

SECTION D  
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

Background Documents - the deposited documents, views and representations received as referred to in the reports and included in the development proposal dossier for each case and also as might be additionally indicated.

**Item D1**

**Removal of radio mast and erection of wind turbine,  
Mascalls School, Maidstone Road, Paddock Wood –  
TW/08/2323**

A report by Head of Planning Applications Group to Planning Applications Committee on 9 September 2008.

TW/08/2323 – Application by the Governors of Mascalls School and KCC Children, Families, Health and Education for removal of existing radio mast and erection of a 2.5kW wind turbine at Mascalls School, Maidstone Road, Paddock Wood, Tonbridge.

Recommendation: Permission be granted.

**Local Members:** Mr A. King

**Classification:** Unrestricted

**Site**

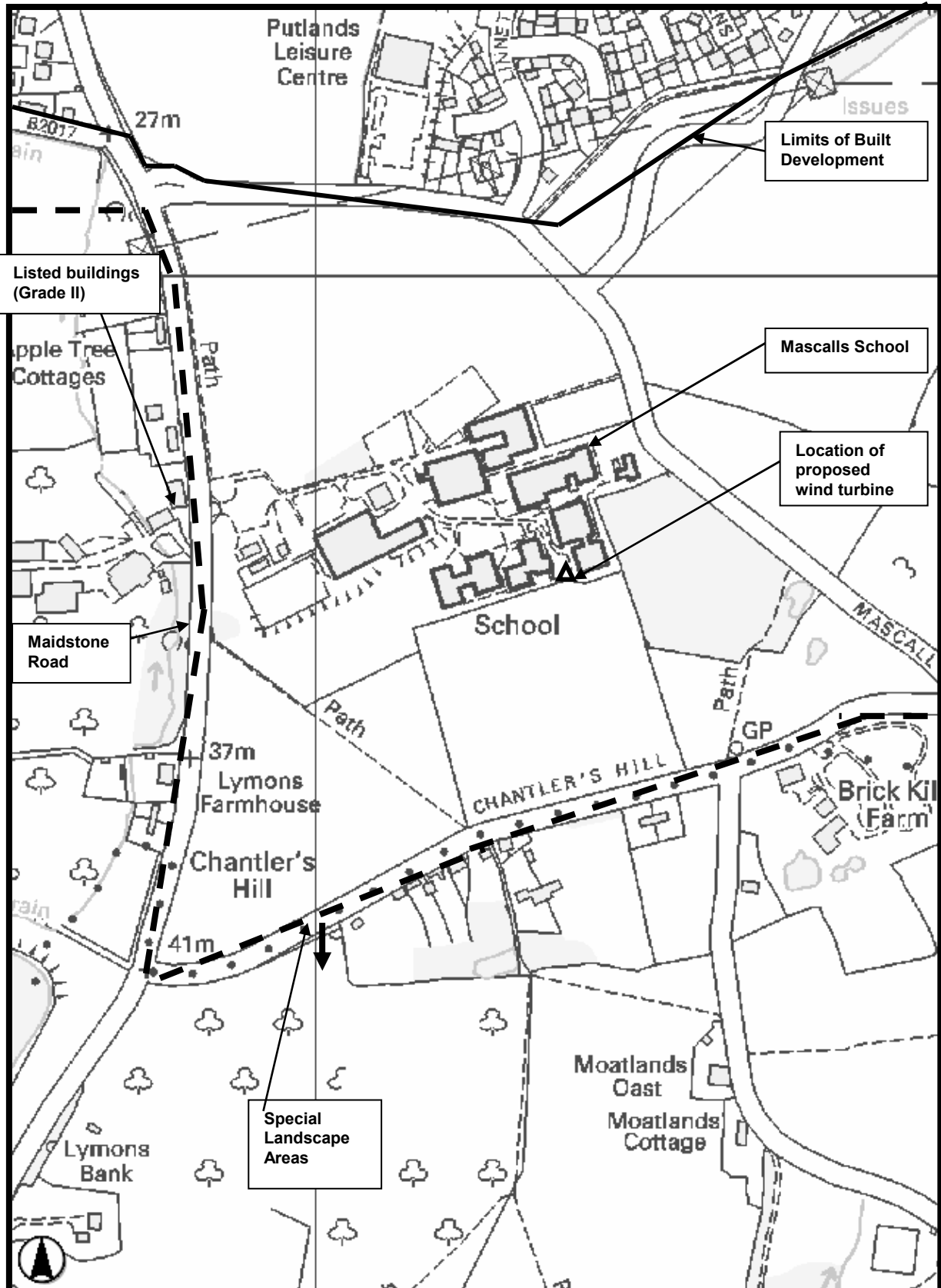
1. Mascalls School is located off Maidstone Road, immediately to the south of the built limits of Paddock Wood. The application site is situated towards the south-eastern corner of the school grounds, adjacent to the existing built development and the southern boundary. A disused radio mast currently occupies the proposed location. The mast is a metal framed structure that measures approximately 15m in height.
2. The nearest residential properties are located approximately 175m to the south across an open field on the far side of Chantlers Hill. Additional properties are located to the west on Maidstone Road, including two Grade II Listed Buildings opposite the main school entrance. The land immediately to the south of the school grounds forms part of an agricultural holding and is relatively open, allowing uninterrupted views of the site from the south. The school grounds, including the application site, are located on the flanks of Chantlers Hill, where the land slopes in a gentle gradient from the south to the north. *Please see attached site location plan on page D1.2.*
3. The application site falls outside the limits of built development within the wider countryside, as identified in the Tunbridge Wells Borough Local Plan (2006) Proposals Map. The site is not subject to any specific designations and is not identified for any specific purpose in the Local Plan. The boundary of the High and Low Weald Special Landscape Area is located approximately 160m to the south and west beyond Chantlers Hill (*see location plan on page D1.2*).

