

**Delegated Report
Report to the Planning Manager (Development Management)**

**Planning Ref: 25/00940/FUL
Applicant: Mr Paul Hilyer
Ward: Newbold Verdon With Desford & Peckleton**



Site: Park House Farm Leicester Lane Desford

Proposal: Removal of the existing wind turbines, installation of two new wind turbines and associated infrastructure

1. Recommendations

1.1. Grant planning permission subject to

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The planning application proposes the replacement – known as “repowering” - of two existing wind turbines at Park House Farm. The proposed turbine locations are situated approximately 60 - 100m from the existing turbines which were approved in 2011 under planning application reference 11/00329/FUL.
- 2.2. The proposed design makes use of the existing access to the operational turbines. However, as each turbine manufacturer specifies the foundation design required to support the structure erected, it is not possible to reuse the existing foundation. The applicant suggests that the new turbine positions have been selected with regard to appropriate separation from nearby dwellings, hedgerows, overhead lines, Public Rights of Way (PRoW), and separation distance between themselves.
- 2.3. As such, the layout of the new turbines proposed is slightly adjusted, with a small extension to the existing access track required.
- 2.4. The table below, which is taken from the planning statement provides a summary of the specification of the existing turbines compared to the proposed turbines:

Table 2.2 Specifications of Existing and Proposed Turbines

Specification	Existing Vergnet GEV MP 275	Proposed Vestas V52
Hub Height	55m	60m
Rotor Diameter	32m	52m
Tip Height	71m	86m
Grid Connection	Via existing farm infrastructure.	Via existing farm infrastructure.
Access	Via existing farm infrastructure and access track to the turbine.	Via existing farm infrastructure, with a slight extension to the access track to new locations.
Foundation Size	10m diameter	15m diameter
Energy Output	275kW (curtailed to 250kW)	850kW (curtailed to 250kW until the end of FIT)
No. of Blades	2	3

- 2.5. The applicant owns an agricultural business that was founded during the nineteen eighties. The farm specialises in pig breeding and arable crop production and is a contributor to the rural economy of Leicestershire as a local employer and a food

producer. The proposed repowering is a response to the farm's growing energy demands and the economic pressures facing the agricultural sector. The proposed turbines replace older less efficient models and will better meet the energy needs of the farm. The two existing turbines produce approximately 823 MWh per year. By contrast, the new turbines, despite only a modest increase in tip height, are expected to generate around 2.0GWh2 per year.

- 2.6. The table below, taken from the planning statement provides a helpful overview of the proposed phases of the development:

Phase	Detail	Timescales*
Construction Phase	Site preparation works, curing of concrete, delivery of components and the installation of equipment. The existing access tracks are to be utilised with only an extension required for use during the construction and operation of the turbine, minimising construction timings. Electrical connection and subsequent commissioning subject to timescales dictated by electrical engineers at the DNO and contractor	8 Weeks
Operational Phase	Turbines will be remotely monitored to ensure safe and efficient operation of the equipment. Regular and scheduled maintenance checks will be undertaken	25-year lifespan
Decommissioning of Existing Turbines	Reversal of the construction phase. Cables will be cut and removed. To ensure minimal damage to the existing turbine structures, the turbines will be removed methodically and parts will be recycled or sold.	8 weeks
Decommissioning of the Proposed Turbines	The site will be restored to its original state within 6 months of the expiration of planning, unless further extension to the operational phase is sought from HBBC. If no extension is sought, all above-ground equipment is to be removed from site to ensure no lasting impacts. Required works include removal of the turbine heads, dismantling of the towers, unbolting the tower bases from the base plates, cut back and removal of steel and bolting to ground level and the removal of cabling through the opening and subsequent backfill of cable trenches. Site reseeded where necessary to reinstate groundcover.	8-10 weeks

*Construction timescales are subject to weather conditions and influences outwith the control of the Applicant/Contractor

3. Description of the site and surrounding area

- 3.1. The application site comprises an agricultural field spanning some 0.97 ha. The land slopes sharply downhill from south to north towards Desford Lane. The field is bounded by low level hedging to a height of 1.5m. In the wider context the site is screened by industrial buildings and the railway embankment to the north and north east and by hedges and mature trees to the western and southern boundaries. The site is located 1.6km to the east of Desford, 1km to the west of Kirby Muxloe and 2km to the south west of Ratby.
- 3.2. The nearest residential properties to the site includes the applicant's dwelling at Park House farm located 360m to the west and the Bungalow located 520m to the west. A public footpath runs through the site from east to west and is located 60m to the south of the most southerly of the replacement wind turbines. The site is accessed from a tarmaced drive between Leicester Lane and Park House Farm and then via an unmade farm track from Park House Farm.

