

COMMITTEE REPORT

Committee: West and City Centre
Date: 17 August 2006

Ward: Guildhall
Parish: Guildhall Planning Panel

Reference: 06/01484/GRG3
Application at: Council Depot Hazel Court York YO10 3DS
For: Erection of a 15 metre high wind turbine (re-submission)
By: City Of York Council
Application Type: General Regulations (Reg3)
Target Date: 30 August 2006

1.0 PROPOSAL

1.1 This application is for a 15kw wind turbine on a 15m mast to be sited in the centre of the car park of the Council's EcoDepot that is currently under construction. The turbine would generate electricity for use in the council depot and any surplus would be sold to the national grid. It is anticipated that the turbine would cover 18- 20% of the energy requirements of the site.

1.2 The council depot includes innovative designs, materials and technologies with the overall aim of reducing greenhouse gas emissions (GHG) that cause climate change. As the major contributor to GHG emissions will be its energy use, it was considered appropriate to include a wind turbine to produce energy from a renewable source. The turbine would work in tandem with other renewable energy technologies (Photovoltaic Cells on the Amenities Building and the Eco Office Building) to generate electricity and using the sun and a solar thermal system to heat water. These measures would contribute to York meeting its renewable energy targets as set by the Regional Assembly and endorsed in the draft regional Spatial Strategy.

1.3 An earlier proposal for a wind turbine on a 25m mast to be sited in the south western corner of the site was withdrawn following further consideration of this siting. The revised siting to this more central siting would maximise wind speeds and therefore improve efficiency. The application has been accompanied by a noise impact assessment report.

1.4 Members of the Centre and West Sub -Committee were invited to visit a similar example at a school in Kirklees, West Yorkshire. This was followed by a daytime and an evening session at the Environment Centre, St. Nicholas Fields where the proposals were on show and staff were available to explain the proposals to the public. The turbine would be the same make as the existing 9m x 2 Kw mast at the nearby Environment Centre in St Nicholas Fields.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

Floodzone 2 Flood Zone 2 CONF

Floodzone 3 Flood Zone 3

2.2 Policies:

CYGP4A
Sustainability

CYGP5
Renewable energy

CYGP1
Design

3.0 CONSULTATIONS

3.1 INTERNAL

ENVIRONMENTAL PROTECTION UNIT-

There are no objections to this proposal. A Noise Impact Assessment was carried out at the local authority's request to ensure that noise from the proposed turbine would not affect the amenity of nearby occupiers of premises. A visit was made to witness the type of noise made by a 15kW turbine on a 15 metre mast situated close to residential properties in West Yorkshire. The noise from that turbine was barely audible at a distance of 10 metres and was unlikely to be a source of noise nuisance to nearby residential properties. The assessment indicated that noise from the turbine would be unlikely to cause noise complaints from nearby residents, and the noise levels would be within acceptable limits as recommended by the World Health Organisation for the workers in office buildings close to the site. It is recommended that a condition be attached to any approval of planning permission to ensure that the turbine is maintained and serviced according to the manufacturer's instructions to prevent any decrease in its efficiency or increase in noise levels to the detriment of noise sensitive premises in the area.

HIGHWAY NETWORK MANAGEMENT- No objection

URBAN DESIGN AND CONSERVATION- No comments received.

3.2 EXTERNAL

Guildhall Planning Panel- No objections but would seek the safeguard of temporary planning permission so that the Local Planning Authority can monitor the visual and other impacts.

2 representations have been received expressing the following planning concerns-

- a. Would be an eyesore
- b. Not justified

4.0 APPRAISAL

4.1 Key Issues-

1. Appropriateness of the site for the intended use
2. Visual impact
3. Impact on surrounding properties from noise/ interference
4. Access
5. Local wildlife

4.2 Planning Policy Statement 22: Renewable Energy advises that the development of renewable energy supplies will make a vital contribution to the Government's energy policy as set out in the Energy White Paper. It is considered that the increased development of renewable energy resources is vital to facilitate the delivery of the Government's commitments on both climate change and renewable energy. The Energy White paper indicates that local and regional bodies should be involved to deliver the Government's objectives, including establishing regional targets for renewable energy generation. This statement is supported by " Planning for Renewable Energy- A Companion Guide to PPS22

4.3 The City of York Draft Local Plan Policy GP4a h) encourages new developments to incorporate measures to maximise the use of renewable energy resources. Policy GP5 also positively supports the principle of renewable energy facilities providing there is no significant adverse effect on the locality generally and on amenities that ought to be protected in the public interest. Policy GP1 seeks to ensure that residents living nearby are not unduly affected by noise and disturbance and any adverse visual impact from such developments.

LAND USE

4.4 The land area occupied by the proposed turbine would be a 5m-x5m area of the proposed car park and would not be a significant loss of car parking space in this large car park. The proposed wind turbine would add to the range of renewable measures that the Council is promoting on the site and would demonstrate the authority's commitment to meeting renewable energy targets. The proposal would therefore accord with Policies GP4a h) and GP5 of the draft Local Plan.

