

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

30 MARCH 2011

**REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES**

10/3016/FUL

Land Parcel at 448093 510847, Seamer Road, Hilton

Proposed erection of 10.26m high meteorological mast for a temporary period of 12 months

Expiry Date: 1 February 2011

SUMMARY

This application was considered by the Planning Committee on 2nd February 2011 and was deferred in order to obtain confirmation from the National Grid that the wind data from the mast would be acceptable to them and that the equipment could not be fixed to the 400 kV overhead line support structure. The National Grid has confirmed these details.

Planning permission was granted in August 2009 for the erection of three wind turbines together with associated crane pads, access tracks, site compound, control building, meteorological mast and access to public highway on land between the villages of Hilton and Seamer on the border between the administrative boundaries of Stockton Borough and Hambleton District Councils. A further two turbines were granted permission within Hambleton on appeal. The combined approvals together form the Seamer Wind Farm. The applicant of the wind farm was also previously granted planning permission on appeal for the erection of a 60m high wind monitoring mast for a temporary period of 24 months. The 60m high temporary mast was erected and has since been removed following the expiration of the 24 month period. The wind farm has not yet been commenced on site as some pre commencement conditions are yet to receive discharge.

The approved wind farm application provided for an 80m high lattice meteorological tower to be erected for the duration of the wind farm operation which was approved as 25 years. The approved scheme also required by condition an agreement to assess the impact of turbulence on the nearby overhead lines. The agreed scheme regarding impacts to the overhead lines details that Broadview Energy will supply the National Grid with wind speed data both before and after the commencement of the wind farms operation and the developer has the ability to achieve this taking into account the existing approval. The applicant has agreed a scheme with the National Grid to monitor turbulence on their apparatus, which was acceptable to officers. This was then amended although remained to be acceptable. The agreed scheme is achievable as the applicant has the ability to erect the 80m high wind monitoring tower already approved as part of the wind farm scheme, although this proposed 10.26m high mast may reduce the need or duration for the significantly larger wind monitoring tower being erected, thereby limiting the overall impact of the wider scheme on the surrounding landscape.

This current proposal is for the erection of a 10.26m high meteorological mast on land within the boundary of the approved wind farm, on land between the villages of Hilton and Seamer for a temporary period of 12 months.

A total of 45 letters of objection have been received in respect to the scheme. The main objections relate to the impact of the development on the character and appearance of the area, surrounding views and there already having been a wind monitoring mast in position in association with the Seamer Wind Farm.

The Head of Technical Services has considered the proposed scheme in relation to its impact on the landscape setting and has raised no objections to the scheme due to its low height and narrow profile having only a minimal visual impact on the wider landscape, particularly in comparison to the 5 turbines already approved for the site. It is further advised that due to its small size, it will not contribute to any cumulative visual impact in the area once the proposed turbines have been constructed.

The principle of the wind farm development and its impact on the landscape have already been established by previous decisions and this impact is of five 125m to tip turbines and other associated infrastructure to be located within this landscape for a period of 25 years.

Taking into account the position of the site, the current extant planning approval for the wind farm, the limited scale of the proposed mast and its slender nature and it being proposed for a temporary period of 12 months, it is considered that the mast would not unduly affect the character or appearance of the existing landscape, being in accordance with the requirements of Policies EN13, CS3 and CS10.

RECOMMENDATION

Planning application 10/3016/FUL be approved with conditions subject to

01 Approved Plans

The development hereby approved shall be in accordance with the following approved plans unless otherwise agreed in writing with the Local Planning Authority.

<i>Plan Reference Number</i>	<i>Date on Plan</i>
5396B-04-N-090	25 November 2010
5396B-04-N-04-091	25 November 2010
5396B-04-N-092	25 November 2010
5396B-04-N-093	25 November 2010

Reason: To define the consent.

02 Temporary approval – 12 months

This consent is granted for a temporary period of 12 months from the date of its erection, when, unless the renewal of consent is sought and granted, the use, mast, equipment and all associated infrastructure and ancillary works shall be removed from the site and the land shall be reinstated to its former condition.