3.3.

4. Relevant planning history

11/00329/FUL

- ERECTION OF TWO WIND TURBINES INCLUDING ASSOCIATED TRANSFORMER AND CONTROL COMPOUNDS AND FORMATION OF ASSOCIATED INFRASTRUCTURE
- PERMITTED
- 28.07.2011

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.
- 5.2. 1 objection letter has been received from interested parties in response to the application publicity. The letter is in the form of a response from a resident's group. The comments can be summarised as follows:
- Concern regarding noise
 - Concern regarding impacts on views
 - Distance from residential properties

6. Consultation

- 6.1. The following provides a summary of the consultation responses received in the context of the application consultation exercise. Where appropriate consultee responses are expanded upon within the body of the report below.
- LCC Highways – no objection subject to conditions
 - LCC Ecology – no objection subject to conditions
 - LCC Minerals – no objection
 - HBBC Environmental Health – no objection subject to conditions
 - MAG Aerodrome Safeguarding Team – no objection subject to informative
 - NATS Safeguarding – no objection
 - Ministry of Defence – requests condition to secure accredited infra-red lighting to protect low flying aircraft
 - Joint Radio Company – no objection
 - Arqiva (Transmission Network) – no objection

7. Policy

- 7.1. Core Strategy (2009)
- Spatial Objective 12: Climate Change and Resource
- 7.2. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM2: Delivering Renewable Energy and Low Carbon Development
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM6: Enhancement of Biodiversity and Geological Interest
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM10: Development and Design
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - Policy DM13: Preserving the Borough's Archaeology
 - Policy DM17: Highways and Transportation
- 7.3. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2024)

- Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
- Renewable Energy Capacity Study (2014)
- 8. Appraisal**
- 8.1. Key Issues
- Assessment against strategic planning policies
 - Design & impact upon the character of the area
 - Impact on the Historic Environment
 - Impact upon neighbouring residential amenity
 - Impact upon highway safety, convenience and Public Rights of Way
 - Flooding and Drainage
 - Archaeology
 - Trees & Ecology
 - Electromagnetic Interference

Assessment against strategic planning policies

- 8.2 Paragraph 2 of the National Planning Policy Framework (NPPF) (2024) states that planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, and that the NPPF is a material consideration in determining applications. Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making.
- 8.3 Paragraph 11 of the NPPF and Policy DM1 of the Site Allocations & Development Management Policies Development Plan Document (2016) (SADMP) set out a presumption in favour of sustainable development, and states that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise. The development plan in this instance consists of the adopted Core Strategy (2009) and the Site Allocations and Development Management Policies DPD (2016).
- 8.4 Spatial Objective 12 of the Core Strategy is concerned with Climate Change and Resource Efficiency and seeks to minimise the impacts of climate change by promoting the prudent use of resources through increasing the use of renewable energy technologies. The Strategic Objectives highlight the importance of renewable energy and importantly a need to increase the use of renewable technologies, such as the generation of electricity from renewable sources.
- 8.5 Policy DM2 of the Site Allocations and Development Management Policies DPD (SADMP) sets out that the Council will support renewable energy developments – and ancillary structures - where all reasonable steps have been taken to avoid or mitigate any adverse impacts including, but not limited to, landscape, noise, visual and cumulative impacts.
- 8.6 The application site is located outside of any settlement boundaries, and is therefore within the countryside. Policy DM4 seeks to protect the intrinsic value, beauty, open character and landscape character of the countryside from unsustainable development. Development considered to be sustainable in the countryside as identified by Policy DM4 includes proposals for stand-alone renewable energy developments that are provided in line with Policy DM2 when development is also consistent with part i)-v) of policy DM4.

