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MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	16 JUNE 2011
PRESENT	COUNCILLORS WATSON (CHAIR), GILLIES (VICE-CHAIR), CRISP, GALVIN, GUNNELL, JEFFRIES, ORRELL, RICHES (SUBSTITUTE) AND HYMAN (SUBSTITUTE)
APOLOGIES	COUNCILLORS REID AND SEMLYEN

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### 1. INSPECTION OF SITES

The following site was inspected before the meeting.

Site	Attended by	Reason for Visit
Land to the North of Low Westfield Road, Copmanthorpe	Councillors Crisp, Galvin, Gillies, Gunnell, Jeffries, Orrell and Watson.	As objections had been received and the officer recommendation was for approval.

### 2. DECLARATIONS OF INTERESTS

At this point in the meeting, Members were invited to declare any personal or prejudicial interests they might have in the business on the agenda. No interests were declared.

### 3. MINUTES

RESOLVED: That the minutes of the meeting of the West and City Centre Area Planning Sub Committee held on 27 April 2011 be approved and signed by the Chair as a correct record.

#### **4. PUBLIC PARTICIPATION**

Prior to the meeting it had been agreed by the Chair and Officers that the opportunity would be given for someone to speak generally in relation to wind farms and wind turbines.

The Chair of Copmanthorpe Wind Farm Action Group addressed the Committee. He explained that he had lived in Copmanthorpe for 27 years and the action group had been formed after proposals for the wind farm were put forward. He advised Members that the group had organised a petition which had over 1700 signatures in opposition to the wind farm mast and farm. He acknowledged that this application was for only one wind monitoring mast but that an application for a wind farm would follow. He reported that the majority of local residents were against this application and deeply disturbed by future proposals for a wind farm, which would be an intrusion in the green belt and very close to residential properties and would lead to concerns including air safety and noise. He distributed a photo montage illustrating how a wind farm would look.

#### **5. PLANS LIST**

Members considered a schedule of reports of the Assistant Director (Planning and Sustainable Development), relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views and advice of consultees and officers.

##### **5a 136 The Mount York YO24 1BW (11/00304/FUL)**

Members were advised that this full application from Mr Donald Salter, for the demolition and erection of a wall to create off road parking, had been withdrawn by the applicant prior to the meeting.

##### **5b 136 The Mount York YO24 1BW (11/00039/LBC)**

Members were advised that this application for listed building consent from Mr Donald Salter, for the demolition of part of the

boundary wall and erection of a new relocated wall, had been withdrawn by the applicant prior to the meeting.

**5c Land North of Low Westfield Road Copmanthorpe York (11/00289/FUL)**

Members considered a full application from Banks Renewables Ltd for the erection of a cable stayed wind monitoring mast up to a maximum height of 70 metres for a temporary period of three years.

Officers circulated a written update to Members in respect of this application and read this out for the benefit of those present at the meeting. They provided the following information.

- At the committee site visit on 15<sup>th</sup> June, the marker indicating the proposed site appeared to be in the wrong place and may have been up to 100m to the east of the proposed site. They confirmed that the measurements expressed in the committee report were correct.
- The applicant has stated that there would be 8 land anchors (for the guy wires) rather than the 5 previously stated in their supporting information. This was not considered to further impact on the visual amenity of the proposed wind monitoring mast or its setting within the landscape.
- A further 70 signatures have been added to the petition submitted by the Copmanthorpe Wind Farm Action Group making the total number of signatures on the petition 1778.
- A further letter has been received from the York Civic Trust. In relation to the wind turbine, they stated that this would have a negative impact on the residents of Copmanthorpe, there should be a buffer zone of 1500 metres between a wind turbine and any dwellings and it would cause low frequency modulation. They submitted a photomontage of the wind turbines and dwellings within Copmanthorpe.
- A further two letters of objection had been received, the majority of concerns raised related to wind turbines,

however no issues not already reported in the committee report were put forward with regard to the wind monitoring mast and the potential wind turbines.

