

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 4 April 2012 at 10.00 a.m.

PRESENT: Councillor Pippa Corney – Chairman
Councillor Robert Turner – Vice-Chairman

Councillors:	Val Barrett	Trisha Bear
	Brian Burling	Lynda Harford
	Tumi Hawkins	Caroline Hunt
	Sebastian Kindersley	Mervyn Loynes
	David McCraith	Charles Nightingale
	Deborah Roberts	Hazel Smith

Officers in attendance for all or part of the meeting:

David Bevan (Conservation Manager), Nigel Blazeby (Development Control Manager), Lorraine Casey (Senior Planning Assistant), Chris Collison (Interim Head of Planning), Gary Duthie (Senior Lawyer), Dr Jon Finney (Development Control Engineer City and South, Cambridgeshire County Council), Saffron Garner (Senior Planning Assistant), Matthew Hare (Senior Planning Officer), John Koch (Planning Team Leader (West)), Ray McMurray (Principal Planning Officer (East)), Keith Miles (Planning Policy Manager), Karen Pell-Coggins (Senior Planning Assistant), Andrew Phillips (Planning Officer), Ian Senior (Democratic Services Officer) and Paul Sexton (Principal Planning Officer (West))

Councillors Nigel Cathcart, Mick Martin, Surinder Soond and Nick Wright were in attendance, by invitation.

158. GENERAL DECLARATIONS OF INTEREST

Councillor Sebastian Kindersley declared a personal interest as an elected Member of Cambridgeshire County Council, a statutory consultee for all planning applications on the agenda.

159. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 7 March 2012.

160. NATIONAL PLANNING POLICY FRAMEWORK

Prior to consideration of the planning applications on the agenda, the Interim Head of Planning outlined the implications of the new National Planning Policy Framework.

The agenda had been prepared during March and published on 27 March 2012. Later that same day, the Government had published the National Planning Policy Framework (NPPF). The NPPF came into force on 27 March 2012. The Interim Head of Planning sent an e-mail to Planning Committee members notifying them about this change in national policy and referring them to the relevant NPPF document.

The NPPF had replaced the Planning Policy Statements, Planning Policy Guidance, and Ministerial and other guidance detailed in Annexe 3. Because of the timing of the agenda publication date, reports referred to the some of these Planning Policy Statements and to

some of the other Guidance. Officers had issued written updates prior to the Committee meeting and would supplement these with verbal updates in respect of the agenda items where appropriate.

Paragraph 214 of Annex 1 to the NPPF introduced transitional arrangements such that the Planning Committee should for 12 months from 27 March 2012 continue to give full weight to relevant policies in development plan documents adopted since 2004 even if there was a degree of conflict with the NPPF.

Officers would provide Planning Committee members with hard copies of the NPPF and two related documents also issued by Government in March 2012, namely Technical Guidance to the NPPF and Planning Policy for Traveller Sites.

161. S/0290/12 - PAPWORTH EVERARD (9 BLYTON ROAD)

Ian Simmons (objector) and Gillian Wadkin (applicant) addressed the meeting.

Prior to considering this application, the Committee viewed the site on 3 April 2012. The Committee **refused** the application for the reason set out in the report from the Corporate Manager (Planning and New Communities). The Committee **authorised** the issue and service of an Enforcement Notice with a compliance period of 12 months.

162. S/2317/11 - COTTENHAM (BEACH ROAD,)

Mr Biggs (for the applicant) addressed the meeting.

Prior to considering this application, the Committee viewed the site on 3 April 2012. The Committee **gave officers delegated powers to refuse** the application for the reason set out in the report from the Corporate Manager (Planning and New Communities) and including wider sustainability and affordable housing issues, subject to clarification of the proposed visibility splays on the existing hedgerow fronting Beach Road.

Councillor Lynda Harford declared a personal interest as a member of Cottenham Parish Council. She had attended the Planning Sub-Committee meeting at which this application had been discussed, provided information during the course of the debate, but did not vote.

163. S/0216/12/FL & S/0232/12/LB - SAWSTON (82 HIGH STREET)

The Committee **approved** the application as amended by drawing number 012/397-1a date stamped 23 March 2012, subject to the Conditions referred to in the report from the Corporate Manager (Planning and New Communities).

164. S/2552/11 - STEEPLE MORDEN (58 HAY STREET)

Beverley England (applicant) addressed the meeting. Councillor Sebastian Kindersley read out a statement prepared by Councillor Cicely Murfitt (the local Member) who was unable to attend the meeting.

The Committee **approved** the application subject to the Conditions set out in the report from the Corporate Manager (Planning and New Communities).

165. S/1708/10 - BASSINGBOURN CUM KNEESWORTH (37 HIGH STREET)

Mr Catherall (objector), Amy Richardson (applicant's agent) and Mr Hallett (Bassingbourn

Parish Council) addressed the meeting.

Prior to considering this application, the Committee viewed the site on 3 April 2012. The Committee **refused** the application contrary to the recommendation contained in the report from the Corporate Manager (Planning and New Communities). Members agreed the reason for refusal as being the proposal's negative impact on the street scene and its failure either to preserve or enhance the character of the Conservation Area.

166. S/0016/12/FL - LITLINGTON (LAND ADJ 1 THE MOUNT)

The Committee **approved** the application subject to the Conditions set out in the report from the Corporate Manager (Planning and New Communities).

167. S/1383/11 - CALDECOTE (ADJ CASATA DE FOSETA, ST NEOTS ROAD)

Dr Catherine Hills (objector), Mr Reynolds (applicant's agent) and Fiona Whelan (Caldecote Parish Council) addressed the meeting.

Upon the Chairman's casting vote, the Committee **approved** the application subject to the Conditions referred to in the report from the Corporate Manager (Planning and New Communities) and to an additional Condition requiring reinstatement of the field should the business fail. Members asked officers to make sure that the Condition seeking to address drainage concerns relating to the site should be complied with prior to the first residential occupation of the site.

Councillor Tumi Hawkins declared a personal interest as having attended the Caldecote Parish Council meeting at which this application had been discussed.

Councillor Hazel Smith declared a personal interest because of her acquaintance with the applicant, a resident of her Ward of Milton.

168. S/2484/11 - ICKLETON (NORMAN HALL)

Brian Christian (applicant's agent) and Councillor Mick Martin (local member) addressed the meeting.

Prior to considering this application, the Committee viewed the site on 3 April 2012. The Committee **approved** the application contrary to the recommendation contained in the report from the Corporate Manager (Planning and New Communities). Members agreed the reason for approval as being that the proposed dwelling, by virtue of its scale, proportions and design, does not adversely impact on the setting of the Grade II listed Norman Hall, does not harm the setting or character of the Conservation Area, and has no adverse impact on the amenity, tranquillity and function of the village.

169. S/2377/11 - LITTLE GRANSDEN (LAND ADJ 47 PRIMROSE HILL)

Tom Stroud (applicant's agent) addressed the meeting.

The Committee **approved** the application as amended by plans date stamped 5 March 2012, subject to the Conditions set out in the report from the Corporate Manager (Planning and New Communities).

170. S/2564/11 - GAMLINGAY (CASTLE FARM)

After careful consideration, the Chairman relaxed the public speaking protocol in order to

hear a wide range of views, including from parishes neighbouring Gamlingay. Accordingly, Mr. Chris Presland (objector – Gamlingay), Michael Astor (objector - Hatley)), Mr Dagless (objector – Hatley Cockayne), Chris Smith (applicant), Wayne Bacon (supporter), Mr Wilsher (supporter), and Sarah Groom (Gamlingay Parish Council) addressed the meeting.

Prior to considering this application, the Committee viewed the site on 3 April 2012. The Committee gave officers **delegated powers to approve** the application, subject to the receipt and satisfactory resolution of any further comments in respect of aviation matters, and to the Conditions set out in the Update report from the Corporate Manager (Planning and New Communities) other than the proposed Condition relating to archaeology (which was no longer needed).

Councillor Sebastian Kindersley declared a personal and prejudicial interest because of his acquaintance with all those involved with the application although he had no financial connection with the proposal and derived no benefit from it. Councillor Kindersley addressed the Committee prior to any other speaker, then withdrew from the Chamber, took no part in the debate and did not vote.

171. S/0272/12/PO - MELDRETH (43 CHISWICK END)

Elaine Prime (applicant) and Councillor Surinder Soond (local Mess) addressed the meeting.

The Committee **refused** the application for the reason set out in the report from the Corporate Manager (Planning and New Communities).

172. S/1911/11 - MELDRETH (15/17 WHITECROFT ROAD)

Rob Searle (Meldreth Parish Council) and Councillor Surinder Soond addressed the meeting.

Prior to considering this application, the Committee viewed the site on 3 April 2012. The Committee **approved** the application subject to the Conditions set out in the Update report from the Corporate Manager (Planning and New Communities) and additional Conditions to alleviate the effects of increased traffic flow and prohibiting the carrying out of any construction work during the bird breeding season.

173. S/2576/11 - -ELSWORTH (4 THE CAUSEWAY)

Dr. Patrick Carnegy (objector) addressed the meeting.

Prior to considering this application, the Committee viewed the site on 3 April 2012. The Committee **refused** the application contrary to the recommendation in the report from the Corporate Manager (Planning and New Communities). Members agreed the reason for refusal as being that, by virtue of its siting, scale and design, the proposal neither preserved nor enhanced the character of the Conservation Area.

174. S/0160/12/LB - CONINGTON (MARSHALL'S FARM, ELSWORTH ROAD)

Prior to considering this application, the Committee viewed the site on 3 April 2012. The Committee **approved** the application subject to the Conditions set out in the report from the Corporate Manager (Planning and New Communities).

Councillor Nick Wright declared a personal and prejudicial interest as the applicant and

because the application site was adjacent to his residence. He addressed the meeting then withdrew from the Chamber, took no part in the debate and did not vote.

175. PUBLIC SPEAKING PROTOCOL - REVIEW OF ARRANGEMENTS AT PLANNING COMMITTEE MEETINGS

The Committee considered a report into the review of the public speaking at meetings of the Planning Committee.

The Planning Committee **adopted** the draft Protocol dated April 2012, subject to the following amendments to the Section '*Can those not on the Planning Committee speak at Planning Committee meetings?*':

1. At (4), the addition of the following two sentences: 'Where a local Member (whether a Committee member or not) has declared a personal and prejudicial interest in the matter being discussed, that Member will address the Committee before the Objector and / or Applicant (or agent or supporter) and / or Parish Council and, if applicable, before the Case Officer or any other officer. The local Member will then leave the room, take no part in the debate, not sit in any public gallery and not vote.'
2. Insertion of the words 'and material' between the words 'exceptional' and 'circumstances' so that the final sentence of the section reads, 'In exceptional and material circumstances, the Committee Chairman may opt to make special arrangements such as where a neighbouring parish is perceived as being affected by a proposal, or for a Portfolio Holder.'

176. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

The Committee **received and noted** a report on Appeals against planning decisions and enforcement action.

177. ENFORCEMENT ACTION - CURRENT CASES

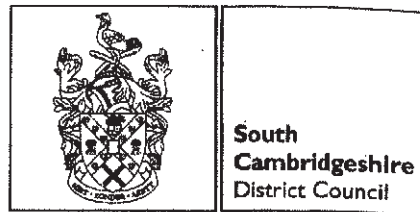
The Committee **received and noted** a summary of current enforcement cases.

The Meeting ended at 4.35 p.m.

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Ms Catherine Dear,
 Wrestlingworth and Cockayne Hatley PC
 8, Braggs Lane
 Wrestlingworth
 SANDY
 Beds
 SG19 2ER

Planning and New Communities
 Contact: Paul Sexton
 Direct Dial: 01954 713255
 Fax: 01954 713152
 Direct email: paul.sexton@scambs.gov.uk
 Our Ref: S/2564/11
 Your Ref:
 Date 09 January 2012

Dear Sir/Madam

Proposal: Installation of one 330kw wind turbine (53.7m to tip), access track and crane hardstanding
Location: Castle Farm, Hatley Road, Gamlingay, Sandy, SG19 3HH
Applicant: Gamlingay Community Turbine Ltd

Adj parish - Although not within your parish may be of interested to you.

Attached is a copy of the above application for your retention.

Any comments that your Parish Council wishes to make should be made **on this form** and returned to the above address **no later than 21 days from the date of this letter**. (You should note that at the expiry of this period the District Council could determine the application without receipt of your comments.)

Comments of the Parish Council:-

Please see supporting letter of 25 Jan 2012.

Recommendation of the Parish Council:- (please tick one box only)

Approve	<input type="checkbox"/>	Refuse	<input checked="" type="checkbox"/>	No Recommendation	<input type="checkbox"/>
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Signed: *[Redacted]* (*J. L. BEAL*) Date: *25 / 1 / 12*
 Clerk of the Parish Council or Chairman of the Parish Meeting

EXPLANATION OF APPLICATION SUFFIX

- | | |
|-------------------------------|--|
| O Outline | LDC Lawful Development Certificate |
| F Full | PNA Prior Notification of Agricultural Development |
| RM Reserved Matters | PND Prior Notification of Demolition Works |
| LB Listed Building Consent | PNT Prior Notification of Telecommunications Development |
| CAC Conservation Area Consent | HSC Hazardous Substance Consent |
| A Advertisement Consent | |

Paul Sexton
Planning department
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

25 January 2012

Wrestlingworth and Cockayne Hatley Parish Council, 8 Braggs Lane,
Wrestlingworth, Sandy, SG19 2ER.

Ref. : S/2564/11 Proposal for installation of 53.7m wind turbine, new track and hardstanding at Castle Farm, Hatley Road, Gamlingay, Sandy, SG19 3HH.

