www.highpeak.gov.uk

High Peak Borough Council

working for our community

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

FULL PLANNING APPLICATION

PERMISSION

Applicant Mrs Susan Henshaw
Brook House Farm
Fairfield
Buxton
SK17 7HW

Agent Windcrop Limited
The Granary
Honingham Thorpe
Colton
Norwich
NR9 5BZ

Application no. HPK/2013/0330

Registered on 24/06/2013

Determined on 16/08/2013

High Peak Borough Council hereby **PERMIT** this application for **FULL PLANNING PERMISSION** for

Installation of 1 no. micro scale wind turbine at Brook House Farm Brook House Drive Fairfield Buxton

in accordance with the submitted application, details and accompanying plans listed below subject to the following conditions and reasons:-

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission unless some other specific period has been indicated in other conditions given.

2. No development shall commence until a plan showing the re-siting of the turbine hereby approved by 1metre in a south westerley direction shall be submitted to and approved in

……
Michael Green
Planning Applications Manager

writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

3. No works shall take place on site until details of the finish and colour of the turbine hereby approved (including blades, hub and mast) have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

4. The turbine shall be removed from the site and the land shall be restored to its former condition within 3 months of the date that it is no longer required for the generation of electricity.

5. The corrected level of noise emitted from the wind turbine shall not exceed the ambient noise level, plus
a) 3dB when measured as a 1 Hour LAeq at the facade of a noise sensitive property,
b) 5dB when measured as a 1 hour LAeq at the amenity (garden) boundary of a noise sensitive property.
(Measurements should be undertaken in accordance with the procedures outlined in BS4142:1997.)

Reasons

1. The time limit condition is imposed in order to comply with the requirements of sections 91, 92, 93 and 56 of the Town and Country Planning Act 1990 and section 51 of the Planning and Compulsory Purchase Act 2004.

2. To protect railway infrastructure in the event of turbine failure in the interests of the safe operation of the railway in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

3. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

4. In the interests of visual amenity, in accordance with Policy GD4 of the High Peak Saved Local Plan Policies 2008.

5. In order that the amenities enjoyed by the occupants of the adjacent dwellings shall not be injured, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

Summary of reasons for granting permission

This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

……
Michael Green
Planning Applications Manager

The decision to grant planning permission has also been taken having regard to all other relevant material planning considerations and to the following relevant policies and proposals in the Development Plan.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

BC1 - External Materials
CF10 - Renewable Energy
GD4 - Character Form and Design
GD5 - Amenity
OC1 - Countryside Development
OC3 - Special Landscape Area Development
OC4 - Landscape Character and Design
OC6 - Agricultural Development

National Planning Policy Framework

Notes to Applicant

The applicant's attention is drawn to the consultation response from Network Rail (received 11/07/2013) which details the requirements for the re-siting of the turbine hereby approved.

Plans
The plans to which this Notice refers are listed below:

Elevation Drawing QR-H5

Site location plan

Block Plan

Please Note: This decision notice does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section on 0845 129 7777.

Any other statutory consent necessary must be obtained from the appropriate authority.

Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You

……
Michael Green
Planning Applications Manager

should contact the Highway Authority, Derbyshire, County Council at County Hall, Matlock, Derbyshire, tel. 01629 580000.

This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.highpeak.gov.uk for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:
(a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
(b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.

The permission is granted in strict accordance with the approved plans. It should be noted however that:
(a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
(b) Variation to the approved plans will require the submission of a new planning application.

.....
Michael Green
Planning Applications Manager