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**Report of the Chief Planning Officer**

***PLANS PANEL EAST***

**Date: 05/08/2010**

**Subject: APPLICATION 10/01956/FU/MIN – 18m high, 11kw wind turbine – Beechgrove Farm, Scarcroft.**

**APPLICANT**

Ms V Goodall

**DATE VALID**

06 May 2010

**TARGET DATE**

01 July 2010

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**Electoral Wards Affected: Harewood**

No

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**RECOMMENDATION: GRANT PERMISSION subject to the specified conditions:**

1. Approved plans
2. Time limit on full permission
3. Landscaping scheme
4. Colour scheme
5. Construction Method Statement (for the protection of hedgerows and trees)
6. Removal and restoration

**Reasons for approval:** It is considered that the proposal would not have a significant adverse impact on the Green Belt, the Special Landscape Area, or on the character of the wider rural landscape, and that it would have an acceptable impact on local amenity and ecology. The proposed development is considered to be acceptable having had regard to Policies GP5, N32, N33, N37, N49, and N54 of the Leeds Unitary Development Plan Review and all other material considerations.

## **1.0 INTRODUCTION:**

- 1.1 This application is brought to Plans Panel East owing to the sensitive nature of the proposal, which has received an objection from Scarcroft Parish Council, and 9 objections from Scarcroft residents.

## **2.0 PROPOSAL:**

- 2.1 This planning application proposes the erection of an 18.3m high (to hub), 11kw wind turbine associated with Beechgrove Farm, Scarcroft. The proposal is intended to provide a source of electricity to Beechgrove Farm, with any excess electricity being fed into the national grid.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The site is located within open agricultural land, approximately 60m to the west of the complex of buildings forming Beechgrove Farm and approximately 150m to the north west of the A58. The nearest neighbouring property is located at Beech Court approximately 260m to the east, beyond the existing farm buildings. The next nearest neighbouring property is located approximately 370m to the south east, off Carr Lane. The proposal would be located approximately 700m to the south of dwellings located along Ling Lane.
- 3.2 The site is designated as Green Belt and is located in a Special Landscape Area.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 There are no previous planning decisions of particular relevance to this application.

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 No negotiations have taken place between officers and the applicants.
- 5.2 Scarcroft Parish Council raised several objections and stated that assistance was required to enable them to fully understand the visual impact the proposal would have in the landscape. The Parish Council were subsequently provided with an indicative visual impact assessment prepared by the Council's Landscape Officer, comprising of photo montages from given vantage points. No additional comments have been received from the Parish Council following their objection.

## **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 The application was advertised by site notices posted on 12/05/10, and by advertisements placed in the local press on 20/05/10.

### *Scarcroft Parish Council 30/06/2010*

Objection raised on the following grounds:

- Adverse impact on the Green Belt;
- Adverse visual impact;

- The siting, design, and materials will have an adverse landscape impact;
- The proposal will be visible from a public right of way.

Objection letters have been received from residents of the surrounding area, four of whom reside along Ling Lane, which is located in excess of 700m from the site. The objections raised are as follows:

- There would be an unacceptable visual impact;
- The proposal could result in an unacceptable noise impact;
- It is not clear whether the proposal would be of any economic benefit;
- The proposal could have an adverse impact on wildlife;
- The proposal will make the area less desirable as a place to live;
- The proposal is not acceptable in the Green Belt or a Special Landscape Area.

## **7.0 CONSULTATIONS RESPONSES:**

### 7.1 Non-statutory:

#### Landscape Team

No objections; condition recommended.

#### Nature Conservation Team

No objections.

#### Environmental Health

No objections.

#### Leeds Bradford Airport

No comments received.

## **8.0 PLANNING POLICIES:**

### 8.1 Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". Following direction from the Secretary of State on 25<sup>th</sup> June 2010, the development plan for Leeds comprises of the Leeds Unitary Development Plan Review (July 2006), policies as saved by direction of the Secretary of State, dated September 2007 and any other locally adopted planning guidance.