Thank you for your letter of 9th January 2012 informing Wrestlingworth and Cockayne Hatley Parish Council of the above mentioned planning application regarding proposed development on the boundary of our parish. After careful consideration of the documents forwarded with your letter we have voted to recommend refusal of the application on several grounds, the reasons for which we list below.

The application and its supporting documentation fail to take due consideration of its impact on neighbouring communities on the Bedfordshire side of the border, in particular the village of Cockayne Hatley, and the maps supplied are cropped in such a way as to make a properly informed decision by the reader impossible.

For instances, Cockayne Hatley, which is only 1.4km from the proposed turbine is mentioned just a few times within its 200 pages, is listed as 1.8km away, and is omitted from a supporting map. The 13th Century St. John The Baptist church at Cockayne Hatley, lined with Flemish panels from the Napoleonic wars, ranked as one of the top one thousand churches in the UK and whose frontage faces the proposed turbine is not listed as a building of interest or historical importance.

In addition, the supporting documents make several assertions that are not properly quantified. The Gamlingay village day event mentioned, but not replicated for the benefit of neighbouring communities, is offered as an example of local support for the project but the opinion statistics given are both incomplete and unqualified. As far as we are aware there has been no attempt to consult our parish prior to this proposal. Our own discussions with local residents has produced very contrary opinions to those reported in the document.

Given the very obvious physical impact the proposal would have on our communities we feel a more diligent study is required for proper or meaningful debate about the projects viability to take place.

The application represents a very real danger to the documented bat colonies living in the surrounding areas, particularly those in Potton Wood, 300 metres from the proposed turbine blades. There are both rare and protected species that will be disturbed and inevitably suffer deaths if the structure proposed is built in their living space. Vibration from turbine blades is known to cause damage to the bats delicate tissues. Similarly, the whole spectrum of bird life

the woods provide a habitat for, and those of county wide woodland, will suffer the same risk of impact injury from the blades.

Potton Woods is a carefully managed woodland with a varied wildlife. A Fine example.

We understand that there is some debate about the methodology of measuring sound and in particular the noise pollution aspect of wind turbines. The decibels levels given in the supporting documents are not set out in way a lay person can make an informed opinion as to what is acceptable, The 30 decibels suggested for Cockayne Hatley side of the woods and 40 decibels suggested on the Gamlingay side is clearly a large increase in noise residents would suffer if the turbine was erected. A brief research to find comparative noise levels to create a context found variously that jet engines produce 120 decibels, a car horn 90 decibels, and a normal conversation 60 decibels. It is not clear how much noise pollution the proposed design might cause in practise but the levels the study suggests are alarming in the context of other sources. With further notice a similar plant could have been visited to study the experience.

Flicker from the blades and low level and or sub audio vibration is largely dismissed in the report but health issues have been reported from many sites. Documentation of Incidents of nausea, seizures, headaches, sleep loss, etc are readily available. Clearly anything that damages the health of locals would not be supported.

At 53.7metres tall the specified turbine would tower over the canopy of Potton Woods whether or not it is the smaller or taller of any other proposal. Such a stark design, lit at night with a tip strobe, would blight the beauty of this relatively unspoilt and particularly pretty area of farm and woodland. Any development to the green belt would be very difficult to reverse.

Finance for the proposed project is stated to be from local investors with the project as a community project but the finance appears to be neither exclusively from or to Gamlingay residents and with no visible business interest or spin off for the local economy. Post construction, maintenance is listed as one van for one day every six months. Worryingly it also states the van would be visiting other nearby sites to make travel more cost effective. Whilst some investing residents may be earning dividends of some sort, and the land owner whatever has been agreed, it would seem the rest of the residents will in fact be subsidising the project via the public purse in substantial subsidies paid by to government to the turbine operators. A brief research into the level of subsidy suggests that on a level playing field, with no subsidies, wind turbines of the type proposed are not commercially viable. We have not had time to fully study the accounts of running turbine projects but there is very compelling and readily available evidence that wind turbines are not sustainable in their own right.

In addition, the carbon assumed saved is based on fossil burning electricity generation which is surely the most carbon unfriendly method employed at present. The level of saving compared to nuclear, wave power, or even PV cell, for example would be very much lower. The carbon footprint of the turbine's manufacture, its transport across Europe, erection and operation would erode the saving even further.

Factoring in the drop in property values suffered by residents near previous turbine developments would be difficult, but it would be wrong to not consider that additional cost to the greater community when weighing up the proposal's advantages and disadvantages.

Electricity created by wind turbine is not storable and as such the amount of energy actually used is much lower than the suggested production rate, which at only 127kw in 6 metres per second wind (appendix e page 2) is already low. Production will never be reliable in a forward planning sense. The independence and reliability of supply the supporting document allude to are illusory.

As a Parish council we are all dedicated to addressing energy issues and embracing green ethics in our community, but feel the wind turbine proposal addresses the needs of too few of our community at the expense of the greater community and indeed the nation at large.

We would urge you to investigate the sustainability of wind turbine electricity without government subsidy and if the targets set by central government might be better worked towards at less cost to the lives of the general public by other, proven, technologies available.

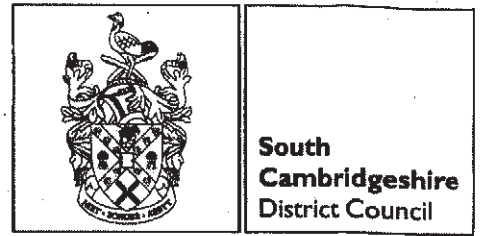
Wind turbine electricity production appears to be seriously flawed both technically and financially, and it is by no means compulsory.

In summary, our key points of objection are :-

1. The proposal has factual errors and lacks proper consideration of all parties affected.
2. The proposal is sited amongst protected wildlife and represents a very real danger to their welfare.
3. The proposal is too close to local residents and will create unacceptable noise pollution, health risks, light/shadow flicker, vibration, and sub audio disturbance.
4. The proposal will blight the green belt, is out of keeping with the rural landscape and will be too obtrusive.
5. The proposal will cause a fall in local property values, will be subsidised by locals via government subsidies, is not sustainable in its own right and brings negligible economic benefit to the community.
6. The proposal's carbon saving credibility is highly questionable.
7. Better technology is available.



Alan Ingrey, Chairman of Planning Committee, Wrestlingworth and Cockayne Hatley Parish Council.



Internal Memo

To: Paul Sexton
Principal Planning Officer
Dept: Planning & New Communities

From: Greg Kearney
Dept: Health & Environmental Services
Phone: X3145

Date: 17th February 2012

Subject: **Castle Farm, Hatley Road, Gamlingay, Sandy, SG19 3HH**
Erection / installation of one 53.88m 330kw wind turbine

Our Ref:
Your Ref: S/2564/11

This application is for the erection / installation of one 330kw wind turbine (53.88m to tip: hub height 37.18m and 16.7m rotor blade length), access track and crane hardstanding.

The proposed wind turbine is approximately 1.75km west from the centre of Gamlingay, Hatley St George is 1.8km to the East and Cockayne Hatley is at a similar distance to the South. The closest residential properties are as follows:

- Castle Farm: Approximately 500m NNE of the proposed wind turbine (identified in application as having a financial interest in the project)
- The Paddocks: Approximately 600m NNE of the proposed wind turbine (identified in application as having a financial interest in the project)
- Barberry Cottage: Approximately 800m NE of the proposed wind turbine
- Station House: Approximately 800m NNW of the proposed wind turbine

The main environmental health related material considerations associated with the proposed turbine are:

- Construction and Operational Noise
- Shadow flicker

It is noted that whilst the proposed wind turbine is wholly within SCDC but there are villages to the south such as Cockayne Hatley that are within the neighbouring district boundary of Central Bedfordshire Council (CBC). I understand that some residents of Central Bedfordshire have expressed concern in relation to possible noise and shadow flicker impacts. As the closest properties to the wind turbine are dwellings in SCDC, I have only considered the direct impact at these properties but I can confidently conclude that the impacts would be even less significant and probably imperceptible at these locations due to a greater separation distance. The noise

predictions have been modelled in all directions. In addition, any conditions that have been recommended to protect amenity are in my view robust enough to protect residents outside SCDC, as the main decision making authority.

However it is my view that it would be sensible for respective officers at CBC to consider the specific impacts of the proposals on residents within their district and satisfy themselves that they have been adequately considered and mitigated by condition to meet their requirements as necessary.

Construction and Operational Noise

The following noise impact assessments documents / reports have been submitted:

- A Spectrum Acoustic Consultants Noise Impact Assessment Report titled "*Gamlingay Community Turbine Generator –Environmental Appraisal and appendices*", Report ref: CJA3185/11291 dated December 2011 issued to Gamlingay Community Turbine Ltd.
- "*An Investigation of the Likelihood of Amplitude Modulation of Noise from the Gamlingay Community Turbine*" document by Mike Brettle, CMet dated 2011-11-21.

National Planning Policy

The most appropriate national policy on wind energy and operational noise impact is expressed in Planning Policy Statement (PPS) 22: *Renewable Energy* and its Companion Guide *Planning for Renewable Energy*, both published in 2004. They advise that the 1997 report of the Energy Technology Support Unit titled "*The Assessment and Rating of Noise from Wind Farms*" (ETSU-R-97) for the former Department of Trade and Industry should be used to assess and rate noise⁵.

Assessment Methodology

This service has had detailed pre-application discussions and correspondence with the applicant /agent and their noise consultant Spectrum Noise Consultants regarding potential noise impact associated with the wind turbine operating having regarding the most appropriate noise assessment standards. The following noise impact assessment methodology and environmental noise acceptability criterion in accordance with ETSU-R-97 have been agreed and used:

- the properties and locations that could potentially be affected by noise during the construction and operation of the turbine have been identified by site survey, and from a desk study of OS mapping for the site and surrounding area;
- a qualitative and quantitative appraisal of construction noise has been undertaken;
- the noise emission characteristics, including warranted sound power level data and spectral data for the candidate turbine (the Enercon E33) have been obtained from the manufacturer;
- a site specific noise model has been prepared for the site, extending to the closest identified sensitive receptors, using the Bruel & Kjaer 'Predictor' software, which follows the noise propagation calculation procedures detailed in International Standards Organisation documents ISO 9613-1:1993 *Acoustics – Attenuation of sound during propagation outdoors – Part 1: Calculation of the absorption of sound by the atmosphere* and ISO 9613-2:1996 *Acoustics – Attenuation of sound during propagation outdoors – Part 2: General method of calculation* ;
- the site specific noise model has been used to undertake a series of noise level predictions for the proposed candidate turbine operating under a variety of different wind speed conditions;

- the suitability of the proposed development for the local noise environment has been considered drawing upon the noise assessment methodology presented with ETSU-R-97 and in particular the ETSU simplified assessment method approach ; and
- measures in the form of maximum permissible noise levels to mitigate adverse noise impacts have been agreed and the resulting residual effects for construction and operation determined.

Construction Noise

Assessment of construction activities demonstrates that calculated noise levels generated at the nearest residences (with no financial interest in the project) during the construction and demolition of the proposed development are below the threshold of significance when assessed using best practice guidance from BS 5228-1:2009 *Code of practice for noise and vibration control on construction and open sites – Part 1: Noise*. Any limited impact would be temporary but the following condition should be imposed:

All construction and decommissioning works including collection and deliveries during construction shall be carried out only between the hours of 0730 to 1800 Monday to Friday, 0800 to 1300 Saturdays and at no times on Sundays and recognised Public Holidays. Notwithstanding the hours stated above, the local planning authority may approve in writing deliveries outside these hours on prior application from the developer.

Operational Noise

Both PPS 22 and ETSU-R-97 refer to a 'simplified assessment method', which states that if it can be demonstrated that

'For single turbines or wind farms with very large separation distances between the turbines and the nearest properties, a simplified noise condition may be suitable. If the noise is limited to a LA90,10min of 35 dB(A) up to wind speeds of 10 m/s at 10 m height, then this condition alone would offer sufficient protection of amenity, and background noise surveys would be unnecessary.'

It is also noted that the application has specifically identified residential properties at the The Paddocks and Castle Farm, Hadley Road, Gamlingay as having a specific financial interest in this project but no specific supporting information has been provided.

In terms of noise this is important because where a property has a financial involvement in the scheme, ETSU recommends that a relaxation of the derived noise limits be considered, stating that *'It is widely accepted that the level of disturbance or annoyance caused by a noise source is not only dependant upon the level and character of noise but also the receiver's attitude towards the noise source in general. If the residents at the noise-sensitive properties were financially involved in the project then higher noise limits will be appropriate'*. The guidance goes on to state that it is *fixed limits can be increased to 45 dB(A) to increase the permissible margin above background where the occupier of the property has some financial interest in the wind farm.*

I would agree with such an "occupier financial involvement approach" relaxation principle as such individuals are likely to be more tolerant in their attitude and may have a degree of control over the operation of the turbine should problems arise. In this case however the limit should only be increased to 40 dB(A).

However, ETSU provides no definition for a financially involved noise sensitive property and how this should be interpreted when assessing planning applications and whether they should be conditioned in detail to allow higher permitted noise levels. For example whilst the same

individual/s may own the nearest noise sensitive premises and the wind turbine or derive a rent, the property may be independently let and occupiers may not be considered financially interested and it could be argued that they should be afforded the same noise protection as others.

This may be deliberate (to allow flexibility) but in the absence of any detailed explanation, local planning authorities sometimes apply their own interpretation or definition in planning permissions and / or planning agreements. This drives uncertainty as to what type of contractual arrangement in any given case is likely to provide a robust basis for proceeding with the development.

However, it is our view to have a genuine "financial involvement" requires money or assets to be directly invested in the project in anticipation of a specific return or income source.