**Proposal**

4. The application has been submitted on behalf of the Governors of Mascalls School and Kent County Council's Children, Families, Health and Education Directorate and proposes the demolition of an existing radio mast and construction of a 2.5 kW wind turbine. The application states that the installation of a wind turbine would help to educate the pupils on climate change and sustainable energy, whilst raising awareness of the issues within the local community, and helping to reduce energy consumption.

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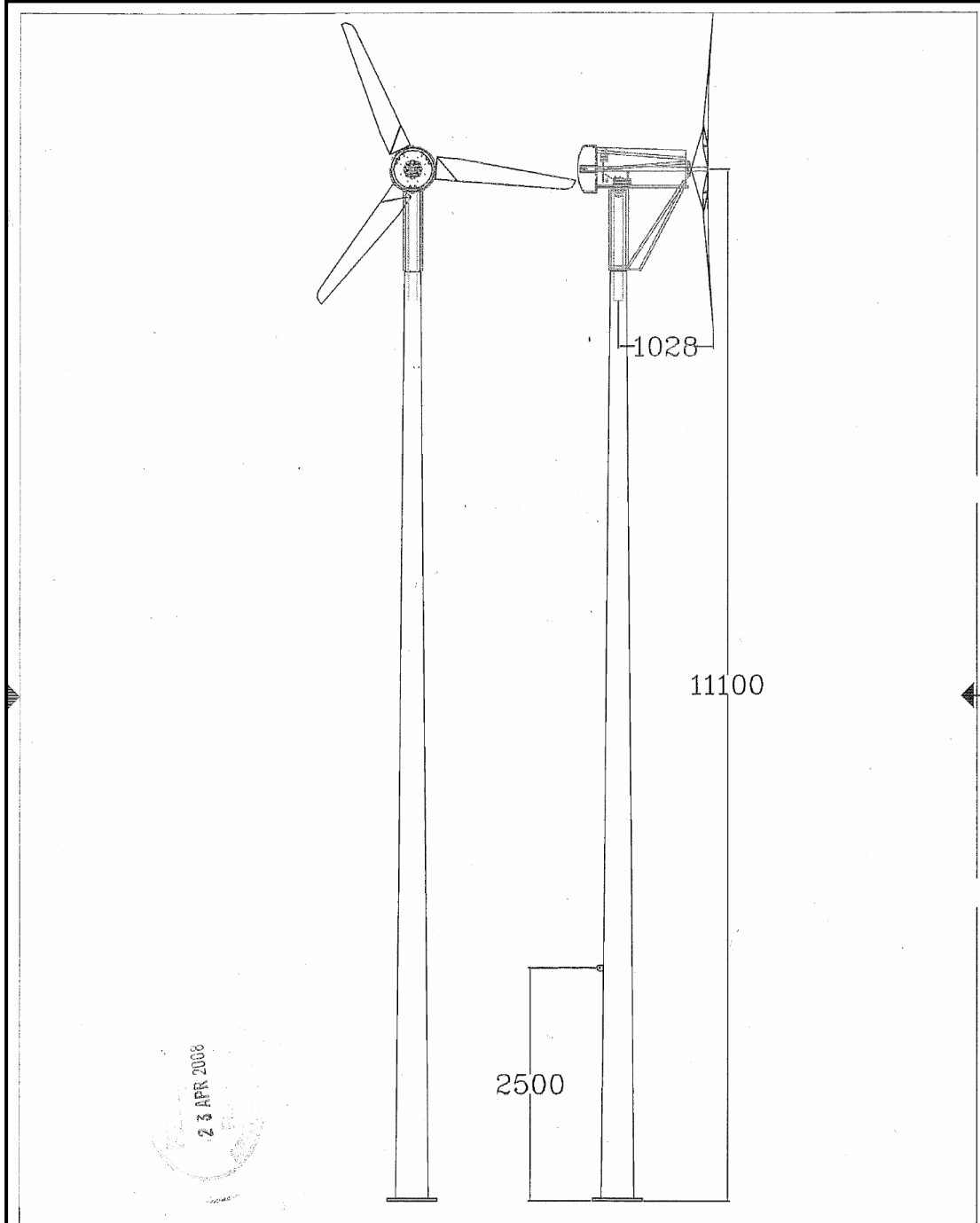
**Site Location Plan**



# Item D1

## Erection of wind turbine, Mascalls School, Maidstone Road, Paddock Wood – TW/08/2323

### Elevation of proposed 2.5kW wind turbine



ZONE	REV	DESCRIPTION	REVISIONS	DATE	APPROVED
	2	Title Block and name changes		20/2/02	BR
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		© Proven Engineering Products Ltd, Wardhead Park, Stewarton Ayrshire, KA3 5LH, UK, Tel +44 1560 465 570 Info@provenenergy.com All rights reserved	
		WT2500 with TM1100 Tilt-up Tower	
PREPARED BY BR	PSCM NO.	DWG NO. 2500 PL003 rev3.dwg	REV 3
CHECKED BY	SCALE	Date 16/09/03	SHEET



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5. The application proposes a Proven 2.5kW free-standing wind turbine (*An elevation of the turbine is attached for information on Page D1.3*). The mast would measure 11.1 metres to hub height, with a 3.5 metre rotor diameter, making the overall height 12.75 metres. The turbine is proposed to replace a disused radio mast on the same location as that of the proposed turbine, which is currently 15 metres tall.
6. The turbine as proposed would be finished with a matt-black rotor and head, and a grey galvanised steel tower. There is scope for the entire body (head and tower) to be colour coated, but the applicants have not proposed this option of entire colour coating due to the increased cost of the project.

#### Planning Policy

7. Planning Policy Statement 22: Renewable Energy, sets out the Government's national policies for renewable energy, which are vital to facilitating the delivery of the Government's commitments on both climate change and renewable energy. The document sets out that Local Planning Authorities should consider the opportunity for incorporating renewable energy projects both in new developments and some existing buildings. The key principles of the document state that *"small scale projects can provide a limited but valuable contribution to overall outputs of renewable energy and to meeting energy needs both locally and nationally. Planning Authorities should therefore not reject planning applications simply because the level of output is small"* The document also states that *"development proposals should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures"*.

