



Rutland County Council

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Minutes of the **MEETING of the DEVELOPMENT CONTROL AND LICENSING COMMITTEE** held in the RUTLAND COUNTY MUSEUM - RIDING SCHOOL on Thursday, 10th December, 2015 at 6.00 pm

PRESENT:

Mr E Baines	Mr J Lammie
Mr G Conde	Mr W Cross
Mr J Dale	Mr T King
Mr T Mathias	Mr M Oxley
Mr C Parsons	Mr D Wilby

ABSENT:

Mr A Mann	Mr A Stewart
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OFFICERS

PRESENT:

Mr C Howat	Senior Environmental Health Officer
Mr G Pullan	Development Control Manager
Mr N Thrower	Planning Officer
Ms E White	Barrister
Mr A Woodhouse	Environmental Protection Officer
Miss S Croad	Corporate Support Officer
Miss M Gamston	Corporate Support Officer

IN

ATTENDANCE:

Mr R Begy	Miss G Waller
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446 DECLARATIONS OF INTERESTS

Mr M A Oxley	Item 1 2014/1003/MAJ	Mr Oxley declared on the grounds of probity as he had in the past voiced his support for renewable energy sources. He stated that he would however wait for the officers' report before reaching a decision on this application.
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447 PETITIONS, DEPUTATIONS AND QUESTIONS

Three questions had been received. The questions were put to the meeting as Members had received the full text prior to the meeting.

The Chair invited the Planning Officer, Mr Thrower to respond to the questions. The responses are shown below.

Question 1 received from Mr B Willars.

May I point out that this report is inconsistent, subjective and incongruous.

The predicted generation capacity of the wind farm is recognised by the report to be locally significant (it would, after all, be the one and only source of renewable energy produced in Rutland of any note). And yet, the perceived detrimental impact against which this is balanced is purely one of aesthetics – that the turbines are visible. Not on grounds of noise, safety or anything harmful – just that they can be seen.

Even this is inconsistent and unclear. Is it that they are visible from certain heritage and conservation sites, as it states in one part of the report – or from nearby villages, public rights of way and local roads, as it states in another?

Whichever it is, it surely cannot outweigh the case for the Woolfox site providing by far the best location for Rutland to make a significant contribution to renewable energy. Don't forget that when you leave the meeting and put the kettle on for a cup of tea, it won't be energy generated in Rutland that you'll be using...just some other place that has cooling towers or slag heaps on its horizons.

It seems totally incongruous for Rutland to ignore this at a time when world leaders are forging future plans to restrict global warming. I would urge the Committee to take the responsible decision of rejecting the recommendations, and granting planning permission for the project.

Answer:

The element of question in the gentleman's submission appears to be limited to querying which group of locations the impact of the turbines is unacceptable from. To answer this, the impact of the turbines is unacceptable from all of the elements identified, as detailed in the reason for refusal at the beginning of the report.

Addressing the remainder of the gentleman's submission, it is not purely a matter of aesthetics that weighs against the proposed turbines, but the impact they have on the defined and protected characteristics of the locations from which they are seen. The recommendation has been made in the knowledge of the discussions ongoing regarding combating climate change, however planning law requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise, and government guidance has been used in making the recommendation contained within the report.

Question 2 received from Mr R Harrison

Could officers please explain the way in which they have weighted the letters from the community with those received via the applicant. Whilst the numbers were very similar, this was far from the case for their content. Those writing against the application were largely individual letters, specifically related to the application and the reasons for their objections.

Those that were submitted in favour were on a pre-printed letter and relate to the virtues of wind farms. Very few seem to have any relationship to the application or its detail and were signed by people from all across the UK.

Answer:

The number of letters received in support or opposition to a proposal, or the nature of those letters as either bespoke creations or template letters is not relevant to the

determination of the application, although it can be used as an indication of the level of public interest in an application. The matters raised by the letters and the extent to which those matters are material to the proposal are what is relevant to the determination of the application. For example 500 letters raising 3 material issues carry no greater weight than a single letter raising those same issues.

Mr Harrison asked the officer if he thought that it was fair and balanced that during the original consultation period of 21 days there were 590 submissions of which 96% were against the application and after 21 days a further 500 submissions were accepted over a two day period. The Planning Officer stated that the 21 day consultation period was a statutory minimum; that the recommendation must take into account all issues raised therefore he felt that it was fair.