In this case the simplified assessment approach has been followed and operational wind turbine noise levels have been predicted to all the closest residential premises respectively, assuming a downwind in all directions, using manufacturer's test data for the turbines and suitable computer noise modeling software. The predictions indicate that at all residential premises not having a financial interest in the wind turbine noise levels will be below a LA90,10min of 35 dB(A) up to wind speeds of 10 m/s at 10 m height calculated at the turbine site. For those properties identified as having a financial interest noise levels will be below a LA90, 10min of 40 dB(A).

It should be noted that such a simplified approach is more conservative and stringent than the fixed limits proposed by ETSU-R-97, and afford a higher level of protection. In view of this it is reasonable to assume that the noise impact of the proposed wind turbine will be negligible.

Consideration has been given to the phenomenon of amplitude modulation. Having regard to the site specifics, government research on this matter and the fact that this is single turbine, I agree that its occurrence is extremely unlikely and warrants no further consideration.

The assessment is in accordance with noise assessment best practice / guidance and standards. It has been demonstrated that noise from the proposed turbine can be controlled to within acceptable noise level limits, determined in accordance with ETSU-R-97. It is therefore considered that noise from the turbine once operational would be, minor and not significant. No significant adverse impact is envisaged and an adequate level of protection against noise to protect amenity can be secured by conditions.

The following "wind turbine operational noise" conditions based on predicted noise levels are recommended to protect the amenity of nearby residential premises:

1. The development hereby permitted shall be carried out, operated and maintained in accordance with the submitted details and the Spectrum Acoustic Consultants Noise Impact Assessment Report titled "Gamlingay Community Turbine Generator –Environmental Appraisal" Report ref: CJA3185/11291 dated December 2011.
2. The level of noise emissions from the wind turbine shall not exceed a noise immission limit level of 35 dB LA90, 10-minute at any time in free-field conditions at any noise sensitive residential premises / dwellings, at wind speeds of up to 12m/s as measured or calculated at a height of 10m above ground level averaged over 10-minute periods within the turbine site.

The noise 35 dB LA90, 10-minute immission limit shall be increased to 40dB LA90, 10-minute at The Paddocks and Castle Farm, Hadley Road, Gamlingay which have been specifically identified as dwellings occupied by persons having a financial involvement in the turbine.

Dwellings occupied by persons having a “financial involvement” in the turbine shall be interpreted at those occupiers who have directly invested money or assets in the project in anticipation of a specific return or income source.

3. 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 complainant's property following a procedure to be agreed in writing and in accordance with the methods recommended in Section 2.0 on pages 102-104 of ETSU-R-97. Wind speeds shall be measured on site and referenced to a height of 10m above ground level. Where it is necessary to convert between measured wind speeds and the wind speed at a height of 10m above ground level, this shall be undertaken using a methodology to be submitted to and approved in writing by the local planning authority. Tonal noise (as defined on page 95 of ETSU-R-97) shall be assessed and rated in accordance with the advice contained in Sections 2.0 and 2.1 on pages 103-109 of ETSU-R-97. The developer shall supply wind speed and directional data to and at the request of the local planning authority to enable the proper evaluation of the measurements obtained.
4. Details of the assessment and its results as to whether a breach of the noise limits in Condition has been established shall be reported to the local planning authority as soon as the assessment is completed.
5. Upon notification in writing from the local planning authority of an established breach of the noise limits in Condition, 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.
6. No development shall commence until a protocol has been submitted to and approved in writing by the local planning authority for an effective means of addressing any complaints received by the local planning authority arising from noise emissions from the construction or operation of the turbine. The protocol shall be implemented as necessary at the request of the local planning authority.

Shadow Flicker

Under certain combinations of geographical position and time of day, the sun may pass behind the rotors of a wind turbine and cast a shadow over neighbouring properties. When the blades rotate, the shadow flicks on and off within buildings and can cause an effect known as 'shadow flicker'. It is a precise phenomenon related to the sun rising in the East trajectory and movement during the day and setting in the West.

With regard to shadow flicker, PPS 22: Planning for Renewable Energy describes the conditions under which flicker may occur and states that the effect diminishes with distance, and that “flicker effects have been proven to occur only within ten rotor diameters of a turbine”. It also confirms that due to the trajectory of the sun, effects only occur within 130 degrees either side of north relative to the turbines.

This guidance was reviewed in a 2011 study which was commissioned by the Department of Energy and Climate Change (DECC) and carried out by infrastructure company Parsons Brinkerhoff. Based on the findings of the research, the government has concluded that existing planning guidance on shadow flicker is fit for purpose and no changes are necessary as the

potential for shadow flicker is very low at distances greater than ten rotor diameter from the turbine.

The Myriad CEG Environmental Appraisal submitted includes some simplistic prediction of shadow flicker and it is concluded that the effect is minimal and no mitigation is required. It is noted that no detailed computer modeling of shadow flicker has been undertaken and the predictions detailed and methodology are not clear.

However based on guidance, for the proposed turbine shadow flicker can only realistically occur at distances of up to approximately 334 metres away (rotor diameter 33.4m x 10).

All the closest buildings to the proposed turbine are at distances greater than 334 metres, with Castle Farm being the closest approximately 500m NNE. Based on this separation distance alone shadow flicker is very unlikely to cause any adverse impact.

If there remains concern about this phenomenon becoming a nuisance and as the potential for shadow flicker is very low at distances greater than ten rotor diameter from the turbine, its effect can be adequately mitigated through the imposition and implementation of an appropriately worded condition requiring assessment and mitigation if justified complaints are received by the LPA when operational. The following wording is suggested:

Following a complaint to and at the request of the local planning authority, a scheme setting out a protocol for the investigation and alleviation of shadow flicker caused by the turbine hereby permitted shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the photocells and any other measures proposed to remove any such effect. The approved mitigation measures shall be implemented in accordance with a timescale approved in writing by the local planning authority and retained for the duration of the permission.

Conclusion - Recommendation

The potential for noise impact has been assessed in accordance with best practice / guidance and standards. It has been demonstrated that noise from the proposed turbine can be controlled to within acceptable noise level limits, determined in accordance with ETSU-R-97. It is therefore considered that noise from the turbine once operational would be minor and not significant. No significant adverse impact is envisaged and an adequate level of protection against noise to protect amenity can be secured by conditions.

Shadow flicker is unlikely to cause any significant adverse impact.

No objection in principle subject to the imposition of conditions for operational noise and shadow flicker as recommended.

However consideration should be given to the legality and enforceability of the recommended lower noise immission limit level condition part wording relating to "dwellings occupied by persons having a financial involvement in the turbine". As stated in the absence of any detailed explanation in ETSU on this matter, we the LPA may need to apply our own interpretation or definition in planning permissions and / or planning agreements. This drives uncertainty as to what type of contractual arrangement in this case is likely to provide a robust basis for proceeding with the development.

If there are any issues that require further explanation or information then please contact me.

Regards

**GREG KEARNEY
ENVIRONMENTAL HEALTH OFFICER**

F.A.O. Paul Sexton
Development Control
South Cambridgeshire District Council
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

Louise Roberts MRTPI

15th March 2012

Dear Mr Sexton

Re. S/2564/11 – Installation of one 330kW wind turbine (53.7m to tip), access track and crane hardstanding at Castle Farm, Hatley Road, Gamlingay

I write with regards to the above application in response to the representations received from various members of the public and some consultees. I am aware that some concerns have been raised regarding this scheme and I will respond directly to those concerns within this letter, taking each topic in turn. GCT Ltd. will also respond to you regarding other matters relating to this application which should be read in conjunction with this response.

1.0 Landscape and Visual Impact

Several points of clarification have been sought relating to landscape and visual impact issues.

1.1 Consultation with Central Bedfordshire Council

Central Bedfordshire Council's landscape officer was consulted at an early stage in the preparation of this application. A ZTV map out to a 10km radius showing the theoretical visibility of the turbine was sent to CBC with suggested viewpoints for the Landscape and Visual Impact Assessment on 2nd September 2011. Paul Sexton, the case officer for this application, also contacted the CBC landscape officer around the same time. No response to this consultation was received.

1.2 Consultation with Cockayne Hatley

In response to an enquiry via the project website, Mike Brettle of GCT Ltd dropped off back copies of the Gamlingay Gazette with turbine info and details of the Gazette website to the occupier of Woodview, Cockayne Hatley. The occupier was advised that he was welcome to raise any concerns with GCT however no comments were received.

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In response to letters of objection from Cockayne Hatley containing some fundamental misunderstandings, Mike Brettle of GCT Ltd leafleted the whole village reassuring villagers that there would be no adverse affects and giving full contact details for them to get in touch for more information. This was done on 26th February 2012.

1.3 Imagery

As detailed in the LVIA, all imagery for this assessment has been undertaken in line with guidelines set out by Scottish Natural Heritage. In the absence of English guidance on this subject, the SNH methodology is used as standard across the wind turbine planning industry. It is acknowledged that the methodology of the LVIA does not specifically state that the images should be printed out at A3 in colour. However, the paper copies of the application supplied to SCDC and made available to the public have been printed in the correct format.

1.4 Views from Cockayne Hatley

It is acknowledged that some concerns have been raised regarding the impact of the turbine on Cockayne Hatley. The issue of consultation for this area has been dealt with in 1.1 and 1.2 above. Prior to the preparation of the planning application, careful consideration was given to the locations from which the photographs for the LVIA should be taken. Although the ZTV shows that there is potential visibility from Cockayne Hatley, it was decided that the proximity and height of Potton Wood would entirely screen the turbine from view in this direction and there would be little benefit in producing a photomontage from this location.

With regards to visibility, GCT Ltd. has produced three CAD plans which demonstrate the line of sight from points within the village. These show that the topography of the landscape is such that when combined with the height of Potton Wood, it is not possible to see the turbine from the church, Village Farm or Home Farm. These plans have been provided separately by Chris Smith of GCT Ltd.

1.5 Residential Views

Within the Landscape and Visual Impact Assessment submitted in support of this application, reference was made to the houses on Chapelfield with 'main windows' in the direction of the wind turbine. In the methodology section of the LVIA, 'high sensitivity' was attributed to those residential properties with 'principal views' of the turbine. To clarify, 'principal views' is interpreted to mean uninterrupted views from a property window where the turbine can be seen in its entirety without the need to change the angle of view in order to see the turbine. It is appreciated that several of the houses on this estate will experience views of the turbine from property windows at both ground and first floor if the viewer is looking specifically in the direction of the turbine. However, due to the orientation of the majority of these properties, views

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will at oblique angles and it remains the case that there are only a very small number of properties that have 'principal views' of the turbine from this area.

A desk-top assessment has been undertaken to assess the level of visibility of the turbine from the closest residential properties. The list is not exhaustive, but includes the closest properties on Hatley and Station Roads, and properties on Chapelfield, since these are the properties most likely to experience views and have expressed concern during the consultation process.

G means views from ground floor windows are likely

U means views from the upper floor windows are likely

Property	Distance to turbine	Possible views
Castle Farm	550m	U,G (landowner property)
4 Hatley Road	800m	Possible G and U
6 Hatley Road	800m	Possible G and u
102 Station Road	800m	Possible G and U
3 Chapelfields	1.2km	G,U
5 Chapelfields	1.2km	G,U
46 Chapelfields	1.2km	G,U
48 Chapelfields	1.2km	G,U
49 Chapelfields	1.2km	G,U
50 Chapelfields	1.2km	U only
51 Chapelfields	1.2km	U only
52 Chapelfields	1.2km	G,U
54 Chapelfields	1.2km	U only
56 Chapelfields	1.2km	U only
58 Chapelfields	1.2km	U only

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60 Chapelfields	1.2km	U only
61 Chapelfields	1.2km	G only

It is acknowledged that several of the properties in the above table will experience some views of the turbine, albeit these views are not considered to be 'principal' views in most instances as described earlier. The fact that some properties will experience views of the turbine does not in itself equate to a demonstrably harmful impact. At 1.2km away, views of the turbine where visible will not be dominant or overbearing and it is not considered that the impact on any of the properties is significant. As with the effect on landscape character, the issue of visual amenity is subjective and differs depending on the individual opinion of the viewer. Whilst it is appreciated that some people do not like the appearance of wind turbines, it is reasonable to say that many people do like to look at them and consider them to be a positive and attractive addition to the landscape.

It should be noted that no property has the 'right to a view' and that the original assessment of the impact on residential amenity for properties in Gamlingay as being of slight magnitude of change with an overall minor effect is still considered accurate.

Although there will be an impact on the outlooks of some properties, it is considered that any impact is outweighed by the positive benefits associated with this scheme. Furthermore it is noted that no property has a 'right to a view.' This is supported by a recent appeal decision which granted planning permission for two large scale wind turbines at Pilling, near Preston (APP/U2370/A/10/2129772)¹, the Inspector stated that:

*"It needs to be appreciated that reducing carbon emissions is not just something on a Government wish-list. There are statutory obligations to produce substantial reductions in greenhouse gas emissions over a very short period....This is an enormous commitment and it is clear that, whether we like them or not, wind turbines are going to become an increasingly familiar site....I would expect the majority of on-shore wind turbines to be located in the countryside and would expect that the size of the turbines will be maximised wherever possible. The inescapable truth is that turbines will have to go somewhere. Our most precious landscapes, such as National Parks and Areas of Outstanding Natural Beauty.... have a high degree of protection, so sites with no such designation are preferable. The scale of the provision of on-shore wind energy projects that is required by 2020 is such that all parts of the country where wind conditions are suitable should be expected to make some contribution towards the overall requirements. **In our densely populated country, it is inevitable that wind turbines will be constructed close to where people live**".*

¹ Appeal Decision APP/U2370/A/10/2129772 Land at Orchard End Farm, South of New Lane, Eagland Hill
<http://www.pcs.planningportal.gov.uk/pcsportal/fscdav/READONLY?OBJ=COO.2036.300.12.2640810&NAME=/2129772%20CORRECTED%20DECISION.pdf>

2.0 Landscape Designation

The application site is not within any identified landscape designation either at a local or national level and is therefore identified as open countryside. The application site has been incorrectly identified as Green Belt in more than one public response letter.