The Development Plan Policies summarised below are relevant to consideration of the application:

#### (i) Kent and Medway Structure Plan 2006:

- |            |   |
|------------|---|
| Policy SP1 | Seeks to protect and enhance the environment and achieve a sustainable pattern and form of development.   |
| Policy SS8 | Non-residential development in rural locations should demonstrate that a rural location is essential; or provide a public facility for which a rural location is justified.   |
| Policy EN1 | Seeks to protect and conserve and enhance the countryside for its own sake. Development that would adversely affect the countryside will not be permitted unless there is an overriding need for it which outweighs the requirement to protect the countryside. |
| Policy EN3 | Kent's landscape and wildlife habitats will be protected, conserved and enhanced.   |
| Policy EN5 | Seeks development that protects, conserves and enhances the quality of Special Landscape Areas, whilst having regard to the social and economic well-being of the communities situated within them.   |

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- Policy QL1 Seeks all development be well designed and of high quality that respond positively to the local character. Development, which would be detrimental to the character of settlements or the countryside, will not be permitted.
- Policy QL8 Seeks to preserve, protect and enhance the integrity and character of listed buildings and the character of their setting.
- Policy NR1 Seeks new development to incorporate sustainable construction techniques and demonstrate prudent use of energy, water and other natural resources.
- Policy NR2 Proposals for energy generation will be assessed in terms of their impact on landscape and nature conservation, health, and built environment.
- Policy NR3 Supports proposals for the production of energy from renewable sources where there would be no overriding conflict with environmental interests.
- Policy NR5 Seeks to conserve and enhance Kent's environment including the visual, ecological, historic and water environments, air quality, noise and levels of tranquillity. Development which would result in, or significantly contribute to, unacceptable levels of pollution, will not be permitted.

**(ii) The adopted Tunbridge Wells Borough Local Plan 2006:**

- Policy LBD1 Outside the Limits to Built Development, as defined on the Proposals Map, development will only be permitted where it would be in accordance with all relevant policies contained in this Local Plan and the Kent and Medway Structure Plan 2006 rural settlement and countryside policies.
- Policy EN1 Seeks all proposals to be compatible in nature and intensity with neighbouring uses and not cause significant harm to character and amenities of the local area in terms of daylight, sunlight, privacy, noise or excessive traffic generation. Seeks the design of the proposal to respect the context of the site and take account of efficient use of energy.
- Policy EN3 Any development which affects the setting of a listed building, will only be permitted where there would be no significant adverse impact on the buildings architectural or historic character or its setting judged in accordance with features of special architectural or historic interest; and the scale, height, mass, materials and alignment of any new building in relation to the listed building.
- Policy EN12 Proposals for development which would have an impact on a skyline will only be permitted where it would cause no significant harm to

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important skyline features or to the character of the skyline in terms of massing, height, the spacing of development or its landscaping.

- Policy EN25 Outside of the Limits to Built Development all proposals for development will be required to satisfy all of the following criteria:
- 1) The proposal would have a minimal impact on the landscape character of the locality;
  - 2) The development proposal would have no detrimental impact on the landscape setting of settlements;
  - 3) The development proposal would not result in unsympathetic change to the character of a rural lane which is of landscape, amenity, nature conservation, or historic or archaeological importance;
  - 4) Any new buildings should, where practicable, be located adjacent to existing buildings or be well screened by existing vegetation.

- Policy EN27 Within the High and Low Weald Special Landscape Area, but outside the boundary of the High Weald Area of Outstanding Natural Beauty, development proposals will only be permitted where they would cause no significant harm to the important landscape character of the area

**Consultations**

8. **Tunbridge Wells Borough Council:** raises no objections to the proposal, subject to conditions requiring that the development shall be begun before the expiration of three years and the radio mast and equipment shall be removed and cleared away before construction of the wind turbine.

**Paddock Wood Town Council:** has no objection to the proposals.

**National Air Traffic Services En Route Limited (NERL) Safeguarding:** has no safeguarding objection to the proposal. The proposed development has been examined from a technical safeguarding aspect and does not conflict with the safeguarding criteria.

