

COMMITTEE: DEVELOPMENT CONTROL

DATE: 23RD APRIL 2008

SUBJECT: 47 BEACONSFIELD. CRAWLEY GREEN INFANT SCHOOL. ERECTION OF 1 WIND TURBINE MOUNTED ON A 15M HIGH MAST, WITH ASSOCIATED WORKS AND 1 SOLAR PANEL ON EXISTING SCHOOL ROOF. (APPLICANT: MRS GILLIAN MAJOR, CRAWLEY GREEN INFANTS SCHOOL) (APPLICATION NO. 07/01827/FUL).

REPORT BY: DEVELOPMENT CONTROL MANAGER

CONTACT OFFICER: MARK FURNISH 546317

IMPLICATIONS:

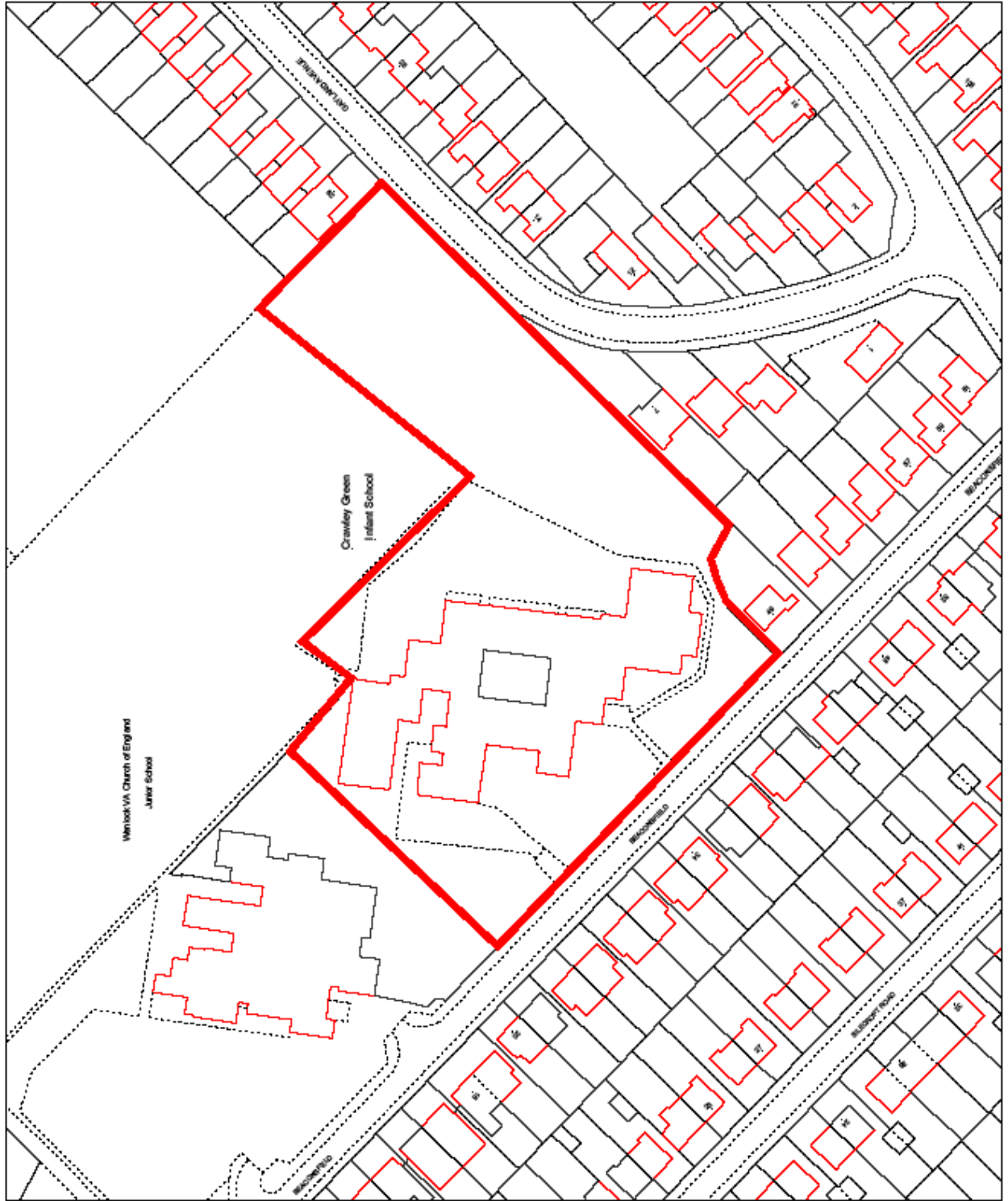
LEGAL	COMMUNITY SAFETY
EQUALITIES	ENVIRONMENT
FINANCIAL	CONSULTATIONS
STAFFING	OTHER
WARDS AFFECTED:	CRAWLEY