3.0 Precedent

Gamlingay Community Turbine Ltd has only ever intended to install one single turbine. There are no plans for any further wind turbines by this organisation. Each planning application must be treated on its own merits by the local planning authority. Any concerns relating to precedent are unfounded and are not considered to be a material planning consideration.

4.0 Conservation and Listed Buildings

4.1 Conservation Area Map

It is noted that some concerns have been raised that the Environmental Appraisal document does not contain the full map of the Gamlingay Conservation Area. The copy of the map used in the application is taken directly from that produced by SCDC. The assessment of the conservation area carried out in the Environmental Appraisal takes into the account the whole conservation area, despite the fact that the map included misses a small portion of the total area of the designation.

4.2 Impact on Listed Buildings

There are several listed buildings in the Gamlingay area. The Cultural Heritage chapter of the Environmental Appraisal assessed the impact of the turbine on the buildings which SCDC considered had the potential to be impacted. This chapter was prepared in consultation with SCDC, full details of which can be found in the Environmental Appraisal. It is acknowledged that some of the neighbour objections have raised concerns regarding the impact of the turbine on other listed buildings in the area. In order to address these concerns, the following information has been collected:

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Figure 1: View from the Emplins towards the turbine location

The above photograph shows the view from the Emplins in the direction of the turbine. The location and size of the turbine is shown in front of the trees in the photograph but in reality the trees will mask the view of the turbine from this location. The proposed turbine site is 1.3km from the nearest part of the Emplins property. This photograph shows that even in winter when the tree screening is at a minimum, there will be no impact on views from this listed building. The appearance and character of the building will not be affected and there will be no impact on the setting of the building.

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Figure 2: View from Almhouse Chapel (Grade 2* Listed)

The above photograph shows the view from Almhouse Chapel in the direction of the turbine. The location and size of the turbine is again shown in front of the house for ease. It is clear from this photograph that views of the turbine will be completely masked from Church Street by the building itself. With regards to the principal view of this building from Church Street, the character and appearance of Almhouse Chapel and its setting remain unaffected by the turbine installation.



Figure 3: Maypole House (Grade 2 Listed).

The above photograph shows the view from Maypole House in the direction of the wind turbine. Due to the presence of intervening buildings, the character, appearance and setting of Maypole House remain unchanged by the turbine. Views towards the turbine site are totally masked by the properties on the south side of Church Street. There will be no impact on the character, appearance or setting of this listed building.

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Figure 4: View from the Village College towards the turbine

The above photograph shows the view from the Village College towards the turbine site. The size and position are shown in front of the trees but in reality the turbine will be masked by the screening these trees provide. It will be possible to experience glimpses of the turbine through the trees during the winter months and there will be certain places from the playing field where the view to the turbine is less obscured by trees but it will always be behind some trees across the whole college site. The football goals will appear taller than the turbine when viewed from the school buildings. It is noted that visibility of the turbine does not in itself equate to a demonstrably harmful impact. Furthermore, from this distance, the turbine will appear as small in scale and will not dominate views from this location. It is considered that any impact on character, appearance and setting will be negligible.



Figure 5: View from the Baptist Church front gates towards the turbine site

The above photograph shows the view in the direction of the turbine from the front gates of the Baptist Church in Gamlingay. The turbine will be totally masked by the properties to the east of Honey Hill. It should be noted that the photos submitted by two residents from Chapelfields that are looking down the road into Chapelfields are wrongly described as viewed towards the turbine site. It is not possible to view the turbine from the Baptist Church. Views from the church and the character, appearance and setting of the church are therefore not harmed by this installation.

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Figure 6: View from the Manor House towards the turbine

The photograph above shows the view from the Manor House towards the turbine site. The turbine will be totally masked by the dense tree line to the south of Station Road. This listed building was assessed in the cultural heritage chapter of the Environmental Statement and it was concluded that the impact on character, appearance and setting is minor. The extension to KMG's factory at Station Road Industrial Estate will also be in line with this view between the trees and the turbine site, as will the residential development planned for the field between the trees and the industrial estate. Overall, it is considered that there will be no impact on the Manor House.

5.0 Wind Turbines (Minimum Distance from Residential Premises) Bill (HL)

This is a Private Member's Bill introduced in the House of Lords. To clarify, Private Members Bill's are Public Bills introduced by MPs and Lords who are not government ministers. Like other Public Bills, Private Member's Bills can be introduced in either House and must go through the same set stages. However, as less time is allocated to these Bills, they are less likely to proceed through all stages.

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This particular Bill has had its first and second reading in the House of Lords (the second reading took place in June 2011). The next stage, Committee Stage, at which the Bill is examined line by line, is yet to be scheduled. In order for this Bill to become law, there are potentially three further stages which the Bill must pass through in the House of Lords, and a further five stages in the House of Commons. Since the contents of this Bill affectively flies in the face of current government policy on renewable installations – which are clear that renewable energy should be incorporated wherever possible – it is unlikely that this Bill will be passed in its current form.

Since this Bill is still in its very early stages, it cannot and should not be used as a material consideration in the determination of this planning application.

6.0 South Cambridgeshire District Council Resolution of Wind Farms (2011)

This resolution does not relate to single wind turbines and is therefore not relevant to this application.

7.0 House Prices

There is no evidence to suggest that house prices will be adversely affected by the installation of a wind turbine in the vicinity. Furthermore, this topic is not a material consideration and should not be used by the LPA in the determination of this application.

8.0 Planning Policy and current Government thinking

PPS22 - Renewable Energy is the national planning policy document for renewables in England. This policy document clearly sets out that renewable energy should be installed wherever possible, and that the social, economic and environmental impacts of a proposal are important material considerations. Ambitious renewable energy targets which the government is committed to achieving will only be realised if renewable energy schemes such as this are embraced.

9.0 Health and Safety Concerns

There is no evidence to suggest that wind turbines cause adverse health impacts. The turbine has been sited so as to ensure that there will be negligible impacts with regards to noise and shadow flicker – and certainly any affects are well within recommended limits.

With regards to health and safety it is acknowledged that there have been isolated incidents where turbine failure has occurred. However, it should be noted that these incidents are rare. When compared with other electricity generating technologies, wind turbines are acknowledged as being one of the safest forms. The turbine has been sited to comply with current guidance on safe siting practice which recommends that wind

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turbines should be sited tip height plus 10% from all highways and public rights of way – which is 59.07m in this instance. These distances are easily met by this scheme.

If SCDC requires further clarification on any points within this letter, or on any other matters regarding this application, please do not hesitate to contact me.

Yours sincerely

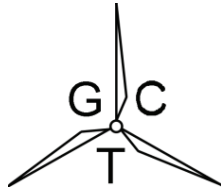
Louise Roberts MRTPI
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Paul Sexton
Planning Officer
South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne
Cambridge
CB23 6EA

15th March 2012

Dear Mr Sexton

**Erection/Installation of one 330kW wind turbine
Castle Farm, Hatley Road, Gamlingay, Sandy, SG19 3HH
S/2564/11**

There have been several concerns raised in response to our application and I would like to answer some of these as itemised below.

Noise

**Comments raised by Greg Kearney, Health and Environmental Services
Internal Memo on 17th Feb 2012**

Whilst the internal memo concludes the construction noise is below the level of significance and operational noise would be minor and not significant there was a request for clarification of 'dwellings occupied by persons having a financial involvement in the turbine'. I can confirm the following in relation to this;

Castle Farm Farmhouse is owned and lived in by David Johnson and his family. There are no tenants living at this property.

The Paddocks, Castle Farm is owned and lived in by John Johnson and his family. There are no tenants living at this property.

There are no other residential properties on Castle Farm.

David and John Johnson are the owners of Castle Farm where the turbine is proposed to be built.

Gamlingay Community Turbine will lease the turbine site from Castle Farm and will pay a ground rent for this lease and the right of access to the turbine.

Both David and John Johnson are also investing in the cost of the turbine installation and will receive financial return on their investment.

One can therefore conclude that both properties are occupied by persons having a financial involvement in the turbine.

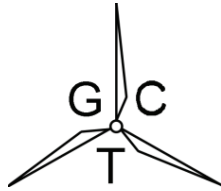
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Mike Brettle

Company registration number 7309083

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Noise at Cockayne Hatley

There have been several concerns raised over the potential noise levels at Cockayne Hatley and that GCT have not given full consideration to noise impact and nuisance here.

Our detailed noise report covers predictions radiating out in all directions and this includes Cockayne Hatley. The model uses worst case conditions and calculates maximum figures assuming down wind conditions in every direction. It is clearly demonstrated that the maximum noise levels at Cockayne Hatley are around 25dBA some 10dB below the lowest level of significance at 35dB. The dB scale is logarithmic so this means the noise level at Cockayne Hatley is one 10th of the noise level considered by the Environmental Health Officer to be significant. Home Farm is a little closer than the rest of village at a distance of 1.465km from the turbine and here the maximum noise level is 27dbA again very much lower than the level of significance.

The noise model used in our report takes into account of the variation of ground level but does not take into account the attenuating effect of the vegetation, and in the case of Cockayne Hatley there is a very significant attenuation of noise by the screening effect of Potton Wood. In the winter months this is likely to be in excess of 5dB reduction in noise levels at ground level and much greater reduction when the trees are in leaf. Hence actual levels at Cockayne Hatley would be even lower than those maximum levels predicted in our report.

Furthermore the turbine only creates noise when it is operating in a wind and the noise of the wind on the trees in Potton Wood will mask out any noise created by the turbine. So I support the Environmental Health Officer's confident conclusion that noise at Cockayne Hatley would be imperceptible.

Shadow Flicker at Cockayne Hatley.

There have been several concerns raised about the effects of shadow flicker at Cockayne Hatley.

We reiterate an earlier statement that there is not a single property at Cockayne Hatley that will ever experience any shadow flicker from the proposed turbine.

Flicker occurs when the sun passes behind the turbine in direct line of sight of a property. The rotation of the turbine blades in front of the sun causes a flickering shadow effect. PPS22 and PPS18 advise that shadow flicker is only considered significant if within 10 rotor diameters of the turbine, outside that range the effect is simply one of the sun passing behind an obstacle. There are no properties in any direction that are within 10 rotor diameters, 330m, of the proposed turbine. The nearest property in Cockayne Hatley being over 44 rotor diameters away at 1.465km.

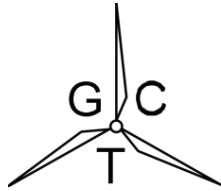
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For shadow flicker to occur there must be a direct line of sight of the turbine and there is not a single property in the shadow of Potton Wood within 6km that could see even the tip of the turbine blades. Potton Wood will completely mask every property in Cockayne Hatley from seeing any part of the proposed turbine.

The attached sectional views from the Turbine to

Cockayne Hatley Church

Home Farm Cockayne Hatley

Village Farm Cockayne Hatley

Wrestlingworth Village

clearly demonstrate that one would need to be over 60ft tall to be able to view even the very tip of the turbine from any part of Cockayne Hatley or Wrestlingworth and over 150ft tall to be able to see the full diameter of the turbine blades.

Aviation.

A letter of objection has been received from Mark Jefferies at Little Gransden Airfield.

Each area of objection raised by Mr Jefferies has been answered by Wing Commander Chris Barker who has been a flight safety officer with the RAF since 1981 and since 2001 has been an instructor on light aircraft, including the training of low level navigation in East Anglia. Furthermore Wing Commander Barker has acted as the Safety Committee for the well known air displays based at Little Gransden that Mr Jefferies helps organise. Wing Commander Barker concludes that there is no risk or hazard to aviation by the erection of the turbine at the proposed site.

I too have been flying light aircraft for over 30 years and have flown out of Little Gransden and also flown gliders from the nearby Cambridge Gliding Club at Gransden Lodge. Navigation of such aircraft is based on recognition of landmarks and wind turbines in East Anglia are useful navigational aids not just because they are highly conspicuous from the air being white against the countryside but they also indicate wind direction. I firmly believe this turbine would be an aid to local flight safety not a hindrance.

I would refute Mr Jefferies claim that this turbine would cause air traffic to veer over Gamlingay. The flightpath shown in the map submitted by Mr Jefferies clearly shows the turbine to be 0.5km to the west of the designated flightpath and as such any aircraft on this track would certainly not have to deviate at all. Indeed the turbine would be a useful navigational aid in ensuring approaching and departing aircraft could follow this nominated flightpath which is considerably planned to keep traffic away from built up areas to minimise local noise nuisance. I attach a copy of Mr Jefferies' map with the position of the turbine shown.

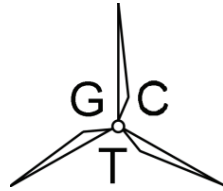
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When choosing this proposed turbine site we consulted CAA guidance about location of obstructions local to unlicensed airfields and I confirm that that at 2.9km distance from the airfield and the tip of the blades less than 140ft above mid runway height the turbine comfortably complies with the recommended constraint of no obstruction more than 150ft above mid runway height within 2km of the airfield, CAP 793 July 2010.

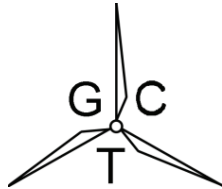
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Mr Jefferies suggests that the turbine might interfere with radio transmissions or create fog. There is no evidence for either of these claims. If there were such evidence or any genuine concern why would airports be installing wind turbines actually on their airfields? I refer you to East Midland Airport which has 2 similar sized turbines already operational on their airfield and permission to install 2 more. Mr Jefferies' newspaper cutting about large windfarms causing fog is misleading as this is about offshore windfarms. The conditions that lead to sea fog being created simply do not occur inland.