Reason: the mast is not considered suitable for permanent retention on the site and in order to accord with Stockton on Tees Core Strategy Policy CS3.

INFORMATIVES

General Policy Conformity

The proposed scheme has been considered against the policies and documents listed below. It is considered that the proposed scheme is of an appropriate use for its position whilst is of a scale and nature and would be in a position for a period of time which would not unduly affect the character or appearance of the surrounding area, highway safety or any wildlife or their associated habitats. It is considered that there are no known material planning considerations that suggest a decision should be made otherwise.

Saved Local Plan Policy EN13
Core Strategy Development Plan Policy CS3
Core Strategy Development Plan Policy CS3

BACKGROUND

1. 07/3519/FUL – Permission granted on appeal for the erection of a 60m temporary guyed wind monitoring mast for a period of 24 months. This has now been removed following the expiration of the 24 month period.
2. 09/0736/EIS. Conditional planning permission was granted for a wind farm (3 turbines and ancillary development and equipment including an 80m high metrological mast). The 80m high metrological mast approved as part of this consent was a lattice tower structure with equipment attached to it. The lattice tower was shown having a base width of 8m.
3. Planning permission for 2 wind turbines granted on appeal within the administrative boundary of Hambleton.

PROPOSAL

4. Planning permission is sought for the temporary erection of a Meteorological Mast in order to collect pre turbine construction wind data which is then intended to be supplied to the National Grid to give assistance to their assessment of turbines on overhead power lines. The 10.26m high mast would be erected for a period of 12 months and consists of a central mast with equipment attached and 4 guy wires extending 4.9m out from the base of the mast and being attached to anchor points at ground level.

CONSULTATIONS

The following Consultations were notified and comments received are summarised below:-

Head of Technical Services

Highways Comments

There are no objections to the erection of a meteorological mast.

Landscape & Visual Comments

There are no objections to the erection of the proposed meteorological mast. Due to its low height and narrow profile the visual impact of the mast will be minimal in the wider landscape, particularly in comparison to the 5 turbines already approved for the site. Further more due to its small size it will not contribute to any cumulative visual impact in the area once the proposed turbines have been constructed. As such the visual impact of the mast will be minimal.

Hilton Parish Council

Hilton Parish Council have reviewed this application and all nine councillors object to this proposed development. The general views are that Broadview are disorganised and that they had a temporary mast for two years which should have allowed them to collect all the necessary data. The construction of the mast will cause further disruption and the application does not mention construction and access. The mast will cause visual disruption which has been one of the main objections to the whole development. The development was only approved at a meeting which many believe was deeply flawed and that Broadview are demonstrating a worrying lack of forward planning ability. This gives concerns for future work at the site.

National Grid

The National Grid have advised of the following;

'National Grid is satisfied that the data provided by the 10.26m high meteorological mast will be adequate for the purposes of our monitoring solution'.

'Technically it is possible to attach the required meteorological equipment to one of the towers. However, the additional complexity of construction, equipment maintenance and risks associated with access to a 400kV route support structure means that unfortunately it is not acceptable for a temporary installation of this type.'

PUBLICITY

Neighbours were notified and 45 letters of objection have been received in respect to the application. Comments were received from the following.