- 8.7 Paragraph 161 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate and support renewable and low carbon energy and associated infrastructure. It goes on to state (Para. 163) that when determining planning applications for renewable and low carbon development, and their associated infrastructure, planning authorities should not require applicants to demonstrate the overall need for renewable energy and approve the application if its impact are (or can be made) acceptable
- 8.8 HBBC's Renewable Energy Capacity Study (2014) assesses the technical and deployable potential for renewable energy and low carbon energy within the Borough up to 2026. In addition to this, in July 2019 HBBC declared a 'climate emergency' whereby Councillors pledged to take local action to contribute to national carbon neutral targets through the development of practices and policies, with an aim to being carbon neutral in the borough of Hinckley and Bosworth by 2030. However, the Council is yet to publish its Action Plan designed to outline how the council will address this emergency.
- 8.9 There is a clear policy presumption in favour of renewable energy proposals, and its associated infrastructure, supported by local policies of the development plan and commitment by the Council to be carbon neutral. Consideration should also be given to the NPPG and written ministerial statement dated 18 June 2015. These provide that *"when considering applications for wind energy development, local planning authorities should (subject to the transitional arrangement) only grant planning permission if:*
- *the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and*
 - *following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.*
- 8.10 *Whether the proposal has the backing of the affected local community is a planning judgement for the local planning authority."*
- 8.11 Whilst the site does not fall within an area identified as suitable for wind energy development, the development proposals constitute the replacement of existing apparatus that pre-dates the ministerial statement. This is considered to be a material consideration that weighs in favour of granting planning permission. The issues raised by the affected community are considered elsewhere in this report.
- 8.12 Therefore the principle of the proposed development is considered to be acceptable, subject to other material considerations being appropriately assessed along with the concerns raised by the affected community.

Design and impact upon the character of the area

- 8.13 Policy DM4 of the SADMP requires that development in the countryside does not have an adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside, does not undermine the physical and perceived separation and open character between settlements and does not create or exacerbate ribbon development.
- 8.14 Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.15 To consider the landscape character of the countryside, the Landscape Character Assessment identifies this character area as an open, gently rolling farmed landscape of medium to large-scale fields, predominantly arable with scattered pasture. Villages such as Desford, Newbold Verdon, Peckleton and Kirkby Mallory are compact and nucleated, with scattered farmsteads in the wider countryside.

Hedgerows and small groups of trees provide some enclosure, although the removal of hedgerows in places has created more open views and a larger-scale character. Vertical features, such as electricity pylons and existing wind turbines, are visible in parts of the area. Away from settlements and roads, the landscape retains a rural character and relative tranquillity, with dark skies recorded between Desford and Newbold Verdon. Historic features, including ridge and furrow, moated sites, and estate landscapes such as Mallory Park, contribute to the depth of time.

- 8.16 Although there is a modest increase in scale, with tip height increasing from 71m to 86m and a change from two to three blades, the proposed development would not introduce an out-of-place feature into a landscape already influenced by pylons, turbines, and quarrying. The turbine remains farm-associated and located close to existing infrastructure rather than isolated or dominant. While the change will be perceptible in parts of the LCA, it occurs in a landscape accustomed to vertical structures and agricultural diversification. The effects on landscape character have been found to be moderate at most
- 8.17 The repowered turbines will be perceptible from local public rights of way, roads and occasional settlement edges. Representative viewpoints demonstrate that, while the turbines will be slightly taller and more prominent on the skyline, they remain closely associated with existing siting and infrastructure, and continue to be read as a coherent farm-based pair. Effects range from minor to moderate at most viewpoints. Overall, the impacts are localised and limited in extent.
- 8.18 In summary, due to the scale and nature of the development it could not be said to undermine the physical and perceived separation or open character between settlements and clearly does not create or exacerbate ribbon development. The submitted LVIA, as outlined above will not have a significant impact on the intrinsic value, beauty, open character and landscape character of the countryside. Based on the aforementioned assessment, whilst objectors raised concerns regarding the development's impact on views, these concerns are not considered to be warranted in this instance. The development proposals are considered to comply with SADMP policy DM4 and there is no conflict with SADMP policy DM10 for the same reasons.