Mr Jefferies suggested that should the turbine be installed a red light should be installed to aid its appearance. We have consulted the MOD who conduct low level flying in the area and they have only asked for an infra red flashing beacon to be installed and we plan to do this. We have consulted the police who also do low level helicopter flying in the area and they have raised no objections and have not asked for any lighting. As Little Gransden Airfield is only permitted to be in operation in good visibility we question the need for a visible red light. During our public consultations we have asked the public about whether it should be lit or not and the overwhelming consensus was that it should not. This is not a cost option for GCT as the infra red and visible beacons are the same cost so we will install whatever SCDC request.

St John The Baptist Church - Cockayne Hatley

Concerns have been raised about the turbine adversely affecting the setting of the 13th Century Church at Cockayne Hatley and that our planning application has not taken sufficient consideration for this site.

In pre planning discussions we consulted both South Cambs District Council and Central Bedfordshire Council about the settings of historic buildings we should cover. Our environmental assessment covers all the buildings requested following these consultations.

The attached file 'Section cockayne hatley church.pdf' a snap of which is inserted below demonstrates that there is no line of sight to the turbine and this is masked totally by the hill between the 2 points and Potton Wood on top of the hill. The sectional view demonstrates that the at Cockayne Hatley Church the tip of the blades first become visible at a height of 62ft, the hub centre visible at a height of 86ft and the full turbine blade diameter visible at a height of 169ft.

Also shown below is a picture taken from the Church looking towards the turbine site with the position and size of the turbine superimposed in front of the Potton wood and the hill.

I have previously explained that noise and shadow flicker will not be an issue at any part of Cockayne Hatley and this includes the Church.

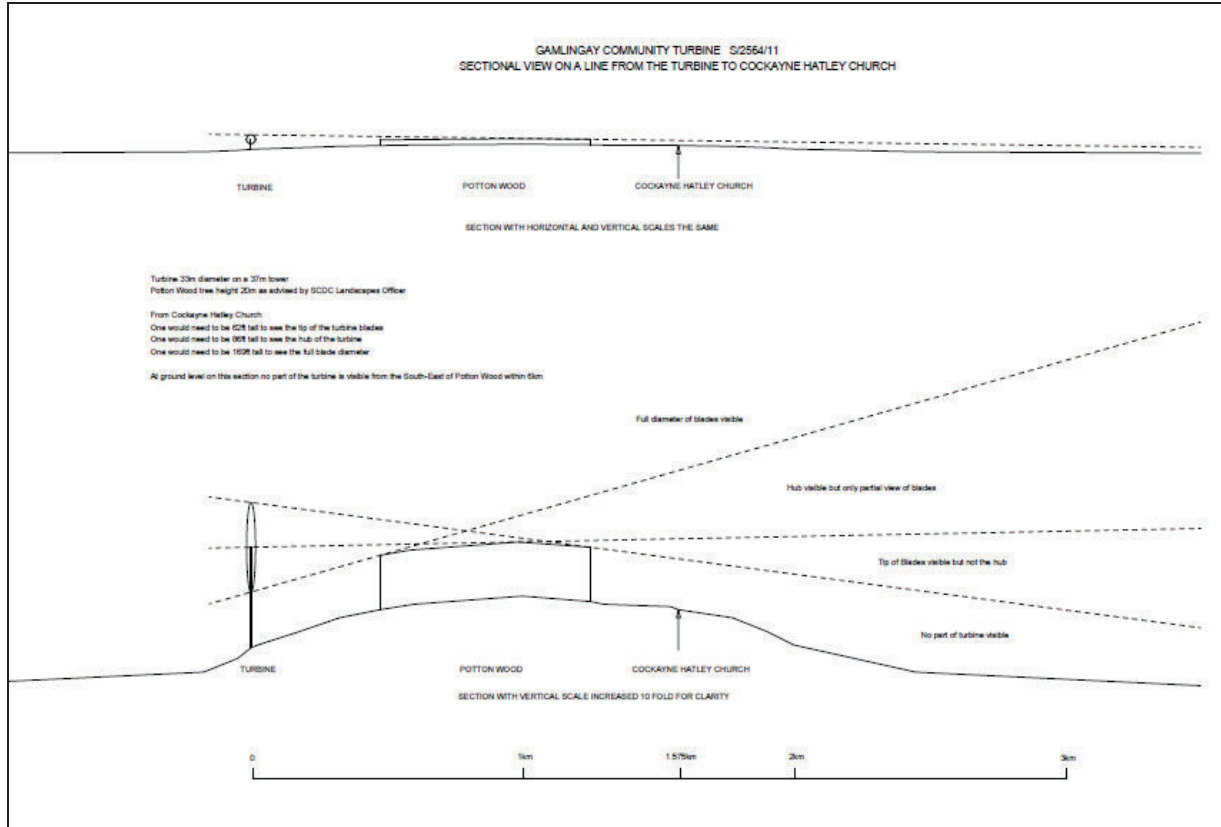
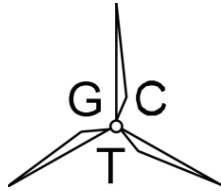
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Directors

Pauline Girdwood
Chris Smith
Mike Brettle

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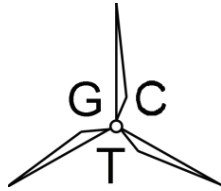
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View from Cockayne Hatley Church towards the turbine site with the turbine position and size as it would appear at a distance of 1.575km superimposed in front of the hill and Potton Wood.

This demonstrates that the setting and character of this beautiful building will not be affected by the installation of the turbine.

Golden Hoverflies

It has been suggested that Golden Hoverflies are in Potton Wood and that as they would be endangered by the turbine installation.

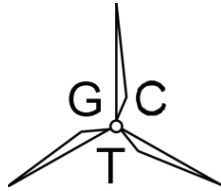
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There is no record of the Golden Hoverfly every being found in Potton Wood. The species is rare and generally only found in parkland with ancient beech trees. The nearest sighting of Golden Hover on public record is at Wimpole Hall Park some 8km to the east. Golden Hoverflies feed off ivy and are unlikely to be found in open arable land where the turbine is sited. For all these reasons it is highly unlikely that the turbine would pose any risk to this rare insect.

I have asked Dr Stuart Ball, the custodian of the National Hoverfly Records and a national expert on Hoverflies, to comment and write directly to you on the subject.

Choice of Turbine.

It has been suggested that the Enercon E-33 Turbine is not suitable for this location.

We have considered all wind turbines available on the market today and concluded that this turbine was the most appropriate for the following reasons;

- The Gamlingay Community Turbine wanted to make a significant contribution to reduction in greenhouse gas emissions so wanted to do as large a turbine as we could afford. The project cost is between £750,000 and £975,000. We did not feel we could raise more from our local community and wanted it to remain wholly locally funded.
- The 330kW max generating capacity is excellent as even at its peak generating capacity this is just less than the entire village uses during a summer night. So at no point would the turbine be exporting electricity outside the area, thus the turbine would be reducing the load on the grid at all times when the turbine is operating. This is especially important to the operation of the grid which is stretched at present.
- The E-33 Turbine is much more efficient than any other turbine of this size particularly at low wind speeds. The other wind turbine often used for community projects of this size is the Vestas V27 (often upgraded to V29) as is currently installed at Wood Green Animal Shelter at Godmanchester. The expected load factor for the V27 compared with the E-33 at the wind speeds predicted for this area are 0.19 of the V27 and 0.26 for the E-33. Mr Astor states that the E33 is not an appropriate choice because it is a class 1//11 rated turbine but the rating is a function of the turbine height it operates at not the actual turbine itself and the blade design which are very much suited to low wind speed and also capable of operating in much higher wind speeds. In fact this turbine would still have been generating power, albeit at automatically reduced output during the extreme gales of 1987 and 1990.
- The turbine does not have a gearbox so noise generation is much lower and reliability much higher than turbines that incorporate a gearbox.
- The turbine benefits from the Sir Norman Foster design making it an attractive feature.

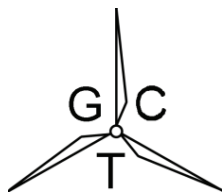
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- There are no rare earth magnets used in the generator part of the turbine thus putting much less stress on the environment in its build and does not risk exploitation of child labour in China as is sometimes reported.
- The turbine is manufactured from 100% recyclable materials. I have been to the Enercon's production and recycling facility in Germany to verify this. After decommissioning there will be not residual evidence of the turbine ever having been there.
- The turbine build is energy efficient and the carbon emission during its build, transportation and installation will be offset within approximately 12 months of commissioning.

Connection to the local grid.

The turbine is to be installed in the same field that has 11kV overhead power cables as part of the National Grid. We have checked with the District Network operator that we can connect to the grid as it goes over the field and they have confirmed we could connect with up to 500kW at this point. Thus there will only be a need for 360m of underground cable to connect to the grid.

Community Donation

There has been concern raised about how the community donation will be calculated and how residents can be sure that this community donation will actually be paid.

The 3 main aims of Gamlingay Community Turbine are

1. **To offset the carbon footprint of the Gamlingay Community.** Our conservative estimates are that the turbine will produce 6% of the domestic electricity of Gamlingay. This is a very significant figure but it is not enough alone to meet the District and Government targets so arguments that money is better spent on other projects instead are missing the point that we need to do everything we possibly can to reduce greenhouse gas emissions, generate from renewable sources and reduce our energy consumption. Any and every method which produces these results must be encouraged.
2. **To produce a sustainable income for the Community to be reinvested in environmentally friendly projects.** We have pledged to give 10% of net income for the first 15years of operation and we estimate this to be more than £200,000 over the 15years. We pledge and guarantee the 10% but we cannot guarantee the total that this will be as this depends on the actual running costs and performance of the turbine over this period. It should be noted that this figure is 50-60 times greater than commercial wind farms donate to communities on a £ donation per kWh generation capacity. Gamlingay Community Turbine is not a commercial venture for the benefit of investors or directors, indeed over 80% of those pledging to invest have stated that they do so for the cause rather than the return on their investment. However the directors of Gamlingay Community Turbine recognize that there is a need for some financial

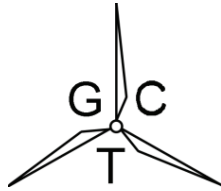
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return on the investment to attract the investment necessary to build the turbine and make the project happen. Gamlingay Community Turbine has written to Gamlingay Parish Council offering to put a formal agreement in place that will ensure this community donation is paid and used for appropriate good causes (copy attached).

3. **To be funded wholly by the local residents and businesses.** This is because we want it to be a Community venture, by the Community and for the Community. We are inviting every resident and every business to have the opportunity to invest and priority will be given to the smaller investor. We have proposed a lower limit of investment of £500 for investments to keep the administration costs down but have suggested to those who want to invest less that they could group together. We have also been approached by local residents who want their returns on their investments to be donated to nominated charities and this we have agreed to do. Furthermore some investors want their investment to continue to create income for local charities after their death so that they can leave a lasting legacy; again we have agreed to do this.

Public Consultation.

It has been suggested that GCT has not had sufficient public consultation about the proposal and that not enough consideration has been given to the concerns raised by the public.

We refute these comments and evidence our claims as below.

There was a full year public consultation period before we prepared our planning application a defined the actual proposed turbine position. This consultation period included.

- Leaflet distribution around the houses and businesses in the village (1700 copies)
- A n information stall manned at the Gamlingay Village Show in September 2010
- 2 public meetings arranged by GCT in September 2010
- Presentation to Gamlingay Parish Council
- Presentation to Gamlingay Residents Association
- Presentation to Gamlingay Environmental Action Group .
- Formation of a website with information and invitation to everyone to submit questions which were all answered promptly and FAQ included on the site.
- Organised a visit to Hockerton Community Turbine in Nottinghamshire for any resident of Gamlingay top attend.
- Organised a coach trip visit to Swaffham to see how their community had installed 2 larger turbines and the establishment of their EcoCentre.
- Communicated with everyone who raised concerns with GCT.
- A n information stall manned at the Gamlingay Village Show in September 2011 with a survey of interest and support from the residents.

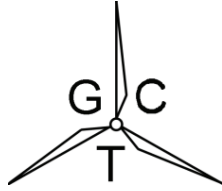
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Subsequent to the year's preplanning public period GCT has given a presentation and Q&A session to a public meeting organized by Gamlingay Parish Council, attended a Parish Council meeting when the turbine was discussed to answer concerns of councilors and members of the public. GCT has also answered all questions and concerns raised through the SCDC planning process.

The project details have evolved through this period of consultation not only with the position of the turbine, 6 sites being considered in detail, but also in the business structure and the opportunity for varying charitable donations to be made from investors' returns.

Summary

We believe that there is no doubt about the benefit to the community in terms of

- Reduction in greenhouse gas emissions and the carbon footprint of the village.
- Creation of a significant Community donation for many years.
- Pride in a project by the Community for the Community
- Excellent cross curricular educational benefit for our local schools

We believe that the impact on the environment has been demonstrated to be minimal in terms of

- Ecology
- Noise
- Conservation and impact on historic buildings
- Archeology
- Radio interference
- Aviation (civilian and military)
- There is a visual impact on our landscape but this is a midsized wind turbine not the size being installed on commercial windfarms. Although not everyone likes the appearance of wind turbines the majority of people commenting on the visual impact state say that they do like their appearance.

We believe that there is economic benefit to our rural community

- Diversification of a local farm enabling a more secure future for the family business
- Creation of 2 local part time jobs for over 20 years

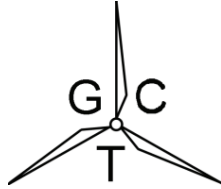
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- A significant donation to the community
- As it is locally funded any returns in the investment are reinvested into our local economy.

In light of the Government's and District's need to support applications for projects creating renewable energy we urge you to support this application.