Norman Ellington, 34 Falcon Walk Hilton
Richard Tickner, 19 Moorberries Hilton
Barbara Tickner, 19 Moorberries Hilton
P J Gibbons, 18 Moorberries Hilton
G Walker, 17 Moorberries Hilton
K H Charlton, 17 Moorberries Hilton
Linda Sayer, 9 Moorberries Hilton
Mr K L Raine, 5 Moorberries Hilton
Mrs M Raine, 5 Moorberries Hilton
Helen Campbell, 2 Moorberries Hilton
Mark Campbell, 2 Moorberries Hilton
David Massey, 1 Moorberries Hilton
Jane Massey, 1 Moorberries Hilton
D S Walker, 36 Manor Drive Hilton
J A Walker, 36 Manor Drive Hilton
D N Laurence, 24 Manor Drive Hilton
Trevor Turner, 16 Manor Drive Hilton
Peter Nicol, 12 Manor Drive Hilton
P D and D Brown, 5 Manor Drive Hilton
Mrs K Jones, Kilmuir Manor Drive
Brian and Kathleen Jones, Kilmuir Manor Drive
J McArthur, Balgownie Manor Drive
M McArthur, Balgownie Manor Drive
Mrs Nicola Porter, 57 Falcon Walk Hilton
James Porter, 57 Falcon Walk Hilton
R I Davies, 53 Falcon Walk Hilton
C A Davies, 53 Falcon Walk Hilton
Mr D Wallace, 16 Falcon Walk Hilton
Mrs M Wilkinson, 7 Falcon Walk Hilton
H N Wilkinson, 7 Falcon Walk Hilton
Mrs M Hicks, 7 Seamer Road Hilton
Guy Weston 4 Seamer Road, Hilton
G L Weston, 4 Seamer Road Hilton
Mrs R M Weston, 4 Seamer Road Hilton
Tom Crabtree, 15 Fir Tree Close Hilton
Anne Crabtree, 15 Fir Tree Close Hilton
Martin Bewley, 7 Fir Tree Close Hilton
Sally Bewley, 7 Fir Tree Close Hilton
Ian McNaughton, Falcon Inn Hilton
Dr C Gibbs, 36 Fir Tree Close, Hilton
E Gibbs, 36 Fir Tree Close, Hilton
Mr C Quinn, 7 Holme Lane, Seamer
Mrs R Sinclair, 5 Holme Lane, Seamer
Mrs Helen Tucker, The Willows, Yarm Road, Hilton
Mr Philip Noel Tucker, The Willows, Yarm Road, Hilton

Comments received are summarised below:-

- This planning proposal is both unsightly and unnecessary, having an unneeded and unwanted adverse visual impact, being another feature to spoil the landscape.
- The scheme will ruin the views of the Cleveland hills.
- It will detract from the natural beauty of the landscape.
- The first mast demonstrated that they are unsightly structures in the countryside.
- It will reduce wildlife in the area and affect their habitat.
- The first was an eyesore which the community was opposed to and the community was glad to see it removed. We have put up viewing it for long enough.
- Broadview has had a mast up for 2 years which has just been removed and from which data will have been gathered. There should be no need to erect another one and repeat this impact.
- This suggests that Broadview were incompetent in their data collection and were assuming the original mast would be allowed to remain long past it's allowed time. If this second mast were to be allowed, I fear that we will see the same thing happen again.
- Teeside weather station already have an anemometer mast which is 10m high which can provide the information required.
- There is no need for the mast.
- The developer is drip feeding amendments to the scheme making a mockery of the system.
- Everything connected with this is a disgraceful act of vandalism. I am disgusted at the way this shoddy affair has been rolled out over the wishes of the majority of people.
- As the recent weather has shown, even more evidence that these things are useless! They are not, never have been or ever will be viable! More and more they are being rejected throughout the world. The ones in the U.K failed miserably during December generating less than 1% of the energy required. It does not take a genius to work out that we would need more than one per person to stay "electrified"
- It is not too late to stop this. There are many who will continue to try to. We do not want this wind farm
- A 10m mast is not sufficiently tall to accurately measure the effects of wind speed on 40 – 50m high pylons.
- The applicant has had a 60m mast on the site for three years. This is more than adequate time to collect pre construction wind data.
- The consented wind turbines will be permanently fitted with wind monitoring equipment to provide all the wind data needed post construction and the height of the equipment will also give accurate readings in relation to the height of the pylons.
- A 10.26m high mast represents a hazard to birds and bats and its height will be attractive to birds to use it as a perching / lookout point. The guy wires will increase hazard to bird and bat movement in the area especially as it will be adjacent to wind turbines. Bird strike on the guy wires is a definite hazard and should it be approved could you please make it a condition that bird deflectors are attached to the guy wires.