Question 3 received from Ms D Noakes

In comparison to Unconventional Hydraulic Fracturing (Fracking) can the panel and people in opposition confirm what considerations they have given to the effects of fracking against wind farms? i.e., will wind farms contaminate the water and ground with carcinogenic chemicals and radioactive materials, do windfarms contaminate the air with Volatile Organic Compounds and NOx (nitric oxide and nitric dioxide), and what will happen when the world runs out of time to combat climate change?

Answer:

This is not a panel and officers' cannot speak on behalf of people in opposition.

The merits and demerits of fracking are not a material consideration in relation to the current proposal, which must be assessed on its own merits. Fracking proposals are subject to their own applications and the impacts of the proposal are considered at that time. As noted in the main report, it is not the role of the Council to challenge national energy policy.

Ms Noakes asked if the Committee did not allow the windfarm development would there be subsequent use for the land, if not fracking, places to put waste, which would be far more harmful to the area? The Planning Officer advised that the Development Plan was in place to indicate future use of the area.

448 DEPUTATIONS RELATING TO PLANNING APPLICATIONS

In accordance with Procedure Rule 93(4) the following deputations had been received in relation to application 2014/1003/MAJ:

- A deputation had been received from Mr Miles Williamson-Noble on behalf of Stretton, Clipsham and Pickworth, and the Woolfox Windfarm Action Group. The right of reply was exercised by Mr Banks on behalf of the applicant. Members of the Committee exercised the right to ask questions.
- A deputation had been received from Mr William Hughes. The right of reply was exercised by Mr Banks on behalf of the applicant.
- A deputation had been received from Dr John Twydell. The right of reply was exercised by Mr Banks on behalf of the applicant. Members of the Committee exercised the right to ask questions.

449 REPORT NO. 238/2015 DEVELOPMENT CONTROL APPLICATIONS

Report No. 238/2015 from the Director for Places (Environment, Planning and Transport) was received.

450 ITEM NO. 1 (2014/1003/MAJ) RES UK AND IRELAND

The proposed development for a wind farm of nine (9) number, three-bladed, horizontal axis wind turbines, each up to 130m maximum height to tip. The proposed wind farm would have associated electricity transformers, underground cabling, access tracks, road widening works, permanent access track turning heads, rotor assembly pads, crane hardstandings, control building and substation compound, and a communications mast. During construction and commissioning there would be a number of temporary works including a construction compound, security gatehouse, vehicle cleaning facility, welfare facilities, and two (2) number guyed meteorological masts up to 80 metres high (indicative hub height). Land North of Woolfox Depot, Woolfox Lodge Road, Empingham, Rutland.

(Wards: Greetham, Normanton: Parishes: Clipsham, Empingham, Greetham, Pickworth)

Mr Begy spoke as Ward Councillor.

RESOLVED

2014/1003/MAJ In accordance with the recommendation set out within Report No. 238/2015 Item 1 that this application be **REFUSED**.

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Prior to the above resolution members requested a recorded vote in accordance with
Procedure Rule 11

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For the motion:	Mr Baines
	Mr Conde
	Mr Cross
	Mr Dale
	Mr King
	Mr Lammie
	Mr Mathias
	Mr Parsons
	Mr Wilby

Against the motion:	Mr Oxley
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Abstentions:	None
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DECISION SUMMARY, 10 DECEMBER 2015

Applications approved in accordance with the report and addendum of the Director for Places

Minute No.	Application	Detail
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Applications approved NOT in accordance with the report and addendum of the Director for Places

Minute No.	Application	Detail
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Applications refused in accordance with the report and addendum of the Director for Places

Minute No.	Application	Detail
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450	2014/1003/MAJ	The proposed development for a wind farm of nine (9) number, three-bladed, horizontal axis wind turbines, each up to 130m maximum height to tip. The proposed wind farm would have associated electricity transformers, underground cabling, access tracks, road widening works, permanent access track turning heads, rotor assembly pads, crane hardstandings, control building and substation compound, and a communications mast. During construction and commissioning there would be a number of temporary works including a construction compound, security gatehouse, vehicle cleaning facility, welfare facilities, and two (2) number guyed meteorological masts up to 80 metres high (indicative hub height). Land North of Woolfox Depot, Woolfox Lodge Road, Empingham, Rutland.
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(Wards: Greetham, Normanton: Parishes: Clipsham, Empingham, Greetham, Pickworth)

Applications refused NOT in accordance with the report and addendum of the Director for Places

Minute No.	Application	Detail
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Applications deferred in accordance with the report and addendum of the Director for Places

Minute No.	Application	Detail
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Applications deferred NOT in accordance with the report and addendum of the Director for Places

Minute No.	Application	Detail
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The Chairman declared the meeting closed at 7.13 pm.

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