- Two letters of support had been received since the agenda had been published. The first of these had been received from someone who had made comments in support previously and these had been expressed in representation section of the committee report. This letter raised some further points in relation to wind turbines but officers explained these were not considered to be a material planning consideration for this application. In the second letter of support the majority of comments again related to wind turbines, however in relation to the mast, the letter stated that “to turn down the opportunity to monitor the potential source of renewable energy that could make a contribution to York’s future energy needs and carbon reduction targets would go against all of the above points but also render the stated aim for York to be a “leading environmentally friendly city meaningless” (*This letter was circulated at the meeting at the request of the author as she was not able to attend the meeting personally to address the Committee under public participation.*) A full copy of the officer’s update has been published online with the agenda papers.

Officers reminded Members that this application was for a wind monitoring mast and Members needed to consider this application on its own merits. They advised that granting permission for a mast would not set a precedent for a wind farm in the area and would not affect their future decision making abilities.

Representations were received from a local resident and member of Copmanthorpe Wind Farm Action Group in objection to the application. He drew Members attention to the petition and made the following points:

- CYC planning guidelines state that no structure should be higher than this Minster (60m) The proposed mast is 70m.
- A mast would be a dominant feature on a flat landscape and would impact on the character of the land.
- The proposed mast would be unlikely to give a true idea of wind speed at height of turbine.

- Rufforth Airfield is within 3000m from the proposed site leading to concerns for aircraft safety.
- Use of the mast to conduct a bat survey is inappropriate

Representations were also received from the Director of York Civic Trust (YCT). He made the following points:

- Views and height of structures matter. – they are important, precious and fragile components of historic landscape - only the Minster currently breaks up the skyline.
- A tall structure beyond the historic core would affect the appearance – we do not agree that the monitoring mast will not harm the appearance of York’s landscape. A mast would be an incongruous feature on the landscape and would dominate the skyline.
- Report suggests 30 sites suggested in York. Need to send clear message that York is not a site for renewable energy. Not happy with possible future for York.

Further representations were heard from the Chair of Copmanthorpe Wind Farm Action Group on the wind monitoring mast. He stated that:

- Copmanthorpe Wind Farm Action Group strongly object to the application for a mast
- A 70m structure is inappropriate on agricultural land
- The developer has not conducted a proper site survey. On the application he has ticked “no” to hedgerows being part of landscape.
- The site is only a few miles from the city centre. The site is important to Copmanthorpe but also to the city. The greenbelt protects the historic setting of York. The site is beside a main approach road from the A64 into York and should be protected as it is such an important area.
- Is impossible to divorce the proposal for pilot mast from wind farm – there is only one aim of the mast.

Representations were heard from a local resident in objection to the application. She made the following points:

- The countryside is a recreational release for residents of villages. By taking this amenity away, residents of

Copmanthorpe will be fully fenced in A64, railway line and wind mast.

- There is a huge amount of emotion and depth of feeling locally about the application.
- The mast would be too close to people's homes. Carmarthenshire Council extended the separation distance from 500m to 1500m

Representations were heard from a Copmanthorpe Parish Councillor. He reported:-

- The site is important to village and plays a key role in preserving York's historic setting. It contains ancient hedgerows, native trees and an abundance of wildlife. It is used recreationally on a daily basis.
- Mast is only half a mile from a field used regularly by the public
- Open landscape enjoys protection of number of policies and guidelines
- Government has just published findings of UK National Ecosystem Assessment and a White Paper. Also need to consider York – New City Beautiful vision.
- Need to preserve historic character and setting of the city. Not place for mast or wind farm.

Representations, in objection, were also heard from another member of Copmanthorpe Wind Farm Action Group. He raised the following issues:-

- Forthcoming localisation bill – we shouldn't pre-empt this by approving this application – urged members to defer proposal
- Important to understand purpose of mast – essential for CYC to state that there is no link between mast and turbines.
- Unacceptable to have wind farm so close to residential properties
- Too close to beautiful historic city and no benefit for York.
- Wind turbines are a costly, ugly and wasteful form of electricity generation.