### 8.2 Leeds Unitary Development Plan (Review):

Policy GP5 (Amenity and environmental considerations)  
 Policy N32 (Green Belt and the Proposal Map)  
 Policy N33 (Development in the Green Belt)  
 Policy N37 (Special Landscape Areas)  
 Policy N49 (Nature Conservation)

## Policy N54 (Development of Renewable Energy)

### 8.3 National planning policy guidance documents:

Planning Policy Statement 1 'Delivering Sustainable Development'

Planning Policy Guidance Note 2: 'Green belts'

Planning Policy Statement 7 'Sustainable Development in Rural Areas'

Planning Policy Statement 22 'Renewable Energy'

## 9.0 **MAIN ISSUES**

1. Principle of Development
2. Visual Impact
3. Amenity
4. Ecology
5. Other Considerations

## 10.0 **APPRAISAL**

### Principle of Development

10.1 The preliminary assessment when considering proposals for development in the Green Belt is as follows:-

- a) It must be determined whether or not the development is inappropriate development in the Green Belt. PPG2 and the Local Plan set out the categories of appropriate development.
- b) If the development is considered not to be inappropriate, the application should be determined on its own merits.
- c) If the development is inappropriate, the presumption against inappropriate development in the Green Belt applies.

10.2 Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. It is for the applicant to show why permission should be granted and "very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations" (PPG2, paragraph 3.2).

10.3 In terms of Green Belt policy, this application proposes the erection of a building. Policy N33 of the Unitary Development Plan Review (UDPR) stipulates the instances in which new buildings are not considered inappropriate in the Green Belt, in accordance with the guidance contained in PPG2. According to the submitted information, the proposed wind turbine is intended to power the applicants' on-site activities, which include a kennel business and veterinary activities. The proposed building is therefore considered to constitute inappropriate development in the Green Belt.

10.4 Very special circumstances have been submitted by the applicants, which state that the environmental benefits of the proposed renewable energy development outweigh the harm to the Green Belt, arising from its inappropriateness and any other harm. It is noted that the guidance contained in PPS22 states that, where

proposed wind energy development is deemed to constitute inappropriate development in the Green Belt:

*“developers will need to demonstrate very special circumstances that clearly outweigh any harm by reason of inappropriateness and any other harm if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.”* (Paragraph 13)

10.5 PPS22 also states that:

*“The wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission.”* (Paragraph 1)

10.6 Given the guidance contained in PPS22, the very special circumstances submitted by the applicants are considered to clearly outweigh the harm that the proposal would cause to the Green Belt, by reason of inappropriateness. The proposed development is not considered to cause any other harm to the Green Belt, and this is discussed further on in this report.

10.7 Policy N54 of the UDPR states that proposals for the development of renewable energy resources will in general be supported, subject to the criteria contained in Policy GP5.

10.8 The proposal is considered to be acceptable in principle.

#### Visual Impact

10.9 Policy GP5 of the Leeds UDPR states that development proposals should avoid “problems of environmental intrusion”. Paragraph 3.15 of PPG2 states that the visual amenities of the Green Belt should not be harmed by development within or conspicuous from the Green Belt, by reason of their siting, materials or design. Policy N37 of the UDPR states that proposed development in special landscape areas will be acceptable providing it does not seriously harm the character and appearance of the landscape.

10.10 Objections have been raised by Scarcroft Parish Council and nine Scarcroft residents regarding the visual impact of the proposal, particularly given the site’s Green Belt location and designation as a Special Landscape Area.

10.11 As discussed, the proposal would comprise of a relatively small scale, solid-mast wind turbine coloured white, with a hub height of 18.3m. The proposal would also include a concrete base and a cable linking the proposed turbine with nearby buildings, all of which would run underground.

10.12 The site is reasonably well screened to the south and south east with dense tree coverage located several hundred metres beyond the site; There are numerous hedgerows and scattered clusters of trees beyond the site to the north, offering a moderate amount of screening.

10.13 Visually, the proposal would be most prominent when viewed from the A58 to the south, where there are some breaks in the hedgerows between this 50mph highway and the site, which would be located approximately 150m to the north, beyond an

additional hedgerow within the applicant's ownership. The proposal would be located in close proximity to the existing complex of farm buildings, where most of the buildings are approximately 8m in height. The proposal would be significantly smaller in scale, particularly in terms of its height, bulk and massing, than the 30m high silage tank that formally stood at the south west corner of the farm complex, but which was removed in 1995.