PLANNING POLICY

Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Core Strategy Development Plan Document and Stockton on Tees Local Plan (STLP)

The following planning policies are considered to be relevant to the consideration of this application:-

Local Plan Policy EN13

Development outside the limits to development may be permitted where:

- (i) It is necessary for a farming or forestry operation; or
 - (ii) It falls within policies EN20 (reuse of buildings) or Tour 4 (Hotel conversions); or
- In all the remaining cases and provided that it does not harm the character or appearance of the countryside; where:
- (iii) It contributes to the diversification of the rural economy; or
 - (iv) It is for sport or recreation; or
 - (v) It is a small scale facility for tourism.

Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change

1. All new residential developments will achieve a minimum of Level 3 of the Code for Sustainable Homes up to 2013, and thereafter a minimum of Code Level 4.
2. All new non-residential developments will be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) of 'very good' up to 2013 and thereafter a minimum rating of 'excellent'.
3. The minimum carbon reduction targets will remain in line with Part L of the Building Regulations, achieving carbon neutral domestic properties by 2016, and non domestic properties by 2019, although it is expected that developers will aspire to meet targets prior to these dates.
4. To meet carbon reduction targets, energy efficiency measures should be embedded in all new buildings. If this is not possible, or the targets are not met, then on-site district renewable and low carbon energy schemes will be used. Where it can be demonstrated that neither of these options is suitable, micro renewable, micro carbon energy technologies or a contribution towards an off-site renewable energy scheme will be considered.
5. For all major developments, including residential developments comprising 10 or more units, and non-residential developments exceeding 1000 square metres gross floor space, at least 10% of total predicted energy requirements will be provided, on site, from renewable energy sources.
6. All major development proposals will be encouraged to make use of renewable and low carbon decentralised energy systems to support the sustainable development of major growth locations within the Borough.
7. Where suitable proposals come forward for medium to small scale renewable energy generation, which meet the criteria set out in Policy 40 of the Regional Spatial Strategy, these will be supported. Broad locations for renewable energy generation may be identified in the Regeneration Development Plan Document.
8. Additionally, in designing new development, proposals will:
 - _ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
 - _ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
 - _ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
 - _ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.
9. The reduction, reuse, sorting, recovery and recycling of waste will be encouraged, and details will be set out in the Joint Tees Valley Minerals and Waste Development Plan Documents.

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

1. In taking forward development in the plan area, particularly along the river corridor, in the North Tees Pools and Seal Sands areas, proposals will need to demonstrate that there will be no adverse impact on the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar site, or other European sites, either alone or in combination with other plans, programmes and projects. Any proposed mitigation measures must meet the requirements of the Habitats Regulations.

2. Development throughout the Borough and particularly in the Billingham, Saltholme and Seal Sands area, will be integrated with the protection and enhancement of biodiversity, geodiversity and landscape.

3. The separation between settlements, together with the quality of the urban environment, will be maintained through the protection and enhancement of the openness and amenity value of:

i) Strategic gaps between the conurbation and the surrounding towns and villages, and between Eaglescliffe and Middleton St George.

ii) Green wedges within the conurbation, including:

- _ River Tees Valley from Surtees Bridge, Stockton to Yarm;
- _ Leven Valley between Yarm and Ingleby Barwick;
- _ Bassleton Beck Valley between Ingleby Barwick and Thornaby;
- _ Stainsby Beck Valley, Thornaby;
- _ Billingham Beck Valley;
- _ Between North Billingham and Cowpen Lane Industrial Estate.

iii) Urban open space and play space.

4. The integrity of designated sites will be protected and enhanced, and the biodiversity and geodiversity of sites of local interest improved in accordance with Planning Policy Statement 9: Biodiversity and Geological Conservation, ODPM Circular 06/2005 (also known as DEFRA Circular 01/2005) and the Habitats Regulations.