The agent spoke on the applicant's behalf in support of the application. He explained that he was a senior developer with the Banks Group and made the following points.

- There is a compelling national and local need for renewable energy – this is set out in local Core Strategy
- Want to work with City of York to assess whether the city has the capacity for a wind farm
- Policy states that a certain level of energy should be provided by renewable energy – this is not in the report but it is a material factor
- Data from a wind monitoring mast is needed to apply for funding but is not a prerequisite for an application for a wind farm. Environmental Protection Unit has requested that wind monitoring takes place before an application for a wind farm is submitted.

Members asked how reliable the data collected by the mast would be and whether a mast could be sited further away from the proposed site for a wind farm. The agent stated that information on wind speeds could be collected at various heights on the mast. He advised that if the mast was sited further away, some of the information collected could still be applied but with less confidence and that information was better collected at proposed site.

In response to a query regarding noise levels, the Environment Protection Officer explained that the mast would provide indicative levels of wind which could be used to inform on noise levels however the mast would not provide data on noise levels in its own right.

With regard to the length of permission applied for, the agent advised that 12 months would be the absolute minimum needed in order to collect the required data but longer would be preferable and that he would be happy to for Members to reduce the temporary permission to 2 years if they preferred.

Councillor Healey spoke in opposition to the application. He suggested that the applicant was approaching local authorities looking for suitable sites for monitoring masts within the authority area and raised concerns that by allowing this mast to be erected, it could be allowing them all over York. He asked the Committee to reject the application.

Officers stressed that each planning application was considered on its own merits and approving a wind mast would not set a precedent for a future proposal for a wind farm.

The Chair read out an email which he had received from three children, aged 16, 14 and 9 expressing their support for both a monitoring mast and wind farm.

Members queried whether it would be possible to condition this application to require an application for a wind farm to be submitted immediately. Officers advised that onerous requirements should be avoided and that any condition must be in relation to the application itself so this was not possible.

Officers checked the distance between the proposed mast and a nearby footpath used by walkers and confirmed this was 160m. The Environmental Protection Officer responded to a query regarding Minimum separation distances from properties and explained that this can vary from between 400m and 1500m and that the specified distance would depend on the topography of area. He advised that topography also affected wind speed hence need for wind monitoring mast.

Members noted that excavation for the mast would create an opportunity for an archaeological investigation as stated in paragraph 3.14 of the report. Officers drew Members attention to proposed condition 3 (ARCH1) and answered specific questions in relation to this.

Members questioned whether “very special circumstances” applied to the mast and officers advised that renewable energy can constitute very special circumstances. The legal officer read out the reason for approval, as contained in the report, which stated “..... *It is considered that very special circumstances, namely its temporary nature, have been demonstrated to justify development within the green belt. ....*”

Members acknowledged and accepted the evidence and advice provided by planning and legal officers. They noted that the consultation had resulted in many objections being received and a petition with over 1700 signatures. They suggested it would have been more sensible for the applicant to submit an application for the monitoring mast and wind turbines at the same time.

Members agreed that the application should be refused as the mast would be visually intrusive and would therefore constitute



inappropriate development in the greenbelt and that it would have a detrimental effect on the York landscape.

RESOLVED: That the application be refused.

REASON: The wind monitoring mast constitutes inappropriate development in the Green Belt for which very special circumstances have not been demonstrated. By reason of its height, design and positioning within an open landscape the proposal would harm the openness of the Green Belt and would have a detrimental impact on the visual amenity of the area and the setting and historic character of the City of York. As such the proposal would be contrary to Policy GB1, SP2, and SP3 of the Development Control Local Plan and paragraph 13 of Planning Policy Statement 22 'Renewable Energy' and guidance in Planning Policy Guidance 2 'Green Belts'.

Councillor B Watson, Chair

[ The meeting started at 3:00pm and finished at 4:50pm]