

6 DMNC/092421/F - INSTALLATION OF TWO 11KW GAIA WIND TURBINES MOUNTED ON 18M MASTS. AT ORCHARD COURT, MAUND COURT, BODENHAM, HEREFORDSHIRE, HR1 3JA.

For: MR EDWARDS per M MICHAEL GORDON, CITY LAB, 4-6 DALTON SQUARE, LANCASTER, LANCASHIRE, LA1 1PP

Date Received: 29 September 2009 Ward: Hampton Court Grid Ref: 356102,250362

Expiry Date: 24 November 2009

Local Member: Councillor KG Grumbley

1. Site Description and Proposal

- 1.1 The application relates to an area of agricultural land associated with Orchard Court, a farm located on the A417 approximately one mile to the east of the village of Bodenham Moor.
- 1.2 The site itself is approximately 240 metres to the north east of Orchard Court on land rising from west to east. The landscape continues to rise beyond the application site in a north easterly direction with belts of trees and mature hedges beyond. The landscape is described in the Council's Landscape Character assessment as Principal Timbered Farmland but has no specific national designation. An access track forming part of the farm runs along a field boundary approximately 120 metres to the east of the application site.
- 1.3 The farm holding at Orchard Court primarily comprises four large poultry buildings, a farm house and other smaller associated buildings. Further to the south west, on the opposite side of the A417 is a small cluster of dwellings known as Maund Common. However, the closest residential dwelling to the application site is Maund Court, approximately 430 metres to the west.
- 1.4 The application is for the erection of two 11kw wind turbines measuring 18 metres to the hub and 25 metres in total to the tip of the blade. Each is a single free-standing galvanised steel tubular tower with a twin bladed rotor. Information that forms part of the application advises that all non-galvanised elements of the proposal; principally the blades, will be coloured pale grey.
- 1.5 The design and access statement accompanying the application advises that the turbines are intended to provide for the energy requirements of the farm, reduce its carbon emissions and to improve self sufficiency in terms of electricity generation. The statement goes on to estimate that each turbine will generate an output of 22.69kWh of electricity, equivalent to an annual saving of 25.778 tonnes of carbon dioxide.
- 1.6 The statement also provides detail about the assessment that has been made of the landscape impact of the proposal. Reference is made to the rising topography of the land to the north and east and also vegetation that is considered to provide a visual screen.
- 1.7 Information is also provided about the potential noise impact of the development. It refers to advice given in nationally published guidance notes in relation to noise emanating from wind turbine developments. This advice suggests that a fixed noise limit for night time of 43DB is acceptable. The report suggests that a maximum sound level of 40DB is achieved for a turbine of the type proposed at 108 metres from the source.

Further information on the subject of this report is available from Mr A Banks on 01432 383085

- 1.8 Finally the report also looks at shadow flicker, a consequence of the rotating blades interrupting the sun. It concludes in this respect that properties more than 85 metres from the turbines are unlikely to be affected in this respect.

2. Policies

2.1 Herefordshire Unitary Development Plan

S1	- Sustainable Development
S2	- Development Requirements
DR1	- Design
DR4	- Environment
LA2	- Landscape Character and areas least resilient to change
CF4	- Renewable Energy

2.2 Regional Spatial Strategy for the West Midlands

Policy CC1 – Climate Change
Policy EN1 – Energy Generation

2.3 National Guidance

PPS22 – Planning for Renewable Energy

3. Planning History

3.1 None relevant to this application

4. Consultation Summary

4.1 Statutory Consultations

Ministry of Defence – No objection

Civil Aviation Authority – No objection

Joint Radio Company - JRC analyses proposals for wind farms on behalf of the UK Fuel & Power Industry. This is to assess their potential to interfere with radio systems operated by utility companies in support of their regulatory operational requirements.

In the case of this proposed wind energy development, JRC does not foresee any potential problems based on known interference scenarios and the data you have provided.

4.2 Internal Council Consultations

Conservation Manager - The choice of location to the north of the farm will limit visibility within the immediate vicinity due to the landscape topography. The turbines are unlikely to be visible on the sky line as they are located on a gradient, with the land rising significantly behind them. It is therefore concluded that the proposal is not likely to adversely affect the landscape integrity of the immediate site.

Environmental Protection Manager – Satisfied that in light of the separation distances from the nearest noise sensitive premises, the proposed wind turbines will not give rise to noise related problems. Therefore there is no objection to the proposal.

5. Representations

- 5.1 Bodenham Parish Council – Acknowledge that there is a strong presumption in favour of developments of this type in government advice. Considers that the issues of landscape impact, noise and flicker are all addressed in the planning statement accompanying the application. As a result no objection is raised to the proposal.
- 5.2 One letter of objection has been received from P W Cargill, Maund Farm, Bodenham. In summary the points raised are as follows:
- Fundamentally opposed to the onshore location of wind turbines due to their impact on the countryside.
 - The proposed turbines will be clearly visible from Maund Farm and the A417.
 - Considers that there will be a likely impact in respect of noise, reflective glare and visual impact.
 - Would raise no objection if they were sited in a position where they are not easily visible.
- 5.3 The full text of these letters can be inspected at Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Committee meeting.

