

FILE COPY

Town and Country Planning Act 1990 Planning Permission

Reference: H10-0290-12 Received: 11th April 2012

Type: FULL

Name: The Little Sutton Energy Co Ltd
C/O Susenco Management Ltd
2nd Floor, Prama House
267 Banbury Road
Oxford
OX2 7HT

Agent: Susenco Management Ltd
2nd Floor
Prama House
267 Banbury Road
Oxford
OX2 7HT

Description: Erection of 500kWe wind turbine with access tracks, electricity switchroom and underground connection cables

Location : Land adjacent A17 Long Sutton
Spalding Lincs

South Holland District Council hereby give notice that PERMISSION HAS BEEN GRANTED for the development in accordance with the application and plans submitted, subject to any condition(s) set out below:

- 1 The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved documents.

Environmental Information Volume 1 April 2012
Figure 1 General Location
Figure 2 Close Location
Figure 5 Site Detail

Amendment to Environmental Information - June 2014
Figure 1A - Drawing of Turbine of the size envisaged.
Amended Non Technical Summary - June 2014
Bridleway comment - November 2014

Shadow Flicker Control Paper from Enercon: D0249586-0_Shadow shutdown_ger-eng - October 2014

Wind Turbine A17 Red light - October 2014

Reason: For the avoidance of doubt and in the interests of the proper planning of the area.

- 3 This planning permission shall expire no later than 25 years from the date when electricity is first exported from the wind turbine to the electricity distribution grid (the First Export Date). The developer shall notify the Local Planning Authority in writing of the First Export Date within 14 days of the first export of electricity. At the expiration of 25 years from the First Export Date the turbine and ancillary site infrastructure shall be decommissioned and removed from the site and the land returned to its former condition within 12 months thereafter, in accordance with a written scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the wind turbine is removed from the site at the end of its predicted productive lifespan, and that the visual impacts associated with it do not persist beyond that period.

This Condition is imposed in accordance with Policies SG1, SG14 and SG17 of the South Holland Local Plan 2006.

- 4 If the wind turbine hereby permitted fails to operate for a continuous period of twelve (12) months the site operator shall notify the Local Planning Authority of the fact in writing within one month thereafter, including with that notification a written scheme providing for the decommissioning and removal of the wind turbine and ancillary site infrastructure and returning the land to its former condition. The scheme shall be implemented within twelve (12) months of the date on which it is approved in writing by the local Planning Authority.

Reason: To ensure that the turbine is removed from the site when it ceases to be of benefit for energy production, in order that the visual impacts associated with it do not persist.

This Condition is imposed in accordance with Policies SG1, SG14 and SG17 of the South Holland Local Plan 2006.

- 5 Noise from the wind turbine shall not exceed +5dBA LAeq 15min above background noise levels when measured at a height of 1.5m on any residential boundary outside the applicants control. Furthermore there shall be no tonal characteristics exhibited as specified in BS7445:part 2 1991.

Reason: To protect local residential amenity.

This Condition is imposed in accordance with Policies SG1, SG14 and SG17 of the South Holland Local Plan 2006.

- 6 If turbine noise levels exceed those set out in condition 5 above then turbine operation shall be immediately suspended until written approval for the recommencement of their operation has been given by the Local Planning Authority. Following the establishment of a breach of the noise limits in condition 5, the turbine operator shall submit a scheme to the Local Planning Authority to mitigate the breach and to prevent its future occurrence. This scheme shall include the timescales for the implementation of the mitigation works. The operation of the turbine shall remain suspended, except for testing purposes as approved by the Local Planning Authority, until such time as both written evidence is submitted to the Local Planning Authority that the turbine can operate within the noise levels set out in Condition 5 above and written approval for the recommencement of operations has been given by the Local Planning Authority.

Reason: To protect local residential amenity.

This Condition is imposed in accordance with Policies SG1, SG14 and SG17 of the South Holland Local Plan 2006.

- 7 The developer shall install MOD-accredited infra red warning lighting, 25 candela Omni-directional constant at the highest practicable point on the turbine. The turbine shall be erected with the lighting installed and the lighting shall remain operational at all times until the wind turbine is removed from the site.

Reason: In the interests of aviation safety.

This Condition is imposed in accordance with guidance set out in Section 10 of the National Planning Policy Framework.

- 8 Before the commencement of the development hereby permitted, the developer shall submit to, and have approved in writing by, the Local Planning Authority details of the final colour of the wind turbine blades, hub and tower and of any logos to be applied to the structure other than those required by separate safety legislation. The development shall be carried out in strict accordance with the approved details and shall be thereafter maintained in that condition.

Reason: To ensure that the Local Planning Authority retains control over the development in the interests of the visual amenity of the area.

This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006.

- 9 The height of the wind turbine hereby permitted shall not exceed 76.5m to the tip of the blade when the blade is in an upright position. The hub height shall be within and shall not exceed the parameters of 40-50m in height.