VISUAL IMPACT

4.5 The proposed turbine would be seen as a large structure within this commercial site, but would be masked to a degree by the finished scale of the buildings that are currently under construction. The mast of the proposed turbine would be fixed to a concrete foundation that would be flush with the surrounding land and the associated machinery would be below ground. The main impact from the height of the proposed turbine. The blades need to be far enough above ground to minimise turbulence and to maximise the energy capture of the wind turbine. The mast with the maximum blade extension would extend 19.8m. Some of the buildings will be 13 metres high and these would provide substantial screening of the structure. The concern that has been expressed in the representations that have been received has largely come from the residents that live in Fifth Avenue. The Eco Office at 9 metres to its ridge would act as a visual buffer for the residents in this particular area. Whilst it is acknowledged that the structure would have some visual impact as it would be visible above this building, it is considered that the impact would not be severely detrimental to the outlook from these residential properties. There is an existing view to the adjacent industrial buildings on James Street and the scale and range of the industrial buildings on the application site will further add to this industrial/ commercial outlook. It is considered that the turbine would be in character with the type of buildings on the site, would be compatible with the scale of the buildings on the site and in the locality, and would not be unduly prominent for occupiers of the nearby properties. As such it would comply with Policy GP1 of the Draft Local Plan.

NOISE

4.6 The site is situated on an industrial estate, would be part of a busy Council depot site that comprises workshops, lorry movements, offices etc, and lies adjacent to the new Hazel Court Household Waste site where there is a significant level of background noise. The site is also near the city centre and close to a main arterial road where traffic noise would add to the background noise levels. The current construction work on the James Street link road is likely to significantly add to the existing background noise levels in the area, and on

completion of the road it is likely there would be a further increase in background noise levels from the additional traffic noise that would use the new road.

4.7 Wind turbines are not silent and a Noise Impact Assessment has therefore accompanied the application. This demonstrates to the satisfaction of the Council's Environmental Protection Unit that the noise from the proposed wind turbine would not increase the background noise levels, would be unlikely to result in noise complaints from nearby residents, and levels would be within acceptable limits as recommended for workers in the office buildings close to the site. The wind turbine would have no gearbox and therefore no mechanical noise would be produced. The level of aerodynamic noise produced by the passage of blades through the air is generally unobtrusive, and is similar to the noise of wind in the trees. The rear gardens of the nearest residential property on Fifth Avenue would be over 70 metres from the proposed turbine. It is considered that at this distance there would be sufficient separation between the proposed turbine and these dwellings, the nearest noise-sensitive development. Coupled with the generally low operating turbine noise level in a high ambient background level, it is likely that turbine noise would be masked by wind-generated background noise.

INTERFERENCE OF TRANSMISSIONS AND SIGNALS

4.8 Any proposed impact on transmissions is a material concern that should be considered in the determination of this application. The mast would be a slim pole, shielded by the substantial industrial buildings on the site, and it is considered that would be unlikely to have a significant scattering effect on line of sight transmission signals. The agent has advised in his supporting information that the equipment would not interfere with telecommunications and TV signals. If the scattering of signal affects domestic TV and radio reception, experience has shown that this can be alleviated by the installation or modification of a local repeater station or cable connection. Similarly interference effects can be reduced.

ACCESS

4.9 The proposed location of the wind turbine would be easily accessed for construction traffic and traffic movements for maintenance would be light. The turbine would be set back from Hazel Court and James Street and would not affect highway safety as a distraction to highway users in this largely screened location at the head of a cul-de sac. The proposal would result in the loss of lorry parking space and it is considered that this would not compromise highway safety.

LOCAL WILDLIFE

4.10 The proposed site lies close to St Nicholas Fields Open Space, which contributes significantly to the quality of the local environment and provides an attractive habitat for local wildlife. No species or habitats of special importance have been identified that require special protection measures. The issue of 'bird strike' has been raised but it is advised in " Planning for Renewable Energy- A Companion Guide to PPS22 " that there is evidence to suggest that the risk of collision of birds with moving of the rotor blades is minimal for both migrating birds and for local habitats.

5.0 CONCLUSION

5.1 It is concluded that the proposed wind turbine would conform with development plan policies and would be a positive addition to the Council's contribution to using renewable energy. An extensive community involvement exercise was carried out through open sessions to view the plans and discuss the details with officers and the technical expert which resulted in the main concern being the visual impact that would result. It is considered that this relatively small scale wind project would not be overly intrusive in this location, would be compatible with the nature of the surrounding developments, and would not

significantly harm the outlook from the neighbouring housing. As no other material considerations would be harmed, it is considered that the application should be approved.

6.0 RECOMMENDATION: Approve under General Regs 3 Council Dev

- 1 TIME2
- 2 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

YD E500, Revision K

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

- 3 The turbine and associated plant or equipment shall be appropriately serviced and maintained after installation to ensure it meets the manufacturers specification with regards to minimisation of noise output.

Reason: to protect the amenity of nearby occupants of noise sensitive premises.

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to:

1. land use,
2. the residential amenity and living conditions of the neighbours and occupiers of nearby buildings,
3. the visual amenity of the locality,
4. highway safety, and
5. sustainable development

As such, the proposal complies with Policies GP4, GP5 and GP1 of the City of York Local Plan Deposit Draft; national planning guidance contained in Planning Policy Statement Notes 1 " Delivering Sustainable Development;" and No. 22 " Renewable Energy.

Contact details:

Author: Fiona Mackay Development Control Officer (Tues - Fri)
Tel No: 01904 552407