Yours sincerely

Chris Smith
Director
Gamlingay Community Turbine Ltd

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WING COMMANDER CHRIS BARKER MA MBA RAF
AVIATION ADVISER

THE THREE HORSESHOES, 36 MILL STREET, GAMLINGAY
SANDY, BEDFORDSHIRE SG19 3JW

TEL [REDACTED] MOBILE [REDACTED] EMAIL [REDACTED]

8 March 2012
Mr Paul Sexton
The Planning Officer
South Cambridgeshire District Council
Cambourne Business Park
Cambridge, CB23 6EA



Dear Mr Sexton

GAMLINGAY COMMUNITY TURBINE - EFFECT ON AVIATION

I write in response to the letter of objection from Mr Mark Jefferies. I have been advising Gamlingay Community Turbine (GCT) on aviation matters, unpaid because I believe in the need for sources of renewable energy. I therefore have no financial interest in the installation of a wind turbine. But I am very experienced in matters of aviation and flight safety. I have been a flight safety officer with the RAF since 1981; I have been a supervisor of flying with the RAF since 1983; and I was the Officer Commanding Operations Wing RAF Brüggen from 1997 to 2000. RAF Brüggen was the base for 4 squadrons of Tornado GR4 and I was responsible to the Station Commander for all matters aviation, from the move of a flying club to the operation of the airfield as a transport hub.

Flying Experience. I have been flying low level in the UK since 1975, in Jaguar, Tornado, Hawk, Hunter, Jet Provost. I have also flown in the USA, instructing USAF pilots on the F-16 (models A to D). Since 2001 I have been an instructor on light aircraft for the Royal Air Force, including the teaching of low level navigation above the proliferating wind turbines in East Anglia.

General. I have studied the proposed site of the turbine alongside the relevant CAA regulations. I have also looked at the proposed site from the point of view of a flight safety officer; indeed, I have acted as the safety committee for the flying displays at Little Gransden on 4 occasions. I can see no risk or hazard to aviation by the erection of the turbine at the proposed site. Accordingly I deal with Mr Jefferies's points individually.

- **Proximity to Little Gransden.** Mr Jefferies states that the proposed site is within 2.8km of the threshold of the "010 (west to east) runway". But I cannot see this runway on his airfield, unless he means runway 10/28. But the turbine, which is southwest of his airfield, would be nowhere near the approach path to either runway. I have flown over Little Gransden to see how the turbine's position might interfere with any other circuit traffic and I find it to be well clear. Indeed, turning finals for runway 03 (the closest touchdown point to the proposed turbine site) would be about halfway between the airfield and the proposed turbine site. In addition, I don't believe that runway 03 is in frequent use owing to the power lines which cross its threshold.
- **Flight Tracks.** Mr Jefferies complains that the turbine would be "directly underneath the flight tracks" agreed at the Public Planning Inquiry in 1999. This is not strictly true and it would be easy for pilots to fly to one side or the other of the turbine, if they were low enough to have to do so. But the standard procedure, as published on the airfield's website (<http://www.yakuk.com/EGMJ.asp>) is to approach the airfield along these tracks at no lower than 2,500ft until visual with the airfield. For the turbine to cause a pilot to re-route around it, the pilot would have to be lower than 687ft (the turbine's maximum tip height of 187ft plus 500ft for Rule 5 of the Air Navigation Order). But since the turbine is arguably

close enough to Gamlingay to require a pilot to be flying at above 1,000ft for the congested area (Rule 6), this is unlikely to occur. Finally, it is a well-established convention that pilots do not low fly in the vicinity of their home or destination airfields – so as to maintain the good will of the local inhabitants.

- **Flight Tracks – Having to “Veer”.** The word “veer” inappropriate and unhelpful in this context. Pilot are required from the start of their training to look well ahead for obstacles and other aircraft. A pilot would not have to veer unless he or she were flying too low in visibility that made it unsuitable for such flying. In fact, if a pilot were unable to fly high enough to avoid the turbine (perhaps because of low cloud) or with sufficient visibility to see the turbine in time, that pilot would be flying illegally for the condition.
- **Increase in Workload.** Mr Jefferies's point about increased workload on pilots and the probability of an accident is a logical one. But the proposed site of the turbine is not close enough, nor is the turbine high enough, to cause increased workload for pilots in the circuit at Little Gransden. The circuit direction for runway 10/28 means that pilots would be turning away from the turbine when making their final turn for the approach to either runway. Indeed, when I flew over the airfield yesterday, my student remarked that it would make the airfield much easier to find and reduce the propensity for visitors to overshoot the airfield and get dangerously close to the glider site to the northeast (Gransden Lodge).
- **Surprised Pilots.** Mr Jefferies surmises that a pilot might be surprised at the appearance of a turbine near an airfield. But it is a requirement of any aircraft commander to plan any flight, including the layout of the destination airfield and its surrounds. It would be an irresponsible pilot who found it surprising to see a structure like a wind turbine. There is a very high mast (972ft above ground) only 7.7km southwest of Little Gransden airfield; this sort of obstruction is far more important for pilots to know about since it is very thin and quite difficult to see in some conditions of light or visibility. The turbine would be white and very easy to spot from a suitable distance provided the pilot were flying in legally acceptable weather conditions.
- **Turbulence.** CAP 764 (para 9) states that “if the air in the vicinity of the turbine is already turbulent . . . It will result in the turbulent air returning to free flow more quickly.” The air around Little Gransden is influenced by the geography of the area; the gently rolling ground tends to cause turbulence if there is wind, so mitigating the effect of any turbulence from the turbine. By this it can be seen that the turbulence from a turbine sited nearly 3km from any landing aircraft will be no greater than normal.
- **Fog.** A turbine would not cause fog unless it were imminent anyway. A wind turbine is not capable of creating a micro-climate that is unlike the ambient conditions. The photograph used by Mr Jefferies is of a flat seascape in stable conditions. Such conditions do not occur around Gamlingay or Little Gransden.
- **Radio Interference.** I have flown around East Anglia instructing in the RAF's Grob Tutor since leaving Tornados in 2001. During that time there has been a proliferation of wind turbines of up to 400ft in height above ground. At no time have I experienced any interference with VHF radio transmissions. Indeed, East Midlands airport has 2 wind turbines sited on the airfield; it is unlikely that it would be there if it were causing any communications problems.

I should be pleased to visit you again if you wished to me to explain any of my points face-to-face.

Yours Sincerely



LOAD FACTOR CALCULATIONS FOR GAMLINGAY COMMUNITY TURBINE – USE OF A TABLE TOP STUDY

Application S/2564/11

2012-03-15

Summary

The methodology used to estimate the predicted energy yields and hence the CO₂ offset by the GCT has been questioned on the basis that a table top study was not valid because of sloping terrain and inadequate consideration of the effect of Potton Wood.

A table top study using the industry NOABL and Met Office NCIC databases is justified because of the shallow terrain with no significant obstacles.

We can show that Potton Wood will have no significant effect by calculating its effect with an industry standard model. In addition wind only blows from that direction for 20% of the time and the undisturbed directions include those of the highest wind speed.

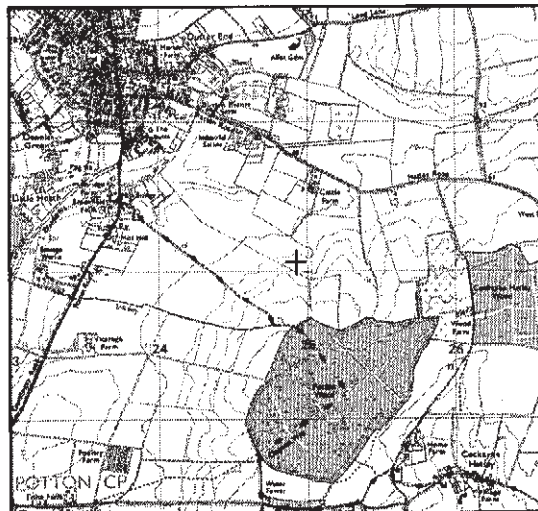
(Note that since the initial analysis made more than 18 months ago I have re-visited the NCIC database and in fact its prediction of a 45m wind speed is 6.1m/s not 5.8m/s. This is now in good agreement with the NOABL model of 6.2m/s again increasing confidence.)

Use of databases in lieu of direct wind measurements

We can justify the use of databases on the following grounds: -

The surrounding terrain is flat and there is little variation in predicted wind speeds between adjacent grid squares. The databases used allow for larger scale topography but not variations within each grid square. There is level terrain within the grid square containing the GCT site. Mr Collins in his letter dated 15th February showed terrain cross-sections corresponding to slopes of about 1 in 30 upwards to the south and about 1 in 120 upwards to the east. The slopes to the north and west are about 1 in 30 downwards and 1 in 80 downwards respectively. Of course this area is not completely level, few places are. The location map, fig. 1, shows this well. However it is to all intents and purposes sufficiently level for there to be no major effect on wind flow from topography within the 1km grid square alone. Note that research on effects of shallow terrain on wind have focussed on occasions of very light, so called 'drainage', winds when a wind turbine would be unlikely to operate anyway.

Fig.1 Contour map of the GCT location. Grid squares are 1 km on a side

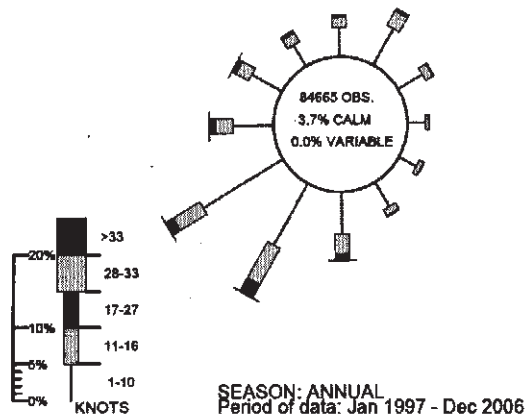


The effects of Potton Wood

Our assumptions for the model we ran (the Danish Wind Industry Association model) were pessimistic regarding the distance of the wood. We assumed a constant distance of 350m from the wood boundary. This is the closest point. From a direction of SSE it is at about 500m and at ESE it is at about 900m. This is shown by fig. 1 above.

I used a height of 10m following visits to the edge of the wood and judging as best I could the height. It is also possible to confirm this by looking at the vertical angle subtended from a distance. I accept that the trees may be higher within the wood although these will be further away. Increasing the model height to 15m say, but keeping the 350m distance, would increase the theoretical wind speed reduction from 3% to 6%. This is a drop in load factor of about 0.4. However the wind only blows from the direction of the wood for about 20% of the time and this has to be taken into account. The rest of the time it blows from other directions in particular from the prevailing wind direction to the SW. The Bedford wind rose shown below illustrates this well. Potton Wood extends roughly ESE through to S from the GCT site. Therefore the effective reduction in overall load factor would be equivalent to less than 0.1. It is important to remember that we have not sought to calculate the effect of Potton Wood to any precision but only to demonstrate that it is not significant to our estimate of electricity generation.

Fig. 2 WIND ROSE FOR BEDFORD
 N.G.R: 5049E 2598N ALTITUDE: 85 metres a.m.s.l.