Historic Environment

- 8.19 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when determining applications for development which affects a listed building or its setting to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural and historic interest which it possesses. Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment.
- 8.20 Paragraph 203 states that in determining planning applications, local planning authorities should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - The desirability of new development making a positive contribution to local character and distinctiveness.

- 8.21 Paragraphs 199-202 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 8.22 There are eight Grade II Listed Buildings, a Scheduled Monument and a Conservation Area within 2km of the application site.
- 8.23 No physical impacts are anticipated for any identified assets due to proximity from development. Desk-based assessment indicates that there will be no new intervisibility between the proposed turbines and the identified Listed Buildings. Similarly, Ratby Camp Scheduled Monument and Desford Conservation Area will not experience significant new effects due to the existing separation, local screening, as well as the established presence of turbines on site.
- 8.24 Given the nature of the proposal, which involves the replacement of two turbines with newer technology, no notable impacts are anticipated.

Impact upon neighbouring residential amenity

- 8.25 Policy DM10 criterion (a) of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings. Policy DM7 of the SADMP seeks to ensure that adverse impacts from pollution are prevented, this include impacts from noise, land contamination and light. Similarly paragraph 130 (inter alia) requires development proposals to create places which promoted health and well-being, with a high standard of amenity for existing and future users.
- 8.26 An assessment of shadow flicker has been provided to support the application. It shows that there is a single property within the area of maximum extent of potential shadow flicker, Park House Farm. The assessment shows that Park House Farm will not experience any shadow flicker from the proposed turbines.
- 8.27 Whilst it is acknowledged that neighbour objections raised concern regarding noise, a Noise Impact Assessment has been provided to support the planning application. It shows that proposed repowering with the Vestas V52 wind turbine will operate within the relevant ETSU-R-97 simplified fixed noise limits at all identified Noise Sensitive Receptors. Accordingly, noise is not predicted to generate an adverse effect and no further assessment is required. It should also be recorded that no objection has been raised by Environmental Health to the development proposals.
- 8.28 Based on the application submission, there is no objection to the proposals on the grounds of residential amenity and the proposals are considered to accord with SADMP policy DM10 and the relevant advice contained in the NPPF.

Impact upon highway safety, convenience and Public Rights of Way

- 8.29 Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 requires new development to provide an appropriate level of parking provision to serve the development proposed.
- 8.30 Paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe.

Site Access

- 8.31 The LHA is satisfied that the Applicant has confirmed permission of the use of third party land at the access point. It has been stated on the Transport Supporting Statement that: *'The Applicant has confirmed that permission is in place to utilise a*

small section of third party land at the site entrance where required to facilitate construction access.' The LHA would like to draw the Applicant's attention to drawings 'Swept Path Analysis - 27m Trailer Entry - Part A' where the 27m long indicative trailer is accessing the site. The LHA note that the vehicle tracking is very close to third party land to the south of the B582.

- 8.32 While it appears there will be tight manoeuvres entering and egressing the site, the LHA recommends that the Applicant should satisfy themselves that this is possible within the physical constraints of the site access. As stated on the LHA's previous response, it is advised that all costs associated with the removal/ relocation/ reinstating of any street furniture will be the sole responsibility of the Applicant.

Trip Generation

- 8.33 The LHA welcome the additional information regarding the decommissioning trip generation whereby: *'Indicative trip numbers, based on the original installation phase, are approximately 8-10 articulated HGV trips for component removal, with additional limited HGV movements where reinstatement materials are required Contractor/staff vehicles are expected to total 5-10 per day during active periods.'*
- 8.34 Alongside this, the Applicant previously stated within section 8.4.5 of the Planning Statement that there will be approximately 8 Abnormal Indivisible Load Vehicle trips required to deliver the turbine components. The LHA understand that this will be a temporary situation owing to the decommissioning and construction phases of the development and therefore do not raise any further concerns regarding the trip generation.