6. Officer's Appraisal

- 6.1 Policy CF4 of the Herefordshire Unitary Development Plan is most relevant to this proposal as it sets out the main issues to be considered in the determination of applications for renewable energy.
- 6.2 The first two points identified by the policy relate to applications that are likely to affect the integrity of nationally designated sites such as Areas of Outstanding Natural Beauty or Sites of Special Scientific Interest. As no such sites exist within any proximity to the application site these points need not be applied to the proposal.
- 6.3 The remainder of the policy is relevant as it deals with proposals where there is no specific landscape character designation. The key issues can be identified as follows and they will be addressed in turn:
- Landscape impact
 - Impact on residential amenity of neighbouring properties
 - The wider social and economic benefits of a proposal for renewables

Landscape Impact

- 6.4 It is inevitable that two structures, each with a height of 25 metres to the tip of the blade, will be visible from some distance within the landscape. They are not features that can be screened and therefore a judgement on the extent of their impact has to be made and whether this is so harmful to the qualities of the landscape that the application should be refused.
- 6.5 It is accepted that the turbines will not be positioned on the skyline, as the topography of the surrounding area is such that the land continues to rise to the north. There are also two separate blocks of woodland further to the north which provide a backdrop to the turbines when viewed from the A417 to the south. As such the topography and existing woodland provide some mitigation for their recognised visual impact.
- 6.6 Their proximity to an existing farm access track and the farm itself with its large poultry buildings are advantageous, as they give the turbines a degree of context in terms of the surrounding built development.

- 6.7 The application suggests that the main tower of each turbine is to be left with a galvanised finish. Information within the design and access statement suggests that the finish of the entire turbine can be pale grey, as proposed for the rotor. In terms of ensuring a more satisfactory appearance, and to reduce any reflective glare from the towers, it is recommended that a condition is imposed requiring both turbines to be coloured pale grey in their entirety.
- 6.8 On balance, these factors suggest that the impact of the turbines on the landscape would not be so harmful to warrant the refusal of the application. In this respect the proposal accords with the requirements of Policy CF4 and LA2.

Impact on residential amenity

- 6.9 The application is supported by detailed assessments of the proposal in terms of its noise impact and in relation to shadow flicker. In respect of the first point the report concludes that the turbines will not give rise to any demonstrable increase in noise over and above a base night time background noise level of 35DB when assessment is made from the closest unrelated property, that being Maund Court which is over 400 metres away. In fact the proposal falls well within acceptable noise levels at a distance of just 108 metres.
- 6.10 The information has been assessed by the Council's Environmental Protection Manager who raises no objection to the proposal. Whilst the objector raises noise as an issue, no information has been provided to contradict that provided by the applicant's agent.
- 6.11 Given that the prevailing wind direction is from the south west, and the objector's dwelling is to the west, it is considered that any issue of noise nuisance is most likely to the north and east of the turbines rather than to the west and therefore the proposal is acceptable in terms noise issues.
- 6.12 The relationship between the objector's property and the site is such that shadowing will occur in the direction of their property in the early part of the day. The information provided by the applicant's agent in relation to shadow flicker suggests that there will be no demonstrable impact beyond an 85 metre radius of each turbine. Again there has been no submission to dispute the validity of the information provided.
- 6.13 It is therefore concluded that the proposal will not have a demonstrable impact on the residential amenity of the closest properties in respect of either noise or shadow flicker. At over 400 metres away, it is not considered that the turbines would have an overbearing effect and the proposal is considered to accord with Policy CF4.

Social and economic benefits

- 6.14 The information contained within the application suggests that the turbines are intended to provide for the energy requirements of the farm and it is estimated that they will generate an output of 22.69kWh of electricity, equivalent to an annual saving of 25.778 tonnes of carbon dioxide.
- 6.15 Whilst the economic benefits of this would be derived solely by the farm, the switch to a more sustainable form of energy production may be considered as a social benefit in terms of the reduction of carbon dioxide generated by the business. This may be considered as further mitigation against the visual impact that the turbines will have. However, it is not considered that this is a critical issue in terms of their acceptability or otherwise, given that it is considered that both impact on residential amenity and the appearance of the landscape are limited.

