

DELEGATED FILE NOTE

CASE OFFICER: ...Henry Thomas.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02732/FP	Installation of a small domestic-scale Vertical Axis wind Turbine.	Yew Tree Farm Green End Sandon Buntingford Hertfordshire SG9 0RG

Submitted Plan Nos

Ownership Boundary Ownership Boundary Continuation NHR37

1.0 Policies

D1 Sustainable design

D3	Protecting living conditions
SECN12	Achieving well-designed places
SECN8	Promoting healthy and safe communities
SECN14	Meeting climate change,coastal,flooding
T1	Assessment of transport matters
SP1	Sustainable development in North Herts

2.0 **Relevant Site History**

2.1 None relevant.

3.0 **Representations**

3.1 **Site Notice and Neighbour Notification** – One representation received in objection from ‘Sandon Matters’ a local amenity group. Their comments are summarised as follows

- ☐ Welcome renewable energy and domestic scale.
- ☐ Proposed location is inappropriate, outside domestic curtilage and Landscape Conservation Area (LC2).
- ☐ Visible from public Right of Way FP18.
- ☐ Previous applications for agricultural buildings within LC2 have been refused on impact to views.
- ☐ Harm to ecology. Located within ecological area D01344.
- ☐ Could set a harmful precedent.
- ☐ No wider economic benefits.
- ☐ Request for consultation with Herts Ecological Mapping.

3.2 **Sandon Parish Council** – None received.

3.3 **Environmental Health (Air and Noise)** – No objection.

3.4 **HCC Archaeology** - No comment.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site consists of a large agricultural field on the east side of Green End within a rural part of Sandon. The site is covered by the designation of Rural Area Beyond the Green Belt.

4.2 **Proposal**

4.2.1 Installation of a small domestic-scale Vertical Axis wind Turbine.

4.3 **Key Issues**

- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the locality.
- The impact that the proposed development would have on the living conditions of neighbouring occupiers.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the development would have on the environment.

Principle of Development

4.3.1 The proposed turbine would be sited within an agricultural field outside of any settlement boundaries and would sit within the Rural Area beyond the Green Belt. Whilst Policy CGB1 is the general policy which applies to this designated land. This policy is not explicitly aimed towards renewable energy proposal. Therefore, the relevant policy for this proposal would be NE12, which states that:

Proposals for wind turbines will be determined in accordance with national policy. Proposals for other renewable and low carbon energy development which would contribute towards reducing greenhouse gas emissions will be permitted subject to an assessment of the impacts upon:

- i. Landscape quality, landscape character and visual amenity, including consideration of cumulative impacts of development;*
- ii. Environmental assets;*
- iii. The historic environment, including the impact on the setting of historic assets;*
- iv. The transport network;*
- v. Air quality;*
- vi. Aviation interests; and*
- vii. The amenity of residents.*

In assessing renewable and low carbon energy proposals against the above criteria the Council will give significant weight to their local and wider benefits, particularly the potential to reduce greenhouse gas and other harmful emissions, and the social benefits of community owned schemes where this is relevant.

- 4.3.2 In addition to this, paragraph 168 of the NPPF states that when determining planning applications, LPAs should *“recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions;”*.
- 4.3.3 As such, it is my view, that a proposed wind turbine would be supported in principle subject to a satisfactory assessment of the impact upon the criteria listed under Policy NE12.

Design and Appearance:

- 4.3.4 The objectives of the National Planning Policy Framework (NPPF) include those seeking to secure the creation of high quality, beautiful and sustainable buildings, and places (Section 12 – Achieving well-designed places). Paragraph 126 of the NPPF states that *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable communities”*. In this regard, Policy D1 of the North Hertfordshire Local Plan are consistent with the objectives set out within the NPPF.
- 4.3.5 The proposed wind turbine has been designed in a manner (vertical axis) to reduce its visual bulk and dominance within the landscape. The proposed materials and colour are typical for a wind turbine. As such I do not consider that the design and position would be harmful in this context.
- 4.3.6 With regards to the comments from Sandon Matters, LC2 was an allocated Landscape Conservation Area under the previous Local Plan (1996). In any case, I do not consider the design to be a harmful addition to the landscape. I also recommend a condition that the site is restored in its entirety to the original state following the decommissioning of the turbine. This is in line with Policy NE12 which states: *“In all cases, end of life/redundant plant, buildings, apparatus, and infrastructure must be removed and the site restored to its former state or a condition agreed with the Council.”*
- 4.3.7 This is considered in line with Section 12 of the National Planning Policy Framework and Policy D1 of the Local Plan.