**The Divisional Transportation Manager:** has no objection to the proposal.

**The County Council's Noise Consultants:** raise no objection and makes the following observations:

"From the information provided I am of the opinion that the wind turbine is unlikely to cause a detriment to the nearest residential receptors approximately 175 metres away."

**The County Council's Landscape Consultants:** raise no objection and make the following observations:

"We are satisfied that the scale, design and finish of the proposed wind turbine is appropriate to the setting, and do not consider that it would cause any significant adverse landscape impact. It could be considered that the replacement of the defunct radio mast with the shorter wind turbine, of a more elegant construction

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using non-reflective material, would provide a slight beneficial visual impact to surrounding visual receptors. There would be no impact on trees.”

**Publicity and Representations**

9. The application has been publicised by a site notice and the notification of 10 neighbouring properties. 3 letters of representation have been received commenting on and/or objecting to the application. The main observations and objections raised to the proposal can be summarised as follows:
- Raises objection to the proposed development on visual grounds. Cannot see any justification to erect a wind turbine in place of the existing radio mast. Considers the turbine would blight an area of the High Weald of unspoilt natural beauty;
  - Considers the prominent location unsuitable as the school lies in a valley surrounded by high ground with a tree cover on the flanks of the ridges affecting the wind which in turn would reduce the efficiency of the turbine;
  - Raises concern that the provision of the wind turbine could set a precedent for a larger turbine in the future;
  - Supports the School’s decision to provide energy from renewable sources, asks that the applicant considers the impact on local residents;
  - Requests that the overall height be kept to a minimum necessary to reduce the visual impact, also requests that the turbine be painted to seek to camouflage the structure;
  - Requests that the applicant ensures that the turbine does not include a gearbox to ensure the installation generates the minimum possible noise;
  - Raises concern that external lights at the school are left on all night causing a nuisance to local residents. Highlights that at a time when the School are rightly keen to invest in green energy it would be a good time to save energy and money by addressing this issue;
  - Raises concern at the potential cost of the proposals, considers that the provision of a parents drop off and pick up facility would be of more benefit to the school and the community by improving highway safety during peak travel times.

**Local Member**

10. The Local County Member for Tunbridge Wells Rural, Mr A. King, was notified of the application on 1 July 2008.

**Discussion**

11. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. In considering this proposal the Development Plan Policies outlined in paragraph (7) above are particularly relevant.

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12. In my opinion, the main determining issues relate to the following points:

- siting;
- design, layout and appearance;
- potential for increased noise disturbance on nearby noise receptors;
- visual impact on wider landscape designations and existing skyline; and
- Need for development and benefits of renewable energy generation;

### Siting

13. The location of the proposed wind turbine is proposed on that of an existing radio mast located on the southern boundary of the school site. The radio mast (currently 15m tall) is visible from the wider area of Chantler's Hill, Maidstone Road and Mascalls Court Road. It is expected that although the height of the turbine (12.75m) would be less than the height of the existing radio mast, views of the proposed structure would still be visible from vantage points at Chantler's Hill, Maidstone Road and Mascalls Court Road. As previously noted, given that the location site of the proposed turbine is some 180 metres from the High and Low Weald Special Landscape Area and is therefore likely to be visible from parts of the Special Landscape Area, development plan policies in this respect need to be specifically considered.

14. The location for the turbine has been chosen as a result of the School's desire to remove the redundant radio mast equipment. As part of the justification for this proposal, the applicants believe that the removal of the existing radio equipment (at 15 metres high) would visually offset the proposed turbine (12.75 metres high) erection. The location of the turbine site has also been chosen due to the sloping nature of the school site. The applicants consider that the turbine would be relatively well screened from views lower down the hill (towards Paddock Wood) by the existing built development within the Mascalls School site. The applicants note that the proposed turbine would be visible from the south (Chantler's Hill), but consider that on the basis that viewpoints from the nearest residential properties and road network are located some 150 metres away, and on the basis the proposed turbine would be lower in height than the existing radio mast, consider that the turbine would blend in relatively well with wider views across and beyond the site. I share this view having visited the site and observed the location of the proposed wind turbine structure (that of the current existing radio mast) from various vantage points surrounding the campus site.