Reason: To define the terms of the permission and to allow for physical variations between different turbine models. This condition is imposed in accordance with section 10 of the NPPF.

- 10 No development shall take place until a scheme detailing a scheme for the assessment of any complaints of shadow flicker resulting from the development, including remedial measures, has been submitted to and approved in writing by the Local Planning Authority. Operation of the turbines shall only take place in strict accordance with the agreed scheme.

Reason: to protect the living conditions of occupiers of properties that may be affected by shadow flicker.

This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006.

- 11 The development hereby permitted shall be carried out in general accordance with the measures set out in the Flood Risk Assessment and Draft Site Flood management Plan forming part of this planning application, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.

This Condition is imposed in accordance with national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

- 12 No development shall commence until a scheme to secure the investigation and alleviation of any electro-magnetic interference to TV, radio and hobby radio operators reception caused by the operation of the turbine has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for a pre-construction baseline survey and for the investigation by a qualified independent television/radio engineer of any complaint of interference with television or radio reception at a dwelling (defined for purposes of this condition as a building within Use Class C3 of the Use Classes Order) located within 5km of the application site which lawfully exists or had planning permission at the date of this permission where such a complaint is notified to the developer by the Local Planning Authority within 12 months of the First Export Date. Where the impairment is determined by the qualified independent television/radio engineer to be attributable to the wind turbine, details of the mitigation works shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be implemented in accordance with the approved scheme.

Reason: To ensure that the development does not harm local residential amenity by reason of interference to tv or radio signals.

This Condition is imposed in accordance with policy SG17 of the South Holland Local Plan 2006.

- 13 Prior to the commencement of development a construction method statement shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure best practices during the constructional phase of the development.

This Condition is imposed in accordance with policy SG17 of the South Holland Local Plan 2006.

- 14 The recommendations contained within the 'Extended Phase 1 and Bird Survey' produced by Adonis Ecology Ltd dated 12 June 2012 shall be fully implemented during the construction phase of the development.

Reason: To mitigate the potential impacts upon wildlife in the area.
This Condition is imposed in accordance with guidance set out in section 11 of the National Planning Policy Framework, 2012.

- 15 Prior to the commencement of any part of the development hereby permitted, the vehicular access to the site shall be improved and appropriate signage to alert drivers to the possible presence of construction vehicles on the local highway network shall be provided in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of providing safe and adequate means of access to the permitted development.
This Condition is imposed in accordance with Policy SG14 and SG15 of the South Holland Local Plan 2006.

- 16 Prior to the commencement of any part of the development hereby permitted, a condition survey of Hundreds Lane, including its junctions with Bridge Road and the A17, shall be undertaken in the presence of an appropriate officer of the Local Highway Authority and a report which shall include written details, still and moving photographic images shall be provided to the Local Planning authority based upon the findings of that survey. A second condition survey shall be undertaken after the completion of the construction and delivery phases of the permitted development and any damage that may be identified, by reference to the initial survey, as being caused as a consequence of the use of Hundreds Lane by construction and delivery vehicles shall be made good to the satisfaction of the Local Planning Authority.

Reason: to ensure that the construction of the permitted development does not result in any lasting damage being caused to Hundreds Lane.
This Condition is imposed in accordance with Policy SG14 and SG15 of the South Holland Local Plan 2006.

- 17 No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority, and the development shall thereafter only be carried out in accordance with the approved Management Plan. The Construction Traffic management Plan shall include details relating to: a) Construction vehicle routing; b) A condition survey of the public highway along the construction vehicle route; c) The management of junctions and crossings of the public highway; d) The timing of abnormal load deliveries and details of escorts; e) Temporary warning signing; f) Where the access track crosses existing public rights of way, appropriate warning signs, details of which shall first be

S O U T H



H O L L A N D
DISTRICT COUNCIL

Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE

contacts:
admin: 01775 764723
dc officers: 01775 764703
s/board: 01775 761161
facsimile: 01775 762937
planningadvice@sholland.gov.uk
www.sholland.gov.uk

submitted to and approved in writing by the Local Planning Authority, shall be erected close to those crossing points and retained for the duration of the construction works; g) Traffic management on the existing highway network; h) A method for crossing bridges, culverts and structures for the entire construction route; i) A written specification for identifying damage to the highway caused by traffic associated with construction of the turbine and providing for repairs to be carried out within a specified timescale.

Reason: To ensure that the construction vehicle movements do not adversely affect the integrity of the local highway network. This condition is imposed in accordance with Policy SG15 of the South Holland Local Plan 2006 and with guidance set out in Section 4 of the National Planning Policy Framework 2012.

The Local Planning Authority has acted positively and proactively in determining this application by assessing the application against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal within the statutory timeframe, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Copies of all documentation submitted in connection with this application can be viewed online at www.sholland.gov.uk/doitonline/plandev/plansearch.aspx

Paul Jackson
Planning Manager

26th March 2015

H10-0290-12

This decision refers only to that required for the purposes of the Town and Country Planning Acts and not for Building Regulations or any other legislation.