Public Right of Way

- 8.35 The application site includes the access route from Leicester Lane to Park House Farm which overlaps with public right of way Footpath S2. The submitted Transport Supporting Statement advises: *'During construction and decommissioning, temporary warning signage will be installed, and banksmen will be used when large vehicles are crossing the PRow. The route will remain open and unobstructed at all times.'* The LHA is satisfied that the above measures will help to mitigate any potential conflict between users of the PRow and construction traffic.

Highways Summary

- 8.36 The LHA has indicated that the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 116 of the NPPF, subject to the conditions outlined in this report. The development proposals subsequently accord with SADMP policies DM17 and DM18 and the relevant advice contained in the NPPF.

Flooding & Drainage

- 8.37 Policy DM7 of the SADMP seeks to ensure that development does not create or exacerbate flooding. Paragraph 159 of the NPPF requires inappropriate development in areas at risk of flooding to be avoided by directing development away from areas at highest risk. Paragraph 167 continues by explaining that, when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.
- 8.38 The application site is located in flood zone 1. The proposal is limited to turbine replacement and will not materially alter ground conditions or site drainage, with no increased risk of flooding or surface water run-off there are no objections to the development proposals based on flood risk or drainage.

Archaeology

- 8.39 SADMP Policy DM13 states that where a proposal has the potential to impact a site of archaeological interest, developers will be required to provide appropriate desk based assessment and, where applicable, field evaluation detailing the significance of any affected asset. Where preservation of archaeological remains in situ is not feasible and /or justified the local planning authority will require full archaeological investigation and recording by an approved archaeological organisation before development commences.
- 8.40 As the development is located on agricultural land which has been developed for both farming practices and turbine foundations previously, the potential for unknown archaeology to exist onsite is low. There are no known archaeological assets recorded within the application site, and no archaeological findings were identified during the construction of the existing turbines. The potential for unrecorded remains on site is therefore considered negligible. There are subsequently no objections to the proposals on archaeological grounds.

Trees & Ecology

- 8.41 Policy DM6 of the SADMP requires development proposals to demonstrate how they conserve and enhance features of nature conservation. If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused.
- 8.42 Paragraph 187 bullet “d” of the NPPF requires planning decisions to contribute to and enhance the natural and local environment by (inter alia) minimising impacts upon and providing net gains for biodiversity.
- 8.43 proposed wind turbines will be located within an arable field, causing no disruption to adjacent hedgerows and trees. An extension to the hardstanding access track will be constructed to reach the turbine site, resulting in the removal of areas of semi-improved grassland and arable crop habitat. No direct impact is anticipated on protected species or priority habitats, as the affected zones are classified as non-priority. Rothley Brook, approximately 300m north of the site, serves as a valuable linear habitat for commuting and foraging bats and birds. Although indirect impacts could theoretically arise during operation, disturbance to commuting bats is considered unlikely due to the distance from nearby trees and the continued presence of linear habitat features that support navigational routes.
- 8.44 No species-specific mitigation is required, and no further surveys are recommended due to the absence of protected species recorded during the survey. Precautionary measures will be implemented, including: safeguarding existing hedgerows throughout construction; beeping noise and dust to a minimum during operation through best practice construction methods.
- 8.45 A BNG Assessment has been prepared separately by Brooks Ecological Ltd, informed by this PEA. The BNG report quantifies the site’s baseline habitat value and calculates the post-development value using the Statutory Biodiversity Metric. The assessment confirms that the proposed development is capable of achieving a net gain of 16.55% in Habitat Units, in line with the requirements of the NPPF and Natural England guidance.
- 8.46 The County Ecologist raises no objection to the application subject to conditions to secure the recommendations provided in the submitted ecological appraisal and biodiversity enhancements. These conditions are included in section 11 of this report. With the use of the conditions recommended by the County Ecologist, the development proposals meet the requirements of SADMP policy DM6; the advice contained in the NPPF; the 2021 Environment Act; the 2006 NERC Act; the Habitat &

Species Regulations (protected sites and species); and the Wildlife and Countryside Act 1981 (as amended including special Schedule 1).

Electromagnetic Interference

- 8.47 It is recognised that wind turbines can potentially affect electromagnetic transmissions in two ways; by blocking or deflecting line of sight radio or microwave links, or by the 'scattering' of transmission signals. However, no issues have been reported with the existing turbines on site. As the proposal is for repowering with modern equipment of similar scale, no adverse impacts are anticipated.

