



Appeal Decision

Site visit made on 3 March 2026

by K Craddock BA (Hons) MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 April 2026

Appeal Ref: APP/M2840/W/25/3365403

108 Kestrel Road, Corby, North Northamptonshire NN17 5FP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr David Bonilla-Saavedra against North Northamptonshire Council.
 - The application Ref is NC/24/00329/DPA.
 - The development proposed is a micro wind turbine installation located under the roof and exterior to the loft, controlled by automatisisation.
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Decision

1. The appeal is allowed and planning permission granted for the installation of a wind turbine in accordance with the terms of application Ref NC/24/00329/DPA, and the plans submitted with it, subject to the following conditions:
 - 1) The parts of the development still to be installed shall commence within three years of the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 108KEST-DB-BB-XX-DR-W-0001 Rev P1, 108KEST-DB-BB-XX-DR-W-0002 Rev P1, 108KEST-DB-BB-XX-DR-W-0003 Rev P1, 108KEST-DB-BB-XX-DR-W-0004 Rev P2, 108KEST-DB-BB-XX-DR-W-0005 Rev P1.
 - 3) Prior to any works taking place in relation to installing the louvres, a noise and vibration assessment (including mitigation measures) shall be carried out by an appropriate specialist. The report shall be submitted to and approved in writing by the Local Planning Authority. Any approved mitigation measures shall be implemented in full prior to the first operation of the wind turbine and shall be retained in perpetuity thereafter.
 - 4) The louvres to be used for the external surfaces of the development hereby permitted shall be constructed in galvanised steel and finished in a colour to match the existing roof tiles.

Applications for costs

2. An application for costs has been made by Mr David Bonilla-Saavedra against North Northamptonshire Council. This application is the subject of a separate decision.

Preliminary Matters

3. The appeal relates to a planning application that was not determined by the Council within the prescribed period. I note that the Council would have approved

planning permission should it have made a decision on the proposal. I have had regard to the parties' submissions in establishing the main issues which I set out below.

4. Planning permission for the same development has previously been granted under application NC/23/00439/DPA with a six-month temporary consent, which has expired. I have noted this consent and the conditions therein, and taken them into consideration in my decision.
5. The appellant has confirmed the wind turbine equipment was installed within the roofspace under the temporary consent but is not yet operational. The next steps of the development would be to install the louvres in the roof before connecting the equipment.
6. The Council considers that the proposed development does not give rise to any significant material impacts in terms of visual appearance, or upon the living conditions of neighbouring occupiers with regards to light, outlook or privacy.

Main Issues

7. The main issues are:
 - the effect that the proposed development would have on the character of the host property and the streetscene; and
 - the effect that the proposed development would have on living conditions with regard to noise and vibration.

Reasons

8. The appeal site is a modern three-storey terraced property within a planned residential estate. The streetscene in this part of Kestrel Road has a continuous building line and a continuity of form, materials and colour palette. The terraced properties have modest rear gardens with an inclining land gradient. The front elevation of each house has a projecting balcony at first floor level.
9. The wind turbine would be contained within the roofspace of the dwelling, operating by harvesting wind through the louvres proposed in the front and rear roof planes.

Character and appearance

10. The louvres would be the only part of the proposed development visible within the streetscene and their impact would be minimal as they would not protrude beyond the roof plane. The proposed materials are acceptable and a condition will secure this.
11. The four solar panels on the rear roof plane would be retained and rearranged to accommodate the louvres.
12. I find the proposal is acceptable with regard to its effect on the character and appearance of the host property and the streetscene. Accordingly, it complies with Policies 1 and 8 of the North Northamptonshire Joint Core Strategy (2011-2031).

Living conditions

13. The main question is whether the wind turbine would result in unacceptable levels of noise or vibration during operation. The Council considers the wind turbine to be an appropriate development, subject to an acceptable noise and vibration report. I agree with the need for such a report.
14. A noise impact assessment has been submitted with the appeal, however, I am not convinced by its veracity and it does not address matters of vibration. Therefore I am reimposing a condition, to be carried out by an appropriate specialist. Using data modelling from similar developments, a noise and vibration impact report can be submitted and assessed prior to the first operation of the wind turbine. This will ensure the Council is satisfied that any noise or vibration generated by the equipment will not have an unacceptably adverse effect on the occupiers of the host property or any surrounding neighbours.
15. Accordingly, through the use of an appropriate condition, I find the proposal is consistent with Policies 8 and 26 of the North Northamptonshire Joint Core Strategy (2011-2031) with regard to the effect on living conditions in respect of noise and vibration.

Other Matters

16. I note the concerns raised by neighbours regarding the potential fire risk and disruption to access. The Council's statement considers these matters, respectively, to be covered by Building Regulations and outside the remit of planning. I agree with this position.

Conditions

17. The Council has requested a temporary condition, however, I see no reason to impose this as it would be unreasonable. The appellant has been granted one temporary consent already and the noise and vibration matters can be controlled through the relevant condition.
18. Regarding the condition for the noise and vibration assessment as proposed by the Council, I do not consider it would meet the six tests of planning conditions. It would be unreasonable to grant permission for the development to then require the appellant to connect, operate for one month and then disconnect the equipment whilst the report is assessed.
19. The appellant has confirmed the external materials and these can be secured by condition.

Conclusion

20. For the reasons given above, having considered the development plan as a whole and having regard to all other matters, I conclude the appeal should be allowed.

K Craddock

INSPECTOR