5. Habitats will be created and managed in line with objectives of the Tees Valley Biodiversity Action Plan as part of development, and linked to existing wildlife corridors wherever possible.

6. Joint working with partners and developers will ensure the successful creation of an integrated network of green infrastructure.

7. Initiatives to improve the quality of the environment in key areas where this may contribute towards strengthening habitat networks, the robustness of designated wildlife sites, the tourism offer and biodiversity will be supported, including:

i) Haverton Hill and Seal Sands corridor, as an important gateway to the Teesmouth National Nature Reserve and Saltholme RSPB Nature Reserve;

ii) Tees Heritage Park.

8. The enhancement of forestry and increase of tree cover will be supported where appropriate in line with the Tees Valley Biodiversity Action Plan (BAP).

9. New development will be directed towards areas of low flood risk, that is Flood Zone 1, as identified by the Borough's Strategic Flood Risk Assessment (SFRA). In considering sites elsewhere, the sequential and exceptions tests will be applied, as set out in Planning Policy Statement 25: Development and Flood Risk, and applicants will be expected to carry out a flood risk assessment.

10. When redevelopment of previously developed land is proposed, assessments will be required to establish:

- _ the risks associated with previous contaminative uses;
- _ the biodiversity and geological conservation value; and
- _ the advantages of bringing land back into more beneficial use.

SITE AND SURROUNDINGS

5. The application site is located on the south eastern edge of the borough between the villages of Hilton and Seamer. The approved wind farm crosses the borough boundary with 3 turbines, met mast and associated infrastructure being within Stockton Borough and 2 turbines and associated infrastructure being within Hambleton District. The application site relative to this application lies to the south side of the Hilton to Seamer Road. At its closest point the mast is 70m from the highway.
6. The surrounding landscape generally rolls from a high south eastern point to a low north western point although varying undulations and dips occur, particularly adjacent to the highway running to the north of the site. The wider setting mainly consists of undulating arable farmland which contains hedgerows and small areas of woodland.
7. The site of the mast is at a high point within the surrounding landscape with hedge lines to the east and north.

MATERIAL PLANNING CONSIDERATIONS

8. Existing Local Plan and Core Strategy policies are loosely relevant to this proposal and in essence require the development to protect the quality of the environment and its habitat. In considering this it is noted that the principle of the wind farm development and its impact on the landscape have already been established by previous decisions which provide for five wind turbines, and other associated infrastructure to be located within this landscape for a period of 25 years.
9. The proposal relates to the provision of a 10.26m high meteorological mast on land between Hilton and Seamer, for a temporary period of 12 months. The site is located a significant distance away from existing housing and surrounding land uses and set approximately 70m away from the nearest highway. As such, it is considered that there would be no undue impact on either the use, operation or amenity of any surrounding land uses or the operation of the highway or highway safety.
10. Objections have been received which consider the proposed mast to be an unwanted feature within the landscape which will detrimentally affect the character and appearance of the landscape and the view of the Cleveland Hills, suggesting that the first mast was an eyesore and this would be the same and that the information obtained from it will not be fit for purpose.
11. An earlier 60m mast was erected at this position for a temporary period of 2 years, being approx. 6 times the height of this current proposal and in position for twice as long. This previous mast was approved on appeal following its refusal by Planning Committee. In considering the previous appeal in respect to the 60m mast (see appendix ref: 2), the Planning Inspector noted that the landscape within this area is generally free from development and of an attractive appearance, affording views over the Cleveland Hills, having no special landscape designation and a line of tall pylons running through it. The Inspector considered that the 60m mast would not give rise to any undue harm to the site and its immediate surroundings, especially when compared with the size, scale and appearance of the electricity pylons nearby. He further considered that the enjoyment of the countryside, by the local people and visitors travelling along the road, would not be unacceptably diminished by the presence of the mast, nor would drivers be unduly distracted by it. The Inspector considered that the visual effect of such a slender structure in the wider landscape would be sufficiently diminished by distance, that its impact would be relatively insignificant. Whilst the Inspectors considerations relate to a different proposal, the findings are considered to be materially relevant to this current proposal which is located at an almost identical position.