Other Matters

- 8.48 In addition to matters considered elsewhere in this report, a residents group raised concern that there is a law which stipulates separation distances between wind turbines - the Wind Turbines (Minimum Distances from Residential Premises) Bill 2012. This was a Private Member's Bill which did not pass through Parliament and therefore does not form part of the statutory planning framework. In England there is no prescribed minimum separation distance for wind turbines. Instead, impacts such as noise, shadow flicker and visual effects are assessed on a case-by-case basis using established technical guidance, which has been applied in this assessment.
- 8.49 As noted in the consultation section of this report the MOD requested that conditions be applied to any permission to maintain aviation safety. These condition have been applied to the list noted in section 11 below.

9. Equality implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 9.3 There are no known equality implications arising directly from this development.

10. Conclusion

- 10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise
- 10.2 Policy DM2 of the Site Allocations and Development Management Policies DPD (SADMP) provides support for renewable energy developments. This Policy has full weight, no conflict with this policy has been identified.

- 10.3 Policy DM4 is considered to be out of date as the settlement boundary is drawn using a focus on delivery of a lower housing requirement than required by the up-to-date figure. Notwithstanding this, this policy is afforded significant weight as it is found to be consistent with the overarching principles of the Framework. Due to the nature of the development proposals – a replacement of existing apparatus - which would not prejudice the intrinsic value, beauty, open character and landscape character. Furthermore, no conflict is identified with criteria i) to v) of DM4.
- 10.4 As noted in the assessment section consideration should also be given of the written ministerial statement dated 18th June 2015 and the relevant advice contained in the NPPG. Whilst the site does not fall within an area identified as suitable for wind energy development, the development proposals constitute the replacement of existing apparatus that pre-dates the ministerial statement. This is considered to be a material consideration that weighs in favour of granting planning permission. The issues raised by the affected community have been considered comprehensively in this report, such that it is the judgement of the LPA that the proposals are considered to have *“the backing of the affected local community”*.
- 10.5 Paragraph 8 of the NPPF identifies the three strands of sustainable development broken down into social, economic and environmental benefits.
- 10.6 The proposal would result in economic benefits through the construction of the scheme through creation of jobs and constructions spend, albeit for a temporary period, therefore having limited weight.
- 10.7 The development will facilitate the transfer of renewable energy which will provide clean energy to power the farm. This is a significant environmental benefit of the scheme and it follows that this should be held in significant weight in the planning balance.
- 10.8 There are a number of areas of compliance with development plan policies including matters surrounding heritage assets, drainage and flood risk, highways matters, environmental health matters and residential amenity. These are not considered benefits as such and are subsequently held in neutral weight when considering the overall planning balance.
- 10.9 It is considered that the significant benefits associated with the generation of renewable energy, together with the limited positive economic benefits, are not outweighed by any other harms. The development is thus regarded to represent a sustainable form of development and it is recommended that planning permission is granted with the conditions listed in section 11.

11. Recommendation

11.1 Grant planning permission subject to the following Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. The planning permission hereby granted is for a period from the date of this decision until the date occurring 25 years after the date of the first export of electricity to the grid from the wind turbines hereby permitted, when the use shall cease and the turbines, control house, transformer compound and turbine laydown area shall be removed from the site in accordance with Condition 3.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act

2004 and The development is granted for a temporary period from the first export of electricity, in the interests of protecting the intrinsic beauty open character and landscape character of the countryside in accordance with Policy DM4 of the Development Management Policies Development Plan Document (2016).

