

## **Item No. 06**

<b>APPLICATION NUMBER</b>	<b>CB/14/00925/FULL</b>
<b>LOCATION</b>	<b>Brogborough Landfill Site, Woburn Road, Lidlington</b>
<b>PROPOSAL</b>	<b>Six wind turbines with associated access roads, control buildings and transformers.</b>
<b>PARISH</b>	<b>Marston Moretaine</b>
<b>WARD</b>	<b>Cranfield &amp; Marston Moretaine</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Bastable, Matthews &amp; Mrs Clark</b>
<b>CASE OFFICER</b>	<b>Lisa Newlands</b>
<b>DATE REGISTERED</b>	<b>18 March 2014</b>
<b>EXPIRY DATE</b>	<b>08 July 2014</b>
<b>APPLICANT</b>	<b>FCC Environment Ltd</b>
<b>AGENT</b>	<b>Parsons Brinckerhoff</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Public Interest</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Refused</b>

### **Summary of recommendation:**

National and Adopted Local Planning Policies support the installation of renewable energy projects provided there is no unacceptable adverse impact. The Planning Practice Guidance makes it clear that the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities. The proposed development is considered to have a detrimental impact on the landscape character of the area, residential amenity in terms of both noise and visual amenity, and visual amenity from recreational areas within the Vale. The harm would in this instance outweigh the benefits of harnessing wind power.

The application also fails to demonstrate the impact on the Minerals and Waste final restoration plan for the site and fails to consider the allocation of part of the site for waste management policies other than landfill and the impact the proposed development might have on this application.

Furthermore, the application fails to provide sufficient information in accordance with the National Planning Policy Framework regarding the significance of the affected heritage assets and does not provide a platform from which the harm to that significance can be assessed.

The proposal is therefore considered to be contrary to the National Planning Policy Framework, Policies CS15, CS16 and DM1 of the Core Strategy and Development Management Policies for Central Bedfordshire (North). Policy GE1 of the Bedfordshire & Luton Minerals and Waste Local Plan 2005 and Policy MWSP3 of the Minerals and Waste Local Plan: Strategic Sites and Policies Local Development Document (adopted January 2014). Furthermore, the proposal would be contrary to the advice given in the Central Bedfordshire Guidance Note 1: Wind Energy Development in

Central Bedfordshire which has been adopted as technical guidance for Development Management purposes.

## **Recommendation**

That Planning Permission be refused for the following reasons:

### **RECOMMENDED REASONS**

- 1 The proposed development by virtue of the topography of the site, siting, scale and design of the wind turbines would have a detrimental impact on the landscape character of the Marston Vale and the Greensand and Clay Ridges and as such would be contrary to the National Planning Policy Framework, Policies DM1 and CS16 of the Core Strategy and Development Management Policies for Central Bedfordshire (North), Policies 46 and 58 of the *Development Strategy for Central Bedfordshire* (pre-submission version, January 2013) and Technical Guidance – Guidance Note 1: Wind Energy Development in Central Bedfordshire.
- 2 The proposed development by virtue of the siting, scale and design of the wind turbines would have a detrimental impact on the visual amenity of properties within Cranfield, in particular the Wood End Road area, harmful to the residential amenity of the occupiers of these properties; and the visual amenity from a number of recreational areas, such as Folly Wood and Reynolds Wood; and Public Rights of Way within the area, harmful to the visual amenity and recreational value of these areas. The proposal would therefore be contrary to the National Planning Policy Framework, Policies CS16, DM1 and DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North), Policies 43, 46 and 58 of the *Development Strategy for Central Bedfordshire* (pre-submission version, January 2013) and Technical Guidance – Guidance Note 1: Wind Energy Development in Central Bedfordshire.
- 3 The proposed development would present a significant adverse noise impact on the area where predicted turbine noise is in great excess of existing background noise levels. In addition, whilst the development can meet ETSU-R-97 limits, the predicted turbine noise levels are within a very limited margin of the derived limits and therefore there is limited headroom and insufficient safety margin to address prediction errors and variability in levels above the average, thus resulting in the development being harmful to the residential amenities of local residents in terms of noise. The proposal would therefore be contrary to the National Planning Policy Framework, Policies DM1 and DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North), Policies 43 and 46 of the *Development Strategy for Central Bedfordshire* (pre-submission version, January 2013) and Technical Guidance – Guidance Note 1: Wind Energy Development in Central Bedfordshire.

- 4 The proposal will have an impact on the historic environment and on a number of designated heritage assets of the highest significance. The Environmental Impact Assessment does not contain a description of the significance of the heritage assets and their settings that will be affected by the development. Therefore it is contrary to paragraph 128 of the National Planning Policy Framework, Policy CS15 of the Core Strategy and Development Management Policies for Central Bedfordshire (North), Policy 45 of the *Development Strategy for Central Bedfordshire* (pre-submission version, January 2013). In addition, the failure to provide the information required in paragraph 128 of the NPPF and policy 45 of the *Development Strategy for Central Bedfordshire* (pre-submission version, January 2013) means that the proposal cannot be assessed in terms of paragraph of 132-134 of the NPPF which specifically deal with impact of development proposals on designated heritage assets.
- 5 Due to the lack of information required to adequately assess the degree of impact on and conflict with the existing approved restoration scheme for the landfill site (baseline scenario) and how the identified effects would be mitigated, both at the construction and operational phases of the proposed development, the application is judged to be contrary to Policy MWSP3 of the Minerals & Waste Local Plan: Strategic Sites and Policies LDD (January 2014) and saved Policy GE1 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.
- 6 No assessment has been made as to whether the proposed turbines on the eastern boundary of the landfill site would prejudice future development of the strategic waste management site allocation identified for waste recovery uses in Policy WSP2 of the Minerals & Waste Local Plan: Strategic Sites & Policies LDD (January 2014).

## Notes to Applicant

### **Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. In the Council's view the proposal is unacceptable given its siting and scale in this location, and there are fundamental objections which cannot be overcome through dialogue. The applicant was invited to withdraw the application to seek pre-application advice prior to any re-submission but did not agree to this. The Council has therefore complied with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of additional consultation responses and comments as detailed in the Late Sheet:

- a. Ampthill and District Preservation Society objected to the impact on the rural character of this part of the Marston Vale;
- b. Ridgmont Parish Council objected to the development and the location and the visual and audible impact;
- c. Stewartby Parish Council objected to the impact development would have on the surrounding area of the Vale and felt more background information should be obtained on the 'buffering effect';
- d. Houghton Conquest Parish Council objected to the close proximity to approximately 1000 homes which will be within 1500m.
- e. 20 further letters of objection were received from residents raising issues which were already discussed in full within the report. No new issues were raised.]