Mike Brettle FRMetS CMet

ENFORCEMENT ACTION

PROGRESS REPORT – 4 April 2012

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>18/98 B/1/45/20 Mobile Home Site Setchell Drove COTTENHAM</p>	<p>A. Stationing of caravans without planning permission.</p> <p>B. Unauthorised building works.</p> <p>C. Unauthorised Engineering works</p>	<p>Planning Committee 1st July 1998 – Item 26.</p> <p>Members gave delegated authority to take Enforcement Action in respect of those breaches of planning control, which could not be regularised by the submission of a planning application or resolved by negotiation.</p>	<p>2.7.2003 On 9th April the owners of Plots 7, 7A and 10 appeared before Cambridge Magistrates Court. They were each fined £200 with £45 costs. An appeal was made against the refusal of planning permission for the retention of a day room on Plot 10 S/0024/03 refers but the appeal has now been withdrawn. The owners of Plots 7, 7A and 10 have moved off the site and Plots 7 and 10 are now occupied. Planning Contravention Notices have been issued to establish details of ownership before commencing further proceedings.</p> <p>1.10.2003 The owners of Plots 7 and 10 have been reported for being in breach of Enforcement Notices. Prosecution file being submitted to Legal Office. Owner of Plot 7A not identified. Enquiries continue.</p> <p>7.1.2004 Prosecution file submitted to Legal Office for Plots 7 and 10. Enquiries continue concerning Plot 7A.</p> <p>7.4.2004 Prosecution files submitted for oversize buildings on Plots 7 & 10</p> <p>7.7.2004 Cases listed at Cambridge Magistrates Court for 30th June 2004.</p> <p>6.10.2004 Cases listed for plots 7 and 10 at Cambridge Magistrates Court on 29th September 2004. Resolved to take Direct Action for breach of extant Enforcement Notices to the rear of plots 2 to 8 Setchel Drove.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>5.1.2005 Prosecution for plot 7 discontinued due to change of ownership. Prosecution for plot 10 adjourned to 6th January 2005. Legal representations being considered concerning direct action.</p> <p>6.7.2005 Prosecution adjourned to 5th August 2005 at Cambridge Magistrates Court. Planning application S/0066/05/F not determined.</p> <p>5.10 2005 Case adjourned to 20th October 2005.</p> <p>4.1.2006 Defendant of Plot 10 appeared before Cambridge Magistrates Court on 20th October. Pleaded guilty, given Conditional Discharge for 3 years. Awarded costs of £640.</p> <p>4.10.2006 Variation of condition 2 of planning application S/0416/06/F refused. Awaiting appeal. Plots 7 and 7A not currently occupied.</p> <p>10.1.2007 Further investigations required in respect of Four Winds and plots 7, 7A and 10.</p> <p>4.4.2007 Plot 7, 7A and Four Winds unoccupied. Plot 10 Appeal pending.</p> <p>4.7.2007 No Change.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>3.10.2007 Plots 7, 7A and Four Winds being monitored. Plot 10 allowed on appeal on 20th August 2007. Remove plot 10 from active list.</p> <p>9.1.2008 No change</p> <p>2.4.2008 No change</p> <p>2.7.2008 No change</p> <p>1.10.2008 No change</p> <p>14.01.2009 No Change</p> <p>1.04.2009 No change</p> <p>1.07.2009 No Change</p> <p>7.10.2009 No Change.</p> <p>13.1.2010 No change</p> <p>7.4.2010 No Change</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>7.7.2010 No change</p> <p>6.10.2010 No change</p> <p>12.01.2011 No change</p> <p>6.04.2011 No Change</p> <p>6.07.2011 No change</p> <p>5.10.2011 No Change</p> <p>11.01.2012 No Change</p> <p>4.04.2012 No Change</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>19/03 B/1/45/51 & S/2230/03/F Land adjacent to Moor Drove Cottenham Road HISTON</p>	<p>Without planning permission carrying out operational development by the laying of hardcore roadways and septic tanks on the site.</p>	<p>Delegated authority to take Stop and Enforcement action. Stop Notice E502 issued 11th December 2003 to take effect on 15th December 2003. Enforcement Notice E502 issued 11th December 2003 to take effect on 12th January 2004. Compliance period 3 months. Injunction issued 19th December 2003.</p>	<p>7.1.2004 Stop and Enforcement Notices issued.</p> <p>7.4.2004 Enforcement Notices and refusal of planning permission appealed. Public Inquiry arranged for 10th August.</p> <p>7.7.2004 No change.</p> <p>6.10.2004 Appeal Inquiry adjourned on 10th August to 14th December 2004.</p> <p>5.1.2005 No change.</p> <p>6.4.2005 Appeal hearing adjourned until 14th April 2005.</p> <p>6.7.2005 Awaiting appeal decision</p> <p>5.10.2005 Appeal dismissed 2nd August 2005. An appeal is being made to the High Court.</p> <p>4.1.2006 No change.</p> <p>5.4.2006 Appeal dismissed. Currently considering options for dealing with the breach of the Enforcement Notice.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>5.7.2006 Planning application S/0647/06/F – withdrawn.</p> <p>4.10.2006 No change.</p> <p>10.1.2007 Proceeding with injunctive action.</p> <p>4.4.2007 No change.</p> <p>4.7.2007 No Change</p> <p>3.10.2007 Case listed for a hearing in the High Court in October 2007.</p> <p>2.4.2008 Hearing at High Court concluded on 22nd February 2008. Awaiting Decision.</p> <p>9.1.2008 Case adjourned now listed for hearing in February.</p> <p>2.7.2008 Application for injunction in the High Court refused by The Hon. Mr Justice Plender on the basis that granting of an injunction would be disproportionate whilst there remains a ‘real prospect’ of the planning position being regularised by the appeal process that is currently in hand. Planning Appeal listed for 8 July 2008.</p> <p>1.10.2008 Appeal allowed – Planning conditions to be monitored.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>14.01.2009 All schemes required as part of the planning conditions have been submitted within timescale.</p> <p>1.04.2009 No change</p> <p>1.07.2009 The planning officer has requested further information in order that the schemes relating to conditions can be discharged.</p> <p>7.10.2009 No change</p> <p>13.1.2010 No change</p> <p>7.4.2010 No Change</p> <p>7.7.2010 No change</p> <p>6.10.2010 No change</p> <p>12.01.2011 No change</p> <p>6.04.2011 No change</p> <p>6.07.2011 No Change</p> <p>5.10.2011</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>No Change</p> <p>11.01.2012 No Change</p> <p>4.04.2012 No Change</p>
<p>9/04 B/1/45/88 Land adj Cow Fen Drove SWAVESEY</p>	<p>1. Stationing of caravans for residential use without planning permission.</p> <p>2. Unauthorised erection of a temporary stable.</p> <p>3. Material change of use of land for breeding dogs.</p>	<p>Delegated Authority. Stop Notice and Enforcement Notice E485B issued 17th August 2004. Stop Notice for residential use of caravans took effect on 7th September 2004. Enforcement Notice E485A issued 17th August 2004.</p> <p>The following took effect on 17th September 2004:</p> <ol style="list-style-type: none"> 1 To cease to bring any further caravans onto the land. 2 Not to replace any caravan removed from the land. 3 To cease to bring any further vehicles not associated with agriculture or items ancillary thereto onto the land. 4 Not to replace vehicles not associated with agriculture to be removed from the land. 5 Cease the use of the land for 	<p>6.10.2004 Verbal update to be given.</p> <p>5.1.2005 Enforcement Notice appealed.</p> <p>6.4.2005 Awaiting outcome of appeal.</p> <p>6.7.2005 No change.</p> <p>5.10.2005 Appeal dismissed. Compliance date for 1, 2, 3 and 4 – 22nd July 2005. 5, 6, 7 and 8 – 22nd October 2005.</p> <p>4.1.2006 Prosecution file submitted to Legal Office for breach of enforcement notice.</p> <p>5.4.2006 Defendants appeared before Cambridge Magistrates Court on 9th March and were given a conditional discharge for 2 years and costs awarded of £400. Further prosecution being considered.</p> <p>5.7.2006 Further proceedings commenced. Case adjourned on 8th June</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
		<p>the stationing of residential caravans.</p> <p>6 Remove all unauthorized caravans from the land and any associated work.</p> <p>The following took place on 17th December 2004:</p> <p>7 Cease to use the land for the stationing of vehicles not associated with agriculture and any commercial activity concerning the breeding of dogs.</p> <p>8. Remove from the land any vehicles not connected with agriculture.</p>	<p>to 6th July. Warrant issued for the arrest of the defendant (backed for bail).</p> <p>4.10.2006 Defendants pleaded guilty at Cambridge Magistrates Court on August and each was fined £1000 with costs of £951.62. A letter has been sent to the defendants legal representative giving them 28 days to resolve the matter</p> <p>10.1.2007 Further prosecution file submitted to Legal Office.</p> <p>4.4.2007 Case listed at Cambridge Magistrates Court for 26th April 2007.</p> <p>4.7.2007 Case adjourned on 26th April 2007 to 2pm on 5th July.</p> <p>3.10.2007 Unauthorised stables removed. Case adjourned on 16th August 2007 to 11th October 2007.</p> <p>9.1.2008 Case adjourned to 2pm on 10th January 2008.</p> <p>2.4.2008 Defendants appeared before Cambridge Magistrates Court on 10th January 2008. Fined a total of £1400 with £400 costs. Injunctive action currently being considered by Legal.</p> <p>2.7.2008 No change.</p> <p>1.10.2008 Refusal of planning permission S/1823/07/F and S/1834/07/F</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>appealed.</p> <p>14.01.2009 Hearing date listed for 6th January 2009</p> <p>1.04.2009 Planning appeal for S/1834/07/F (Appeal A) allowed subject to conditions. Planning appeal for S/1823/07/F (Appeal B) dismissed for the provision of a static /mobile home. Failure by the appellants to confirm details within a prescribed time frame for cessation of the residential occupation and removal of the caravan and any other vehicles used in connection with residential occupancy. A file has been submitted to the Legal Officer to issue an Injunction in the High Court pursuant to section 187B of the Town & Country Planning Act 1990.</p> <p>1.07.2009 Defendants currently in discussions/ negotiations with housing and legal departments to comply with cessation of residential use at the premises.</p> <p>7.10.2009 Negotiations have failed to provide an acceptable solution. Legal Officer to pursue Injunctive action.</p> <p>13.1.2010 Injunction Order granted 4th November 2009 by His Honour Justice Seymour, requiring the Owners to cease residential occupancy by the 2nd December 2009. Site inspection carried out on the 3rd December 2009 revealed that the Order had not been complied with. Legal Officer informed.</p> <p>7.4.2010 Formal warning letter issued to the defendants to vacate the</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>premises. Further inspections confirmed that although the touring caravan had been removed from the site the defendants were still residing at the premises contrary to the Injunction Order. Committal Order instigated.</p> <p>7.7.2010 Defendants found guilty of contempt and were ordered to be committed to prison for a period of three months, suspended provided that the residential use of the land ceased and residential paraphernalia removed by the 4th June 2010. In addition the defendants were ordered to pay costs totalling £9556</p> <p>Further inspection carried out confirmed compliance with the Order. Monitoring to continue</p> <p>6.10.2010 No change – Monitoring continues</p> <p>12.01.2011 No change – Monitoring continues</p> <p>6.04.2011 No change – Monitoring continues</p> <p>06.07.2011 Monitoring visits have confirmed that the one of the defendants is still residing on site and is therefore in breach of the Injunction Order High Court date 22nd June 2011</p> <p>5.10.2011 Defendant Steven Cuff found guilty of contempt by the Court and was sentenced to 90 days imprisonment. Monitoring continues</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>11.01.2012 Monitoring continues</p> <p>4.04.2012 No Change</p>
<p>13/05 B1/45/20 Plots 5,5a, 6, 10 & 11 Orchard Drive COTTENHAM</p>	<p>Stationing of Caravans without permission</p>	<p>Delegated authority given to take enforcement action. Enforcement Notices E506A to E506E inc. issued on 22nd June 2005 to take effect on 31st July 2005. Compliance period 3 months.</p>	<p>5.10.2005 Appeal dismissed. Compliance date 30th September 2005. Enforcement Notices E506A to E506E inc. appealed.</p> <p>4.1.2006 No change.</p> <p>5.4.2006 No change.</p> <p>5.7.2006 Plot 5 Appealed dismissed 4th May 2006. Compliance date 4th August 2006. Plots 5A, 6 and 10 appeals dismissed 8th June 2006. Compliance date 8th September. Plot 11 Appeal withdrawn. Compliance date 8th September 2006.</p> <p>4.10.2006 Planning applications S/1631/06/F submitted. Await outcome.</p> <p>10.1.2007 No change.</p> <p>4.4.2007 Planning application S/1631/06/F to be determined.</p> <p>4.7.2007</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>Planning application S/1631/06/F refused on 19th April 2007. Preparing application for an injunction.</p> <p>3.10.2007 Refusal of planning application S/1631/06/F appealed.</p> <p>9.1.2008 Planning inquiry listed for 15th January 2008.</p> <p>2.4.2008 Planning inquiry listed for 11th March 2008. Adjourned for appeal to be dealt with by written representations.</p> <p>2.7.2008 Appeal dismissed 2nd June 2008. Report to be considered by Planning Sub Committee.</p> <p>1.10.2008 No change.</p> <p>14.01.2009 No change.</p> <p>1.04.2009 No change.</p> <p>1.07.2009 No change.</p> <p>7.10.2009 No change</p> <p>13.1.2010 No change</p> <p>7.4.2010</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>Further report to be considered by Planning Sub Committee</p> <p>7.7.2010 No change</p> <p>6.10.2010 No change – Needs Audits to be carried out</p> <p>12.01.2011 The Planning Enforcement Sub-Committee considered a report relating to Plots 12 Victoria View, 15 Water Lane, and 5, 5A, 6, 10 and 11 Orchard Drive, all at Smithy Fen, Cottenham, as remain either in active residential occupation or developed for residential occupation in breach of planning control, following the Sub-Committee’s resolution on 21 July 2010 to enforce against continuing breaches.</p> <p>The report highlighted the specific and relevant circumstances to be considered in each case, and sought approval for the commencement of immediate High Court proceedings against those in occupation and / or control of the six plots pursuant to Section 187B of the Town and Country Planning Act 1990 for an Injunction requiring the cessation of any continuing unauthorised residential occupation and the removal of all associated caravans, mobile homes, residential paraphernalia, surfacing and / or hard-standings, and any other built or engineered development facilitating or intended to facilitate residential occupation.</p> <p>The Planning Enforcement Sub-Committee resolved that</p> <ol style="list-style-type: none"> 1. An application, be suspended for four months to facilitate the consideration of compulsory purchase powers and/or rescission of consents under Sections 97 or 102 of the Town and Country Planning Act 1990, be made to the High Court for injunctive relief under Section 187B of the