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Site Plan (proposed) – COG849/APP/006/A
- Turbine Elevations (proposed) COG849/APP/007/A
- Transport Supporting Statement dated 14 January 2026;
- Swept Path Analysis – 27m Trailer Entry – Part A, drawing number COGAPP/849/026/c;
- Swept Path Analysis – 27m Trailer Entry – Part B, drawing number COGAPP/849/027/c;
- Swept Path Analysis – 27m Trailer Exit – Part A, drawing number COGAPP/849/029/b;
- Swept Path Analysis – 27m Trailer Exit – Part B, drawing number COGAPP/849/030/b
- Swept Path Analysis – HGV Entry – Part A, drawing number COGAPP/849/031/b;
- Swept Path Analysis – HGV Entry – Part B, drawing number COGAPP/849/032/b;
- Swept Path Analysis – HGV Exit – Part A, drawing number COGAPP/849/033/b; and
- Swept Path Analysis – HGV Exit – Part B – drawing number COGAPP/849/034/b.
- Proposed Traffic Access Route - COG849/APP/023/A

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. Not less than one year prior to the expiry of this planning permission a Decommissioning Method Statement shall be submitted for the written approval of the local planning authority. This shall include details of all site decommissioning works, including how the turbines and ancillary equipment would be dismantled and removed from the site, the depth to which the turbine foundations shall be removed below ground level, along with details of site restoration and a timetable of works. The Decommissioning Method Statement shall be carried out as approved.

Reason: To ensure that the land is returned to its former condition in a satisfactory manner in the interests of protecting the intrinsic beauty open character and landscape character of the countryside in accordance with Policy DM4 of the Development Management Policies Development Plan Document (2016).

4. The development hereby approved shall only be carried out in full accordance with the works and recommendations contained in the Preliminary Ecological Appraisal (Brook Ecologist, Aug 2025) - Chapter 5 of the Planning Statement (COGEO, September 2025). This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations

2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

5. No works hereby approved, including any decommissioning, shall take place until a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist has first been submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
 - a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs or product descriptions to achieve stated objectives;
 - c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
 - d) persons responsible for implementing the enhancement measures; and
 - e) details of initial aftercare and long-term maintenance (where relevant).

The development thereafter shall only be carried out in accordance with the approved details.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

6. The blades of the wind turbines hereby approved shall rotate in the same direction.

Reason: To minimise the potential for negative impacts in accordance with SADMP policies DM7 and DM1 and the advice contained in the NPPF.
7. The LA90,10min at any residential premises outside of the curtilage of Park House Farm shall not exceed 35dB(A) up to wind speeds of 10m/s at 10m in height.

Reason: To protect the amenities of nearby land users in accordance with SADMP policies DM7 and DM1 and the advice contained in the NPPF.
8. The LA90,10min at any residential premises within the curtilage of Park House Farm shall not exceed 45dB(A) up to wind speeds of 10m/s at 10m in height.

Reason: To protect the amenities of nearby land users in accordance with SADMP policies DM7 and DM1 and the advice contained in the NPPF.
9. Within 28 days from the receipt of a written request from the local planning authority following a complaint to it, the wind turbine operator shall, at its own expense, employ an independent consultant approved in writing by the local planning authority to assess the level of noise emissions from the wind turbine at the complainants property. Details of the assessment and its results, as to whether a breach of the noise limits in conditions 7 and 8 of this permission has been established, shall be reported to the local planning authority as soon as the assessment is completed.

Reason: To protect the amenities of nearby land users in accordance with SADMP policies DM7 and DM1 and the advice contained in the NPPF.
10. Upon notification in writing from the local planning authority of an established breach of the noise limits in conditions 7 and 8 of this permission, the wind turbine operator shall, within 28 days propose a scheme to the local planning authority to mitigate the breach to prevent its future occurrence, including a timetable for its

implementation. Following the written approval of the scheme by the local planning authority it shall be activated forthwith and thereafter retained.

Reason: To protect the amenities of nearby land users in accordance with SADMP policies DM7 and DM1 and the advice contained in the NPPF.

11. Wind speed, wind direction and power generation data of the turbines shall be continuously logged at a height of 10 metres and provided to the local planning authority at its request. Such data shall be retained for a period of not less than 2 years.

Reason: To protect the amenities of nearby land users in accordance with SADMP policies DM7 and DM1 and the advice contained in the NPPF.

12. If alternative models of turbine to those detailed in the approved documents are to be installed, prior to the commencement of the development hereby permitted, details of the make, model and sound power levels of the wind turbines to be erected, if different from those stated in the Noise Impact Assessment shall be provided to and approved in writing by the local planning authority. The information provided shall be of adequate detail to allow proper comparison with the contents of the Noise Impact Assessment contained within the Planning Statement.