PURPOSE

1. To advise Members of a current application for planning permission and to seek their decision.

RECOMMENDATION(S)

2. Subject to the further report to be made at the meeting regarding noise issues and to receipt of confirmation that noise levels will not have a detrimental impact on the amenities of nearby residents, Development Control Committee is recommended to grant planning permission subject to the following condition:-



(01) The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To limit the duration of the permission in accordance with the provisions of Sections 91-96 of the Town and Country Planning Act.

BACKGROUND

3. One of two schools located in a primarily residential area with notable change of land levels elevating from south-east to north-west.

The Proposal

4. The proposal is for the erection of 1 wind turbine mounted on a 15m high mast, with associated works and 1 solar panel on the existing school roof.

REPORT

Site and Surroundings

5. The application site is one of two schools located in a primarily residential area that comprises predominantly two storey dwellinghouses. The proposed position of the wind turbine will be on the school field on the tip of the school playground, with Gayland Avenue to the east and south east and Beaconsfield to the west and south west. To the north of the application site is an area of public open space.

6. There is a notable change of land levels in the area rising from southeast to northwest with the gradient particularly steeper heading north from Devon Road up both Beaconsfield and Gayland Avenue.

Relevant Planning History

7. The planning history shows a number of planning permissions issued that relate to extensions to the school. However none of these applications are relevant to the current application.

Planning Policy

8. The site is within an area where there is no specific land use allocation in the Luton Local Plan. The relevant policies and their assessment are dealt with below in 'Main Planning Considerations'.

Consultation Responses

9. *Sport England:* Proposal affects an area of playing field but this area is not large enough to form a playing pitch. The school's main open playing field to the north of the site will not be affected. Therefore, are satisfied that the proposal meets exception E3 of Sport England Policy in that the proposal only affects land incapable of forming a playing pitch. As a result, no objection.

10. *London Luton Airport Safeguarding:* Application was technically assessed during pre-application enquiry and was approved by London Luton Safeguarding and NATS on 18.09.2007. Proposed development does not conflict with safeguarding criteria and therefore no objection.

11. *Environmental Protection:* Initially concerned about proposed position of turbine. Application states that noise from such installations should not cause noise nuisance if sited at distances greater than 100m from neighbours. It is clearly intended that installation will be considerably less than 100m from the nearest residence. This should not be permitted without considerably more acoustic evidence to demonstrate the effect at sensitive facades. However on receipt of a comprehensive acoustic report (received on 27.03.2008) and a visit by the Environmental Protection Officer to a similar wind turbine at a school in Hemel Hempstead, it is advised that there are no concerns regarding the noise impact of the proposal on residents within the area.

12. *Capital and Asset Management:* No response.

13. *Environmental Assessment Manager:* Has the following comments:-

- (i) Assumes the school has carried out a survey to ensure there is sufficient wind.
- (ii) Depending on how much energy generated, possible that there is more embedded energy in the turbine than it will generate over its lifetime.
- (iii) Site close to houses and could lead to noise nuisance; therefore consult Environmental Protection. Also the proximity to houses may lead to turbulence which affects the effectiveness of the turbine; probably better sited in middle of field facing north.
- (iv) In regard to noise it appears that the proposed location is about 35m from the nearest dwelling, 7 Gayland Avenue, which is less than the 100m that is claimed will not cause a noise nuisance.

14. *Highways Engineering:* The proposals are unlikely to cause serious driver distraction and would therefore not object to the application.

15. *Statutory Publicity:* The application has been notified to 50 local owners/occupiers with three site notices being issued. Seventeen representations and a petition have been received raising objections to the development for reasons of appearance, visual

intrusion, noise, scale, highway safety, shadowing, flickering effect, energy efficiency, interference with the airport, property prices, further wind turbines could result, safety relating to the maintenance of the wind turbine.

MAIN PLANNING CONSIDERATIONS

Policy Implications

16. The Policies that are relevant to the proposal are LP1, ENV9, ENV15, LC1 and U4.

17. LP1 sets out a sustainable development strategy and stresses that developments should not conflict with the achievement of the aims or any other objectives, or any other Policies, of the Luton Local Plan.

18. ENV9 sets out the design principles for built development and expects proposals to respect the scale and proportion of existing buildings, landforms, natural features and character of the area. This is assessed below in 'Street Scene Impact'.