15. In terms of the impact of the proposed turbine on the skyline and High and Low Weald Special Landscape Area, I consider that the impact of such structure is likely to be minimal. Whilst I note that the turbine would be visible from the outskirts of the Special Landscape Area (to the south of the site beyond Chantler's Hill), given the distances involved and the existing built development within the school site I do not consider the proposal to have a major impact on either the existing skyline or the visual quality of the wider Special Landscape Area. Accordingly, I would not raise an objection to the proposed development on Special Landscape Area Development Plan Policies (Kent and Medway Structure Plan Policy EN5 & Tonbridge Wells Borough Local Plan Policy EN27) or protection of existing skyline policy (Tonbridge Wells Borough Local Plan Policy EN12).

16. Members will note that an objection has been received relating to the location of the turbine being unsuitable as the school lies in a valley surrounded by high ground with

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tree cover on the flanks of the ridges which would, in local resident's opinion, reduce the efficiency of the turbine. Having considered the locational aspects of this proposal, I consider that the proposed location is acceptable and represents a logical choice when considering the off-set between the existing radio mast structure and proposed turbine. I note that given the height of the turbine, views of the structure are most likely to be visible if located anywhere within the main campus, and therefore consider that the location chosen is the best option within the available space. In addition, I note from experience elsewhere that such structures need to be located on the edge of 'built development' (e.g. classroom structures) in order to benefit from the most available wind within a locality. In addition, I note that the applicant's agent, a renewable energy specialist, has recommended the site on the basis of a suitable location in terms of the potential for wind energy generation. On this basis, I consider that the location is acceptable, and would not seek to raise an objection on this aspect of the proposal.

Design, layout and appearance

17. In terms of the design of wind turbine, I note that this is similar to other small-scale wind turbines located around the county, most notably at Sandwich Technology School. Typically these small-scale wind turbines range from sizes between 6-20 metres in height, as opposed to commercial wind farm turbines typically of 140 metres in height. It is worth noting that the height of the turbine proposed in this particular case is 12.75 metres.
18. Members will note that residential objections have been lodged with regard to the visual appearance of the proposed turbine, and the justification to erect such a structure in place of the existing radio mast. I would draw Members' attention to the advice given by the KCC Landscape Consultants (Jacobs) on this matter, where it is stated in paragraph (8) that they are satisfied with the scale, design and finish of the proposed wind turbine in this setting, and do not consider that it would cause any significant adverse landscape impact, and envisage a slight beneficial visual impact compared to the existing radio mast. I fully concur with these views, having experienced the site and surroundings myself.
19. In relation to the wind turbine's chosen colour, the applicants have indicated that the head and rotor would be finished in black whilst the main tower would be finished in grey. The applicants suggest that grey is proven to blend in better than other colours such as dark green, brown and black against rural / semi-rural backgrounds and also against the skyline. Taking account of previous experience with projects in Shorne Wood Country Park and Sandwich Technology School, I would agree with the applicant regarding the colour of the tower blending in with the sky, and would not raise an objection to the proposed colour of the turbine within its local context.

Noise

20. As with any noise generating development, acoustic issues have to be carefully considered especially in relation to nearby noise receptors. In this particular case, the location from the site of the proposed turbine to the nearest noise receptor (residential property fronting Chantlers Hill) is approximately 175 metres. Development Plan Policies state that development that would significantly contribute to unacceptable levels of

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[noise] pollution will not be permitted (Kent and Medway Structure Plan Policy NR5 & Tonbridge Wells Borough Local Plan Policy EN1).