Conclusion

Further information on the subject of this report is available from Mr A Banks on 01432 383085

- 6.16 It has been demonstrated that the proposal will not have a significant impact on the appearance of the landscape, nor will it have a demonstrable impact on nearby residential amenity in terms of noise, shadow flicker or more generally through a perception that they might be overbearing. They represent a sustainable form of development that will result in a significant reduction to the carbon footprint of the business. The scheme is considered to accord with the Unitary Development Plan and regional and national guidance, and therefore the application is recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. **A01 Time limit for commencement (full permission)**
2. **Notwithstanding the plans hereby approved, the turbines shall be finished in a pale grey colour to be agreed in writing with the local planning authority prior to the commencement of development. The turbines shall be finished in accordance with the approved colour prior to their first use.**

Reason: To ensure the satisfactory appearance of the development and to minimise its visual impact in accordance with Policies DR1 and CF4 of the Herefordshire Unitary Development Plan.

Informatics:

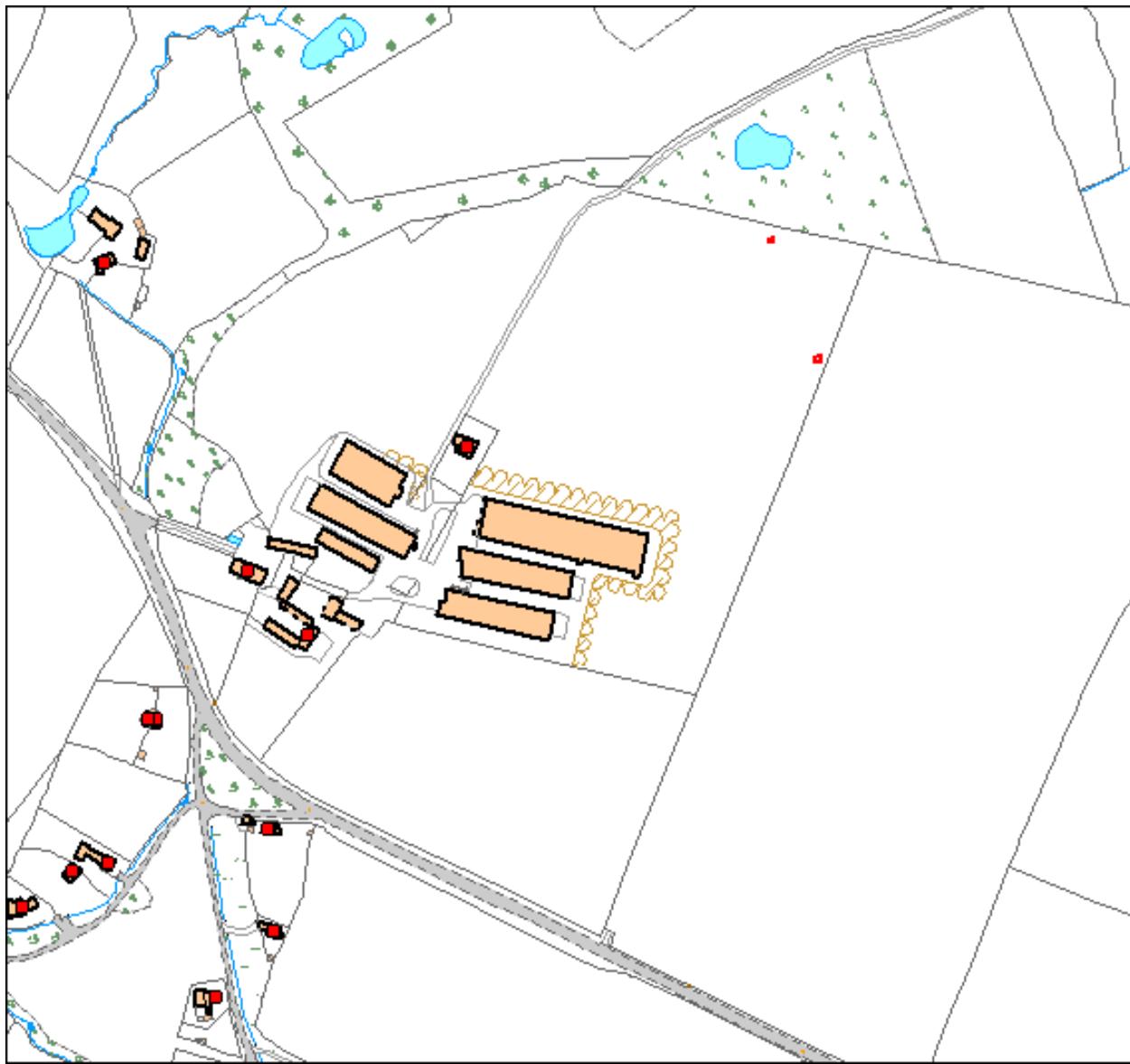
1. **N15 – Reason(s) for the Grant of Planning Permission**
2. **N19 – Avoidance of doubt – Approved Plans**

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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SITE ADDRESS : ORCHARD COURT, MAUND COURT, BODENHAM, HEREFORDSHIRE,
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