12. The Head of Technical Services has raised no objection to the scheme, considering that due to its low height and narrow profile the visual impact of the mast will be minimal in the wider landscape, particularly in comparison to the 5 turbines already approved. The Head of Technical Services further considers that due to its small size it will not contribute to any cumulative visual impact in the area once the proposed turbines have been constructed. As such the visual impact of the mast will be minimal.
13. Taking into account the scale of the proposed mast, its position within the landscape and the findings detailed within the previous planning inspectors decision in relation to a 60m mast, it is considered that the proposed mast erected for a temporary period of 12 months would not unduly affect the character or appearance of the landscape.
14. Objection has been raised in respect to the schemes impact on wildlife and habitats, including bats and birds. As the proposal relates to a fixed structure with limited moving parts it is considered that this would not give rise to any undue hazards to birds or bats. There are numerous telegraph poles and wires, masts and other similar structures within the rural landscape which birds and bats need to take account of and this limited structure is no different. The council did not impose any requirements for deflectors on guy wires associated with the earlier approvals for similar. As such, it is not considered necessary to require such steps to be taken in respect to this proposal. As the mast is located in an agricultural field and having no notable footprint or long term impact, it is considered that there would be no undue impact on wildlife or their habitats.
15. Question was raised in respect to the usefulness of the data which could be collected from a mast of this height. It is known that as with many types of data assessment such as wind speed and noise, that readings taken with set parameters can be extrapolated to provide data for a different set of parameters and this method of taking wind readings is understood. Following confirmation being requested by Planning Committee on this point, the National Grid have confirmed that data taken from this mast would be adequate for their monitoring purposes.
16. It is understood that a mast of this scale has minimal requirements in terms of setting up and dismantling which would not unduly affect the existing agricultural land or its longer term use.
17. Comments have also been received which are based on the provision of the wind farm itself and its associated efficiencies. Whilst these comments are noted, this proposal is not for the provision of the wind farm and as such, these comments are unable to be taken into account in considering this proposal.
18. Objections has been raised in respect to monitoring equipment already having been in position for an extended period, that sufficient data should have been collected by now and that there is an existing mast associated with the Teesside Weather Station from which data could be gained. Although the applicant has had wind monitoring equipment within this general area for a period of time, this does not prevent them from seeking further additional data and this application needs to be considered on its own merits. The approved scheme for the wind farm allows for a stand alone wind monitoring tower at a height of 80m to be erected for the life of the wind farm (25 years) and as such the principle of wind monitoring from the wider site has already been established. This proposal will give the applicant the opportunity to readily gain some pre construction wind speed data through the erection of a small scale mast which has a particularly limited impact on the wider landscape. Although comment has been made that the consented turbines will give wind speed data as they are to be fitted with some wind monitoring equipment, this will be post construction data and the applicant is seeking permission for a mast which will give them pre construction data. With regard to the mast at the Teesside Weather Station, it is understood that this is not site specific to this area and the applicant requires site specific data.

CONCLUSION

19. The proposed development is considered to be of a limited scale and located with a landscape where it will have a limited impact on its surroundings. The development type is in part related to an existing approved scheme which offers a form of rural diversification. Furthermore, the overall impact of this proposal would be limited to a temporary period of twelve months. In view of these considerations and the findings of the previous appeal decision relating to an appeal decision for a 60m mast at the same site, it is considered that the proposal suitably accords with relevant planning policies.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Andrew Glossop Telephone No 01642 527796**

WARD AND WARD COUNCILLORS

Ward Ingleby Barwick East
Ward Councillors Councillor K C Faulks, Councillor D C Harrington

IMPLICATIONS

Financial Implications: None

Environmental Implications: As report

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report.

Background Papers:

Application 09/0736/EIS,

Application 07/3519/FUL

Associated appeal decision PINS ref: APP/H0738/A/08/2073449