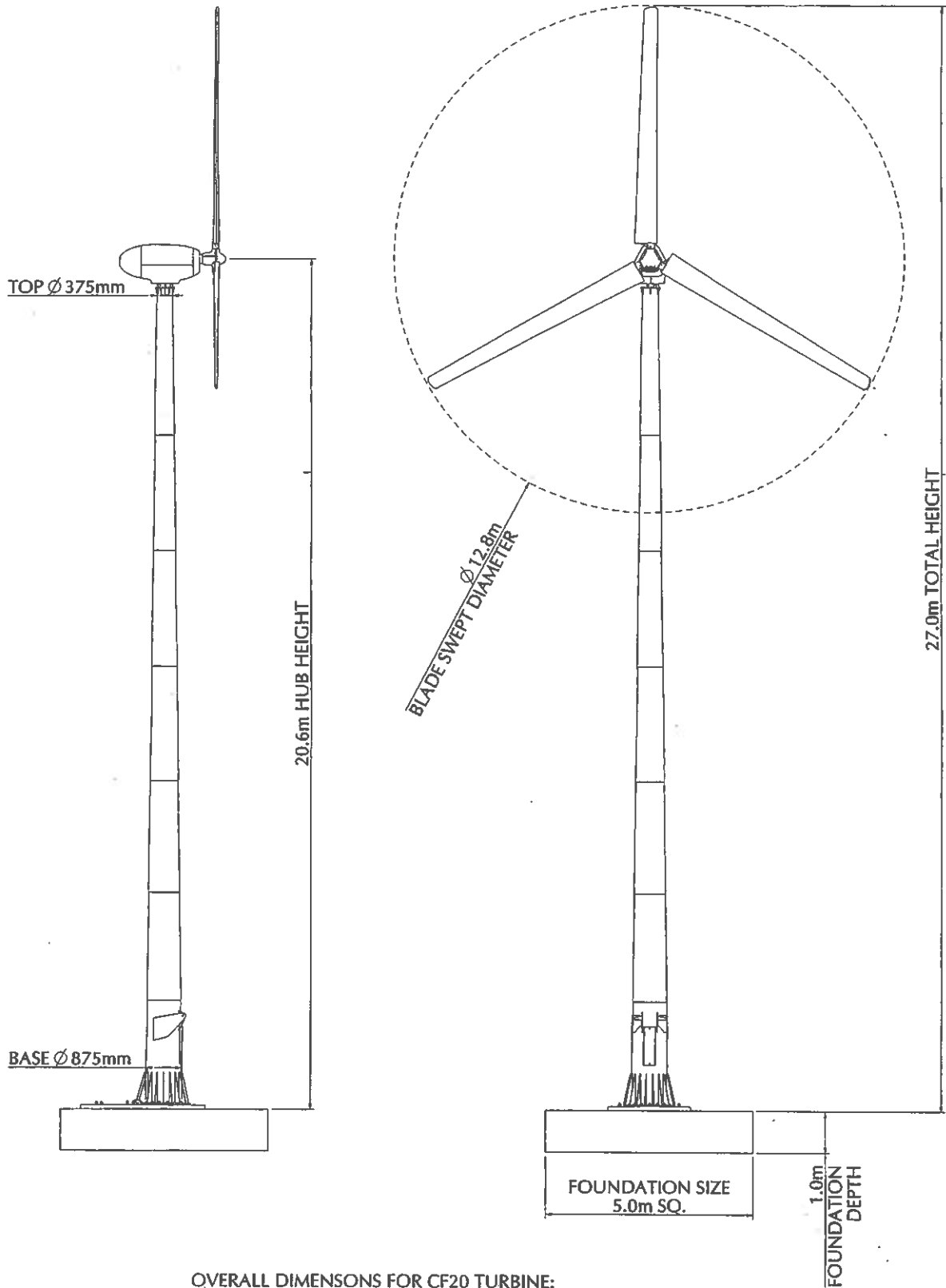


377500

378000

 CHARTERED SURVEYORS	
TITLE: SITE PLAN NORTH LYNN MANOR	
SCALE: 1 - 5000	
NOTES:	
REF: 4850/DMB	
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OVERALL DIMENSIONS FOR CF20 TURBINE:
20kW GENERATOR / 20m MAST / 6.0m BLADES

C&F Green-Energy		CF20	
DESCRIPTION: OVERALLS / PLANNING		QTY PER UNIT: -	
MATERIAL: Mast: 8mm S275 Galv		SCALE: 1:100	
DRAWN: C O'Neill	PAINTE: -	 <small>INDICATED OTHERWISE TO APPROPRIATE</small>	DWG SIZE: A3
CHECKED: -	FINISH: -		
DATE: 10-May-10	SHEET: 1 OF 1	<small>THIS DRAWING IS THE PROPERTY OF C&F GREEN ENERGY LTD. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, EITHER WHOLLY OR IN PART, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF C&F GREEN ENERGY LTD.</small>	