21. Members will note that the County Council's Noise Consultants have not raised an objection to the proposed development on the basis that the turbine is *'unlikely to cause a detriment to the nearest residential receptors, approximately 175 metres away'*. In addition, Members will note that residential concerns have been expressed regarding the potential for increased noise generation through the use of a gearbox within the turbine mechanism. I can confirm that the proposal does not include a mechanical gearbox, and is simply a single gear mechanism. That means that any additional noise increases concerned with the turbine changing gear is not relevant in this case.
22. On the basis of the advice received from the County Council's Noise Consultants, and the distances involved in this particular case, in my opinion an objection on noise grounds cannot be sustained since the sound of the mechanism is unlikely to be detectable at the nearest homes. I therefore consider the proposal to be in general accordance with Policy NR5 of the Kent and Medway Structure Plan and Policy EN1 of the Tonbridge Wells Borough Local Plan.

#### Renewable energy wind technology

23. The application has been submitted by the School in an attempt to address sustainable ways of living, raise student's awareness of climate change issues, and to reduce the school's ecological footprint upon the land. The 2.5kW turbine being proposed is typical of that commonly found in community and local authority projects. I note that Policy NR3 of the Kent and Medway Structure Plan supports the production of energy from renewable sources where there would be no overriding conflict with environmental issues. This Policy also states that the provision of renewable and sustainable energy production is an integral component of both new development small-scale community projects such as at school sites. Policy SP1 of the Adopted Structure Plan supports projects that respond to the implications of climate change by advancing the conservation and prudent use of energy, water and other natural resources. In the case of this development, the wind turbine would ensure that a sustainable source of energy is generated through the use of an existing sufficient annual wind speed in the Paddock Wood area, and therefore I consider that the proposal would fully accord with these Policies.

#### Other issues

24. I note that paragraph (2) above has regard to two Grade II Listed Buildings to the west of the main campus on Maidstone Road. It is considered that given the distance (290 metres) of the proposed turbine from these buildings, and the physical separation through the existing built development within the school site, that the proposal would not have an unacceptable impact on the Listed Buildings, or their immediate settings. Accordingly, I would not seek to raise an objection on the grounds of Policy QL8 of the Adopted Structure Plan or Policy EN3 of the Tonbridge Wells Borough Local Plan.
25. Members will note that concern has been raised from a local resident relating to the precedent which, in their opinion, would be set by the erection of the proposed wind turbine. As Members will be aware the application proposes a single turbine, and any

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future planning application for additional turbine(s) would be determined on their own merits by the relevant planning authority should the need arise.

26. With regards to other concerns received, I note that neither the matter of external lights being left on after hours at the school, nor the detailed costs of the project are material considerations in the determination of this application. In an attempt to address these issues, I have forwarded the issue regarding classroom lighting being left on 'after-hours' to the School directly for their attention. With regards to the indicative costs of this project, and the need for the school to create a drop-off / pick-up zone as opposed to spend money on the proposed turbine, the concerns are noted as received, but no further action is proposed to be taken on this matter.

**Conclusion**

27. Notwithstanding the residential objections as set out in paragraph (9) above, I consider the chosen location for the siting of a 2.5kW wind turbine at Mascalls School to be acceptable in terms of its visual impacts on the immediate and wider landscape and amenity impacts on the nearest residential properties as well as its accordance with both Development Plan Policies and national planning guidelines as set out in Planning Policy Statement 22. I note the concerns raised relating to noise disturbance and adverse visual impact, but have concluded that objections on these grounds cannot be sustained. I consider the wind turbine proposed to be of an acceptable scale and nature, an acceptable colour and located in an appropriate position within the Mascalls School site. Accordingly, I recommend that planning permission be granted subject to the conditions set out in paragraph (28) below.

**Recommendation**

28. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the imposition of conditions, amongst others, including conditions covering:

- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- existing radio mast be completely removed from site and the land restored to its original condition prior to the erection of wind turbine;
- the turbine be finished in black (head & rotor) and grey (tower)
- turbine be removed from site when no longer in use, and the site restored to its original condition

Case officer – Julian Moat	01622 696978
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Background documents - See section heading
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## Item D1

### Erection of wind turbine, Mascalls School, Maidstone Road, Paddock Wood – TW/08/2323

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#### Appendix 1 – Photo from Chantler's Hill



*View taken from Chantler's Hill looking north towards Mascalls School and Paddock Wood  
(taken 3 July 2008)*