Reason: To protect the amenities of nearby land users in accordance with SADMP policies DM7 and DM1 and the advice contained in the NPPF

13. Prior to commencement of development a Construction Environmental Management Plan shall be submitted to and agreed in writing by the LPA. The plan shall detail how, during the site preparation and construction phase of the development, the impact on existing and proposed residential premises and the environment shall be prevented or mitigated from dust, odour, noise, smoke, light and land contamination. The plan shall detail how such controls will be monitored. The plan will provide a procedure for the investigation of complaints. The development, thereafter, shall only be carried out in accordance with the approved details.

Reason: To protect the amenities of nearby land users in accordance with SADMP policies DM7 and DM1 and the advice contained in the NPPF

14. Site preparation and construction shall be limited to the following hours;

Monday – Friday 07:30 – 18:00

Saturday 08:00 – 13:00

No working on Sundays and Bank Holidays

Reason: To protect the amenities of nearby land users in accordance with SADMP policies DM7 and DM1 and the advice contained in the NPPF

15. No decommissioning shall commence, in respect of the existing turbines on site, until such time as a Decommissioning management plan - including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision - has been submitted to and approved in writing by the Local Planning Authority. The decommissioning of the existing turbines shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

16. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

17. If any of the wind turbines hereby permitted ceases to operate for a continuous period of 6 months then, unless otherwise approved in writing by the local planning authority, a scheme for the decommissioning and removal of the wind turbine and any other ancillary equipment shall be submitted to and approved in writing by the local planning authority within 3 months of the end of the 6 month cessation period. The scheme shall include details for the restoration of the site. The scheme shall be implemented and site restoration completed within 12 months of the date of its approval by the local planning authority.

Reason: The development is permitted for a temporary period and in the interests of protecting the intrinsic beauty open character and landscape character of the countryside in accordance with Policy DM4 of the Development Management Policies Development Plan Document (2016).

18. All cables within the development site between turbines and from the turbines to the substation shall be set underground.

Reason: in the interests of protecting the intrinsic beauty open character and landscape character of the countryside in accordance with Policy DM4 of the Development Management Policies Development Plan Document (2016).

19. Prior to commencing construction of any wind turbine generators, or deploying any construction equipment or temporal structure(s) 50 metres or more in height above terrain features the undertaker must submit an aviation lighting scheme for the approval of Hinckley and Bosworth Borough Council in conjunction with the Ministry of Defence defining how the development will be lit throughout its life to maintain civil and military aviation safety requirements as determined necessary for aviation safety by the Ministry of Defence. This should set out:

- details of any construction equipment and temporal structures with a total height of 50 metres or greater (terrain features) that will be deployed during the construction of wind turbine generators and details of any aviation warning lighting that they will be fitted with; and
- the locations and heights of all wind turbine generators and any anemometry mast featured in the development identifying those that will be fitted with aviation warning lighting identifying the position of the lights on the wind turbine generators; the type(s) of lights that will be fitted and the performance specification(s) of the lighting type(s) to be used.

Thereafter, the undertaker must exhibit such lights as detailed in the approved aviation lighting scheme. The lighting installed will remain operational for the lifetime of the development.

Reason: To maintain aviation safety.

20. The undertaker must notify the Ministry of Defence, at least 14 days prior to the commencement of the works, in writing of the following information:

- the date of the commencement of the erection of wind turbine generators;
- the maximum height of any construction equipment to be used in the erection of the wind turbines;
- the date any wind turbine generators are brought into use;
- the latitude and longitude and maximum heights of each wind turbine generator, and any anemometer mast(s).

The Ministry of Defence must be notified of any changes to the information supplied in accordance with these requirements and of the completion of the construction of the development.

Reason: To maintain aviation safety.

Notes to applicant/Informatives

- Your attention is drawn to the below Biodiversity Net Gain informative.
- The Applicant should be advised to contact Leicestershire County Council's Network Management team at the earliest opportunity to discuss access to the road network to carry out works. The team can be contacted at: networkmanagement@leics.gov.uk.
- Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
- The Public Right(s) of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
- The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
- Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
- No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.
- The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