10.14 The Council's Landscape Officer has raised no objections to the proposal subject to the imposition of a condition, should planning permission be granted, requiring the submission of a scheme for the protection of hedgerows and trees during construction, and the submission of a landscaping scheme to reinforce the screening along part of the A58. Conditions can also be imposed, should planning permission be granted, requiring the submission of a colour scheme for the proposal, to ensure the proposal blends in effectively with its surroundings, and requiring the removal of the turbine and restoration of the site after a given period of time, to ensure the proposal is removed if it is not in use or when it comes to the end of its working life.

10.15 The Landscape Officer stated that:

*"I have carried out a detailed assessment of this proposal from the surrounding area and I do not think that this turbine will have a major impact. This is mainly due to the natural screening provided by an undulating landform that is rich in hedgerows, trees and copses. The turbine will always be viewed in the context of the nearby farm buildings. Most of the sensitive views are at such a distance that the turbine will be barely perceptible."*

*"The greatest impact will be glimpsed for short durations from traffic moving north on the A58 on the approach uphill towards the farm. If there is a concern, then this could easily be mitigated by reinforcing the roadside vegetation. This could be conditioned."*

10.15 Subject to the aforementioned conditions, it is considered that the proposal, in terms of its siting, scale, materials and design would not be detrimental to the visual amenities of the Green Belt or the Special Landscape Area, and that it would be in accordance with Policies GP5, N32, N37, and N54 of the UDPR, and the guidance contained in PPG2.

#### Amenity

10.16 Policy GP5 of the Leeds UDPR states that development proposals should avoid a loss of amenity.

10.17 Objections were received from neighbouring occupiers stating that the proposal could have an adverse noise impact.

10.18 The proposal would be located in excess of 250m from any neighbouring residential properties.

10.19 The Council's Environmental Health section was consulted about this application and has raised no objections. It is therefore considered that the proposal would not have any unacceptable impact on local amenity, and that it is in accordance with Policy GP5 of the UDPR.

#### Ecology

- 10.20 Policy N49 of the UDPR state that proposed development should avoid cause adverse impacts to wildlife and nature resources.

Objections were received from neighbouring occupiers stating that the proposal could have an adverse impact on wildlife.

- 10.21 The Council's Nature Conservation Officer has raised no objections and it is therefore considered that the proposal would not have a significant adverse impact on wildlife and nature resources, and would be in accordance with Policy N49 of the UDPR.

#### Other Considerations

- 10.22 It has been stated by a neighbouring occupier that the proposal would have an adverse impact on the desirability of Scarcroft as a place to live. This is not a material consideration.
- 10.23 The Parish Council has stated that economic benefits of the proposal are unclear. The financial benefits of the proposal to the applicants are a private matter for their consideration. The proposal is for the erection of electricity generating equipment for relating to a private enterprise; there are unlikely to be any significant wider economic benefits.

### **11.0 Conclusion**

- 11.1 The proposed development is considered to be acceptable having regard to Policies GP5, N32, N33, N37, N49, and N54 of the UDPR and all other material considerations.