19. ENV15 states that development will not be granted permission if it is likely to generate levels of pollution that threaten public health or safety or the quality of the environment, which includes pollution from noise, vibration and light.

20. LC1 requires the protection and preservation of green spaces and presumes against built development on such areas unless the development is ancillary to the use of the existing green space and does not have an unacceptable effect on its efficient and effective use.

21. U4 states that planning permission will be granted for proposals that generate renewable energy if there would not be an unacceptable adverse impact on the amenity of nearby residents and the environment, particularly operational impacts on London Luton Airport and designated areas of landscape or conservation interest.

Street Scene Impact

22. The site is within a residential area with two storey residential dwellinghouses to the east, south and west with fields and Wenlock School to the north west. The proposal

seeks to construct a wind turbine on a 14.96m high tower, with turbine blades having a diameter of 5.6 metres, a winch anchor point for erection and maintenance of the proposed turbine and a solar panel on the north western section of the school roof. The proposed solar panel will not have a material impact on the street scene while the winch will not have an impact due to its limited sizing above ground level (0.5m).

23. The school is single storey so the proposed turbine will be visible from most surrounding properties. It will be taller than any other structure within the area but will be set back a minimum of 35m (approx.) from the closest road (Gayland Avenue).

24. The proposed structure is similar to a tall lighting column or small telecommunications mast, many of which are often located within residential areas with limited visual impact. The diameter of the turbine blades is 5.6 metres and this will increase the prominence of the structure.

25. PPS22 indicates that renewable energy schemes should be sited in the most appropriate position to reduce the impact upon the surrounding area. The school chose the proposed location with that requirement in mind (the field north of the proposed turbine site being outside the School's curtilage and control).

Impact on Adjoining Occupiers

26. The properties along the northern section of Beaconsfield will be a minimum of 80m (approx.) away from the proposed turbine with the school building providing some screening. The properties along the southern part of Beaconsfield, whose frontages face the proposed turbine, will have partial screening from dwellings on the opposite side of the road and these other properties will be partly screened by trees in the south eastern part of the school grounds (though the trees are not as tall as the proposed turbine). Therefore, the proposed turbine will be visible from the properties in Beaconsfield but, with some screening and the distances involved (approximately 65 metres or more) they would not suffer any overshadowing or significant visual intrusion.

27. The same applies to properties along Gayland Avenue, where the nearest directly facing property is 51 Metres away and the nearest "side on" property is 37 metres away

28. "Shadow flicking" is referred to by some objectors and is also addressed by the applicants in the submitted design and access statement. The applicants claim that this phenomenon is a "rare event" and only affects nearby buildings "at certain times of the day and days of the year". In some circumstances, this would affect properties to the east or west at dawn and dusk for a limited time period of the day and not everyday. However, in this case, the combination of the positioning of the mast and the distance from other properties means that the impact will not be significant.

29. Concerns regarding potential noise pollution have been raised by objectors and the Council's Environmental Protection Service. Environmental Protection have noted that the application states that the wind turbine will not result in complaints about noise

when the generated noise level is less than 10dB(A) below background noise levels and that this can be met at distances greater than 100 metres from the turbine base. The closest dwellinghouse, number 7 Gayland Avenue, is 35m from the proposed turbine's position. Further information was requested by Environmental Protection regarding potential noise levels. A comprehensive noise report was received concluding that the proposed wind turbine will have no potential to cause significant disturbance at any of the residential properties within the area. This conclusion has been assessed by the Environmental Protection Service who concur with the report's findings.

30. Other issues raised by objectors relating to the potential effect on house prices, the possibility of further wind turbines being added at a later date, the maintenance/safety of the turbine (in reference to parts falling off) are not strictly relevant to consideration of the planning merits of this application and cannot be taken into account in the determination of the proposal.

Design

31. The tower will be in grey galvanised steel, the blades in matt black wood epoxy and the turbine head in matt black polypropylene plastic. Although there has been some concern from local residents that the proposed wind turbine is designed for rural environments, it is not dissimilar to other items of street furniture such as lamp columns, etc. normally found in the urban area.

CONCLUSIONS

32. Having regard to all of the above, it is considered that the proposed mast will not have a detrimental effect on the surrounding area in respect of the normal planning considerations relating to size, design, overshadowing (including "shadow flicker") noise or visual intrusion. Therefore the application is now recommended for approval,

LIST OF BACKGROUND PAPERS **LOCAL GOVERNMENT ACT 1972, SECTION 100D**

- 33. Luton Local Plan 2001 -2011.
- 34. Planning File 07/01827/FUL.
- 35. Planning Policy Statement 22.