Heritage

- 4.3.8 There are no designated heritage assets within the immediate vicinity of the proposed site. The closest would be the Grade II listed dwelling of Tichney, Green End, Sandon which would be sited approximately 180m from the proposed development. As such, it is considered that the proposed development would not result in any harm to any heritage assets.

Impact on Neighbouring Occupiers:

- 4.3.9 The objectives of the NPPF seek to ensure that developments secure a high standard of amenity for existing and future occupiers (Section 12 – Achieving well-designed places). This principle is reflected in the provisions set out in Policy D3 of the North Herts Local Plan.
- 4.3.10 Policy D3 of the North Hertfordshire Local Plan sets out that planning permission will be granted for developments proposals which do not cause unacceptable harm to living conditions.

- 4.3.11 The proposed wind turbine would be set sufficiently into the field so that the development would have limited visibility.
- 4.3.15 The Environmental Health officer has not raised any objection to the proposal. It is therefore expected that the proposal would not give rise to any neighbour harm in the form of noise ingress or egress. In any case, the proposal is set a considerable distance from any public land or neighbouring dwelling.
- 4.3.12 In addition, the chosen design (vertical axis) further reduces its visibility. As such, it is considered that the proposed wind turbine would not result in any harm to neighbouring amenity.

Environmental Impact

- 4.3.13 Section 14 of the NPPF sets out how the planning system should support the transition to a low carbon future. The principles set out in Section 14 are reflected in Policy D1 of the North Herts Local Plan, which sets out that development proposal should take all reasonable opportunities to reduce energy consumption and waste, retain existing vegetation and propose new appropriate planting, and future proof for changes in technology and lifestyle. The proposal is for renewable energy generation and will therefore benefit the locality.

Transport

- 4.3.14 The proposal is small scale and therefore would not result in an impact on the local highways.

Aviation

- 4.3.15 The proposed wind turbine would be modest in height and therefore would have an impact upon aviation safety.

Air Quality

- 4.3.16 The Environmental Health officer has not raised any objection to the proposal. It is therefore expected that the proposal would not have any harmful impact upon local air quality.

Biodiversity Net Gain

- 4.3.17 The proposed development is considered 'de minimis' and would not exceed the threshold of 25 sqm of on-site habitat, or and/ less than 5 meters of linear habitats. This application is therefore exempt from BNG legislation defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Ecology

- 4.3.17 I have raised this item with the NHC Ecologist. The turbine would be approximately 30m beyond the existing hedge line, as such it is considered that the proposal would be unlikely to affect any bats that use the hedgerows. The Ecologist does not raise any concerns to the ecological matters raised by Sandon Matters.

4.4 **Conclusion**

- 4.4.1 The proposed development is considered acceptable and in accordance with Policies SP1, D1, D3, NE12 and T1 of the NHLP 2011-2031 and Sections 2, 12, 14 and 16 of the NPPF 2024.

4.5 **Alternative Options**

- 4.5.1 N/A

4.6 **Pre-Commencement Conditions**

- 4.6.1 N/A

5.0 **Recommendation**

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. At the end of its operational life the turbine, including all footings and any paths laid in association with access to the turbine, shall be removed from the entirety of the site and disposed of in an environmentally responsible manner. The application site and associated land is to be made good again within one year of the de-commissioning of the turbine.

Reason: To protect the character of the landscape in the long term.

Biodiversity Net Gain

This development is not subject to the statutory Biodiversity Gain Plan condition because it is considered exempt under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) or transitional arrangements in respect of the biodiversity gain condition.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 4 February 2025	