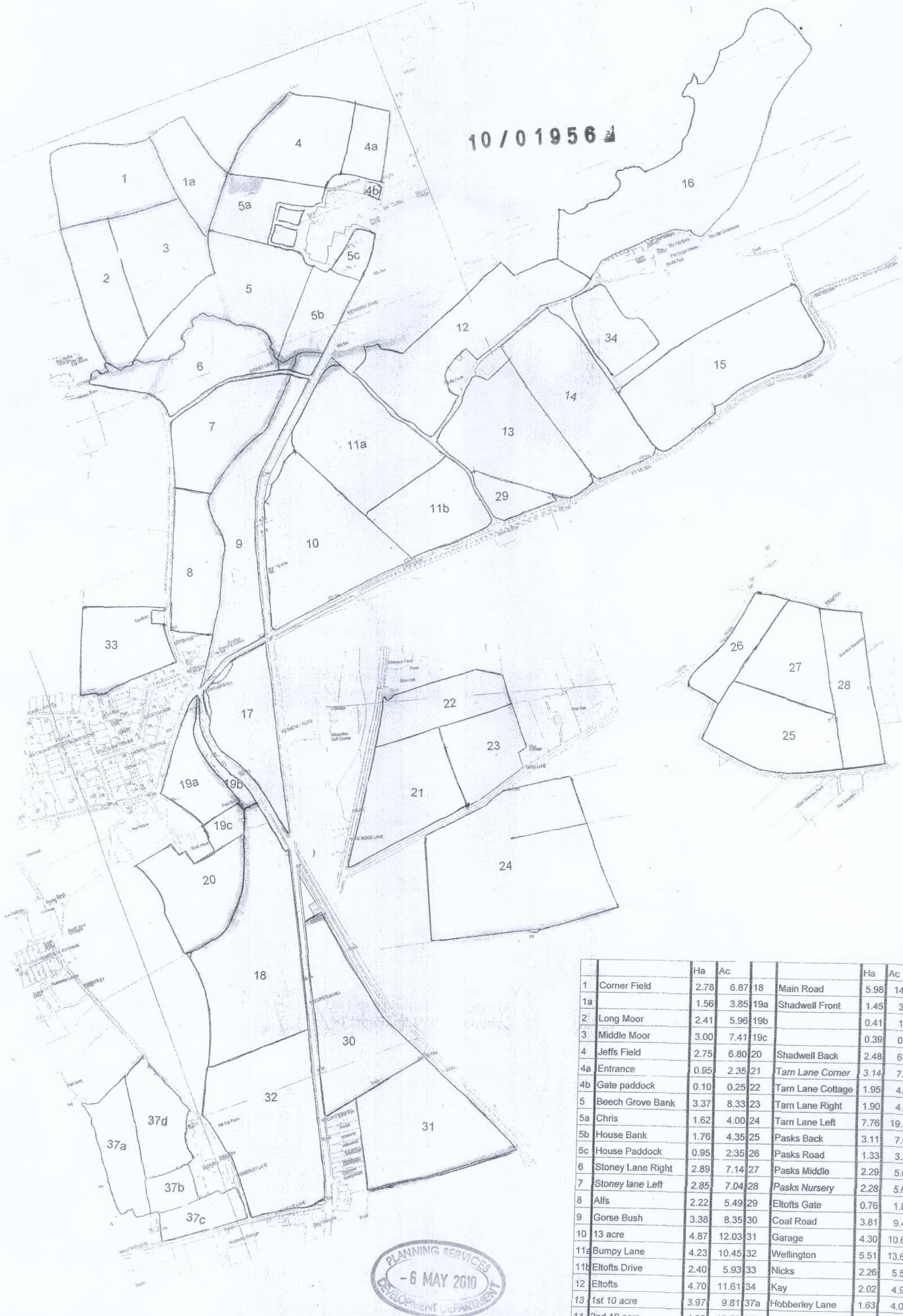
#### **Background Papers:**

Application file: 10/01956/FU/MIN

Certificate of Ownership: Ms V Goodall



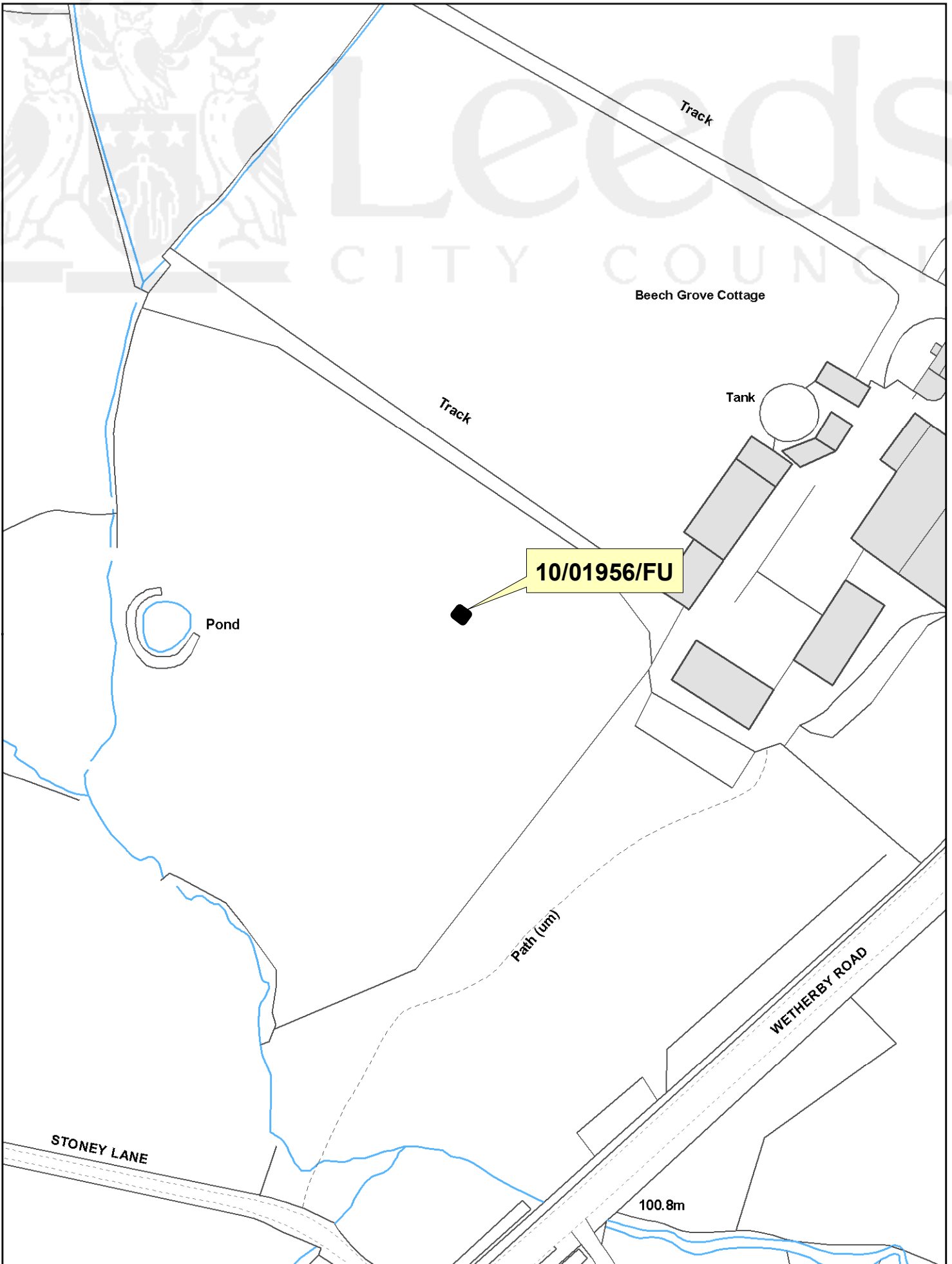
10/01956



Do Not Spread Slurry within 10 meters of Water courses

		Ha	Ac			Ha	Ac
1	Corner Field	2.78	6.87	18	Main Road	5.98	14.78
1a		1.56	3.85	19a	Shadwell Front	1.45	3.58
2	Long Moor	2.41	5.96	19b		0.41	1.01
3	Middle Moor	3.00	7.41	19c		0.39	0.96
4	Jeffs Field	2.75	6.80	20	Shadwell Back	2.48	6.13
4a	Entrance	0.95	2.35	21	Tarn Lane Corner	3.14	7.76
4b	Gate paddock	0.10	0.25	22	Tarn Lane Cottage	1.95	4.82
5	Beech Grove Bank	3.37	8.33	23	Tarn Lane Right	1.90	4.69
5a	Chris	1.62	4.00	24	Tarn Lane Left	7.76	19.17
5b	House Bank	1.76	4.35	25	Pasks Back	3.11	7.68
5c	House Paddock	0.95	2.35	26	Pasks Road	1.33	3.29
6	Stoney Lane Right	2.89	7.14	27	Pasks Middle	2.29	5.66
7	Stoney lane Left	2.85	7.04	28	Pasks Nursery	2.28	5.63
8	Alfs	2.22	5.49	29	Eltofts Gate	0.76	1.88
9	Gorse Bush	3.38	8.35	30	Coal Road	3.81	9.41
10	13 acre	4.87	12.03	31	Garage	4.30	10.63
11a	Bumpy Lane	4.23	10.45	32	Wellington	5.51	13.62
11b	Eltofts Drive	2.40	5.93	33	Nicks	2.26	5.58
12	Eltofts	4.70	11.61	34	Kay	2.02	4.99
13	1st 10 acre	3.97	9.81	37a	Hobberley Lane	1.63	4.03
14	2nd 10 acre	4.25	10.50	37b		0.61	1.51
15	Carr lane	5.24	12.95	37c		0.90	2.22
16	Golf Links 8.21	8.21	20.29	37d		1.40	3.46
17	Shadwell Triangle	2.61	6.45				





# EAST PLANS PANEL

