

# Development Control Committee

Agenda  
Item:  
**A.3**

Meeting Date: 29<sup>th</sup> August 2014

Portfolio:

Key Decision: No

Within Policy and

Budget Framework No

Public / Private Public

Title: PRE- CONSULTATION ON WIND TURBINES

Report of: Director of Economic Development

Report Number: **ED32/14**

## Purpose / Summary:

This report presents details of the level of pre-consultation on wind turbines over 15 metres in height that the City Council would expect to comply with the Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2013.

## Recommendations:

It is recommended that Members note the contents of this report and approve the recommended pre-consultation requirements as set out in section 2 of this report.

## Tracking

Executive:	
Overview and Scrutiny:	
Council:	

## **1. BACKGROUND**

- 1.1** The Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2013 which came into force on the 17<sup>th</sup> December 2013 introduced pre-application consultation requirements for onshore wind development of more than two turbines or where the hub height of any turbine exceeds 15 metres in height.
- 1.2** The legislation states that where pre-application is required any such application for planning permission should be accompanied by particulars of:
- how the applicant has complied with Section 61 W (1) of the 1990 Act;
  - any responses to the consultation received by the applicant; and
  - the account taken of those responses.
- 1.3** The pre-application consultation requirements in Section 61W states “the person must publicise the proposed application in such manner as the person reasonably considers is likely to bring the proposed application to the attention of a majority of the persons who live at, or otherwise occupy, premises in the vicinity of the land.”

## **2. PROPOSALS**

- 2.1** Since the pre-consultation requirements for turbines has come into force the City Council has received a number of planning applications which have undertaken different levels of pre-application consultation. In such circumstances the City Council wishes to introduce a standard requirement for pre-consultation which all applicants will have to meet.
- 2.2** The City Council therefore suggests the following minimum standards of pre-consultation:
- A site notice displayed for at least 21 days at the proposed application site
  - Notification letters to all properties within 600 metre radius of the turbine to comply with the current practice of the City Council on neighbour consultations (reduced to 300 metres where a turbine is less than 30 metres in height due to the diminished impact as a result of the decreased scale)
  - Notification letters to the relevant Parish Council and Ward Councillors

**2.3** In order to comply with the regulations applicants will need to provide details of the proposed development and set out how they can be contacted together with the proposed timetable for consultation.

**2.4** The City Council recommends that all pre-consultation should be for a minimum of 21 days and any subsequent planning application should be accompanied by a statement of what pre application has taken place including:

- a copy of the site notice displayed;
- a copy of the letter and details sent to neighbouring properties together with information on which properties have been consulted; and
- a copy of the letter sent to Ward Councillors and the Parish Council

**2.5** The responses to the consultation that has been undertaken together with the account taken of those responses should also be included within the consultation statement.

### **3. CONCLUSION AND REASONS FOR RECOMMENDATIONS**

**3.1** It is considered that the above proposals would standardise the Councils requirements for pre-application consultation for wind turbines.

**3.2** Currently applicants have their own interpretation of these regulations, resulting in different levels of pre-application consultation, which has a potential to adversely affect the validation process.

**3.3** By introducing set criteria that applicants are required to adhere to, prior to the submission of an application for a turbine over 15m in height, any ambiguity regarding the regulations is removed.

**3.4** It is therefore recommended that Members note the contents of this report and approve the recommended pre-consultation requirements as set out in section 2 of this report.

### **4. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES**

**4.1** Not applicable

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**Appendices**            **None**  
**attached to report:**

**Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:**

- **None**

**CORPORATE IMPLICATIONS/RISKS:**

**Chief Executive's - None**

**Community Engagement – None**

**Economic Development – None**

**Governance – None**

**Local Environment – None**

**Resources - None**