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>Town and Country Planning Act 1990 to remedy and restrain then continuing breaches of development control, against those adults identified in this report and appendices as being either an owner and/or an occupier of the plots at 15 Water Lane, and at 5, 5A, 6, 10 and 11 Orchard Drive, and against persons unknown in respect of those plots.</p> <p>2. A further report be submitted to the Sub-Committee upon determination of the Section 78 Appeal presently running in respect of plot 12 Victoria View, with recommendations dependant upon the outcome of that Appeal.</p> <p>6.04.2011 Planning Enforcement Sub-Committee resolved that SCDC make an application to the High Court for Injunctive relief under section 187B of the Town & Country Planning Act 1990 to remedy and restrain continuing breaches of development control, against those adults identified as being either an owner and /or an occupier of plots 5,5A, 6, 10, 11 Orchard Drive and 15 Water Lane, and against persons unknown in respect of those plots, upon the completion of updated needs audits, and provided these do not indicate any change in personal circumstances requiring further consideration by the sub-committee.</p> <p>6.07.2011 No Change</p> <p>5.10.2011 Travellers Liaison Officer unable to obtain details relating to personal circumstances requiring consideration by the Sub Committee. Formal proceedings to continue</p> <p>11.01.2012 Further Needs Assessments carried out - Formal proceedings</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>continue.</p> <p>4.04.2012 Further planning application submitted – Reference S/0041/12/FL</p>
<p>4/06 B/1/45/20 S/2227/04/F Land off Water Lane (Plot 15) Smithy Fen Cottenham</p>	<p>Material change of use of land to a residential caravan site and provision of hardstandings</p>	<p>Development and Conservation Control Committee on 4th January 2006 item 14 Injunctive and Members authorised Enforcement Action for the removal of mobile homes, caravans, dayroom and hardstandings. Compliance period 12 months.</p>	<p>5.4.2006 File submitted to the Legal Office for the issue of an enforcement notice.</p> <p>5.7.2006 Enforcement Notice E536 issued 11th April 2006 – Enforcement Notice appealed.</p> <p>4.10.2006 No change.</p> <p>10.1.2007 Appeal due to be heard on 3rd January 2007.</p> <p>4.4.2007 Appeal dismissed on 29th January 2007. Compliance date 28th January 2008.</p> <p>4.7.2007 No Change.</p> <p>3.10.2007 No Change.</p> <p>9.1.2008 No change.</p> <p>2.4.2008</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>Enforcement Notice not complied with. Legal options currently being considered.</p> <p>2.7.2008 Application being made for an injunction.</p> <p>1.10.2008 File submitted for an application for an injunction.</p> <p>14.01.2009 No change.</p> <p>1.04.2009 No change.</p> <p>1.07.2009 No Change.</p> <p>7.10.2009 No change</p> <p>13.1.2010 No change</p> <p>7.4.2010 Report to be considered by Planning Sub Committee</p> <p>7.7.2010 No change</p> <p>6.10.2010 No change – Needs audits undertaken</p> <p>12.01.2011 The Planning Enforcement Sub-Committee considered a report</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>relating to Plots 12 Victoria View, 15 Water Lane, and 5, 5A, 6, 10 and 11 Orchard Drive, all at Smithy Fen, Cottenham, as remain either in active residential occupation or developed for residential occupation in breach of planning control, following the Sub-Committee's resolution on 21 July 2010 to enforce against continuing breaches.</p> <p>The report highlighted the specific and relevant circumstances to be considered in each case, and sought approval for the commencement of immediate High Court proceedings against those in occupation and / or control of the six plots pursuant to Section 187B of the Town and Country Planning Act 1990 for an Injunction requiring the cessation of any continuing unauthorised residential occupation and the removal of all associated caravans, mobile homes, residential paraphernalia, surfacing and / or hard-standings, and any other built or engineered development facilitating or intended to facilitate residential occupation.</p> <p>The Planning Enforcement Sub-Committee resolved that</p> <ol style="list-style-type: none"> 1. An application, be suspended for four months to facilitate the consideration of compulsory purchase powers and/or rescission of consents under Sections 97 or 102 of the Town and Country Planning Act 1990, be made to the High Court for injunctive relief under Section 187B of the Town and Country Planning Act 1990 to remedy and restrain then continuing breaches of development control, against those adults identified in this report and appendices as being either an owner and/or an occupier of the plots at 15 Water Lane, and at 5, 5A, 6, 10 and 11 Orchard Drive, and against persons unknown in respect of those plots. 2. A further report be submitted to the Sub-Committee upon determination of the Section 78 Appeal presently running in respect of plot 12 Victoria View, with recommendations dependant upon the outcome of that Appeal.

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>8/06 B/1/45/70 S/2006/06/F 1 London Way Clunchpits MELBOURN</p>	<p>Materials change of use of land for use as a builder's yard.</p>	<p>Development and Conservation Committee on 7th December 2005 item 16. Members authorised Enforcement Action for the unauthorised use to cease and for the removal of unauthorised structures hardstandings and</p>	<p>6.04.2011 Planning Enforcement Sub-Committee resolved that SCDC make an application to the High Court for Injunctive relief under section 187B of the Town & Country Planning Act 1990 to remedy and restrain continuing breaches of development control, against those adults identified as being either an owner and /or an occupier of plots 5,5A, 6, 10, 11 Orchard Drive and 15 Water Lane, and against persons unknown in respect of those plots, upon the completion of updated needs audits, and provided these do not indicate any change in personal circumstances requiring further consideration by the sub-committee.</p> <p>6.07.2011 No change</p> <p>5.10.2011 Travellers Liaison Officer unable to obtain details relating to personal circumstances requiring consideration by the Sub Committee. Formal proceedings to continue</p> <p>11.01.2012 Further Needs Assessments carried out - Formal proceedings continue.</p> <p>4.04.2012 Further planning application submitted – Reference S/0041/12/FL</p> <p>5.4.2006 File submitted to the Legal Office for the issue of an Enforcement Notice.</p> <p>5.7.2006 Enforcement Notice E527 issued 7th April 2006. Enforcement</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
		storage containers.	<p>Notice appealed.</p> <p>4.10.2006 No change.</p> <p>10.1.2007 Appeal being heard on 9th January 2007.</p> <p>4.4.2007 Appeal allowed in part and dismissed in part. Compliance date 22nd August 2007.</p> <p>4.7.2007 No Change</p> <p>3.10.2007 Site visit being made to verify compliance.</p> <p>9.1.2008 No change.</p> <p>2.4.2008 Notice complied with in part. Negotiations continue.</p> <p>2.7.2008 No change.</p> <p>1.10.2008 No change.</p> <p>14.01.2009 Landscaping scheme now approved. Highways & Environmental Health issues reviewed on site. Findings to be published shortly.</p> <p>1.04.2009</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>No change, findings still to be published.</p> <p>1.07.2009 No change, findings still to be published.</p> <p>7.10.2009 No change</p> <p>13.1.2010 No change</p> <p>7.4.2010 No Change – Matter to be referred back to Planning Officer</p> <p>7.7.2010 No change</p> <p>6.10.2010 Institute Occupational Management to undertake a further risk assessment on the right of way / asbestos issue</p> <p>12.01.2011 No change</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p> <p>5.10.2011 No change – Multi Agency meeting to be arranged to agree way forward.</p> <p>11.01.2012</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>Meeting held, further information required.</p> <p>4.04.2012 No Change</p>
<p>7/07 B/1/45/8 The Drift Cambridge Road BARTON</p>	<p>Material change of use of land for manufacturing storage and commercial distribution of paving slabs and the erection of two buildings.</p>	<p>Enforcement Notice 2115 issued 14th May 2007. Took effect on 15th June 2007. Compliance period 6 months.</p>	<p>4.7.2007 Enforcement Notice appealed.</p> <p>9.1.2008 No change.</p> <p>2.4.2008 No change.</p> <p>2.7.2008 Appeal dismissed 1st April 2008 Compliance date 1st October 2008</p> <p>1.10.2008 No change.</p> <p>14.01.2009 Partial compliance. Discussions continue</p> <p>1.04.2009 No change.</p> <p>1.07.2009 No change.</p> <p>7.10.2009 No change</p> <p>13.1.2010 No change</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>7.4.2010 No Change</p> <p>7.7.2010 No change</p> <p>6.10.2010 No change – Discussions continue</p> <p>12.01.2011 No change</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p> <p>5.10.2011 No change</p> <p>11.01.2012 Matter referred to delegation to consider next steps</p> <p>4.04.2012 No Change</p>
<p>16/07 38 Silver Street WILLINGHAM</p>	<p>Unauthorised work on Listed building.</p>	<p>Delegated Authority. Enforcement Notice 2680 issued 28th September 2007. Compliance period 6 months.</p>	<p>2.4.2008 At Cambridge Magistrates Court on 10th January 2008 the owner was fined £10,000 for unauthorised works. A Listed building planning application S/0192/08/LB has been submitted which complies with part of the Enforcement Notice. The site is now being monitored.</p> <p>2.7.2008</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>No change.</p> <p>1.10.2008 Planning application approved Compliance date to be monitored.</p> <p>14.01.2009 No Change.</p> <p>1.04.2009 Monitoring still taking place by Conservation Team.</p> <p>1.07.2009 No change.</p> <p>7.10.2009 No change</p> <p>13.1.2010 Owner interviewed regarding failure to instigate remedial works. Timetable agreed.</p> <p>7.4.2010 Works commenced</p> <p>7.7.2010 No change</p> <p>6.10.2010 No change</p> <p>12.01.2011 Works continue</p> <p>6.04.2011</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>Majority of work now complete although minor finishes to be completed. House still unoccupied</p> <p>6.07.2011 No change</p> <p>5.10.2011 No change</p> <p>11.01.2012 Waiting for further instruction from Conservation team</p> <p>4.04.2012 Prosecution file submitted to legal</p>
<p>5/08 B/1/45/72 Plots 27 & 28 Newfield's Fen Road, Chesterton, MILTON</p>	<p>Unauthorised dwelling, garage and utility building.</p>	<p>Delegated authority to take enforcement action.</p>	<p>2.7.2008 Enforcement Notice 2813 issued 9th April 2008 Compliance period 4 months.</p> <p>Enforcement Notice appealed.</p> <p>1.10.2008 No change</p> <p>14.01.2009 Hearing date to be confirmed. Fresh application submitted.</p> <p>1.04.2009 No Change.</p> <p>1.07.2009</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>Appeal dismissed 6th May 2009 – Four months compliance period.</p> <p>7.10.2009 Further planning application received and registered.</p> <p>13.1.2010 Application S/1170/09 approved 24th November 2009, Conditions to be monitored.</p> <p>7.4.2010 Further planning application submitted – Ref: S/0246/10/F</p> <p>7.7.2010 Pending decision</p> <p>6.10.2010 No change</p> <p>12.01.2011 No change</p> <p>6.04.2011 Planning permission refused</p> <p>6.07.2011 No change</p> <p>5.10.2011 File submitted to Legal</p> <p>11.01.2012 Further information requested, file resubmitted.</p> <p>4.04.12 No change</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>6/08 B/1/45/72 Plot 6 Sunningdale Fen Road Chesterton, MILTON</p>	<p>Unauthorised dayroom building.</p>	<p>Delegated authority to take enforcement action.</p>	<p>2.7.2008 Enforcement Notice 2952 issued 16th May 2008. Compliance period 6 months.</p> <p>1.10.2008 Notice appealed.</p> <p>14.01.2009 Inquiry date 10th February 2009.</p> <p>1.04.2009 Appeal allowed on ground (a) and conditional planning permission granted. Conditions to be monitored.</p> <p>1.07.2009 Compliance period six months i.e. by 18th August 2009.</p> <p>7.10.2009 Planning application received and registered.</p> <p>13.1.2010 Application S/1154/09 approved 5th October 2009 – Conditions to be monitored.</p> <p>7.4.2010 No Change</p> <p>7.7.2010 No change</p> <p>6.10.2010 Original building not removed as per condition – File to be</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>submitted to Legal.</p> <p>12.01.2011 No change</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p> <p>5.10.2011 Negotiations with owner continue</p> <p>11.01.2012 Further information received from the owner, awaiting further instruction from planning officer.</p> <p>4.04.2012 No change</p>
<p>12/08 Plot 4 Moor Drove HISTON</p>	<p>Unauthorised erection of a brick-built single storey Building appearing to be for domestic purposes.</p>	<p>Temporary Stop Notice Issued followed by Planning Enforcement Notice.</p>	<p>14.01.2009 Temporary Stop Notice ignored, prosecution file submitted to legal. Planning Enforcement Notice issued.</p> <p>1.04.2009 Retrospective planning application submitted.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>1.07.2009 Approved at Committee 10th June 2009. Conditions to be monitored</p> <p>7.10.2009 No change</p> <p>13.1.2010 No change</p> <p>7.4.2010 No change</p> <p>7.7.2010 No change</p> <p>6.10.2010 No change</p> <p>12.01.2011 No change</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p> <p>5.10.2011 Monitoring continues</p> <p>11.01.2012 No Change</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>4.04.2012 No change</p>
<p>13/08 49 High Street MELBOURN</p>	<p>Unauthorised erection of a lean-to structure and single storey extension to two flat roofed outbuildings.</p>	<p>Delegated authority to take enforcement action.</p>	<p>14.01.2009 Enforcement Notice issued Prosecution file submitted for failing to comply with the Enforcement Notice, hearing date to be advised.</p> <p>1.04.2009 No change.</p> <p>1.07.2009 Defendants found guilty at Cambridge Magistrates Court. Enforcement Notice still not complied with. Further prosecution file submitted Hearing date set for 9th July 2009.</p> <p>7.10.2009 Male Defendant ejected from court, due to his behaviour, case adjourned until 23rd July 2009. Both Defendants found guilty at Cambridge Magistrates Court, and fined £1000 each with costs totalling £520.</p> <p>13.1.2010 Enforcement Notice not complied with, Prosecution file submitted, Hearing date set for 17th December 2009</p> <p>7.4.2010 Both defendants found guilty at Cambridge Magistrates Court and fined £2195 each including costs of £180 each and £15 each victim surcharge.</p> <p>7.7.2010 Enforcement Notice still not complied with – File submitted to Legal to instigate formal action.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>6.10.2010 No change</p> <p>12.01.2011 Retrospective planning application submitted.</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p> <p>5.10.2011 Application refused. Appeal to be submitted</p> <p>11.01.2012 Negotiations continue to ensure compliance with the outstanding enforcement notice.</p> <p>4.04.2012 No change</p>
<p>01/09 82 High Street GREAT ABINGTON</p>	<p>Unauthorised work on a Listed building</p>	<p>Delegated authority to take enforcement action</p>	<p>1.04.2009 Enforcement Notice No 3342 issued 6th January 2009 Compliance period 3 months.</p> <p>1.07.2009 Enforcement Notice Appeal submitted out of time – revised scheme submitted S/0018/09/LB. Refused 27th May 2009. Discussions continue. Planning Appeal submitted</p> <p>7.10.2009 No change</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>13.1.2010 No change</p> <p>7.4.2010 No change</p> <p>7.7.2010 Listed Building Enforcement Notice complied with in part – Negotiations continue.</p> <p>Planning Appeal dismissed 26th May 2010</p> <p>6.10.2010 No change</p> <p>12.01.2011 Negotiations continue – Owners currently living abroad</p> <p>6.04.2011 No change</p> <p>6.07.2011 Remedial works commenced, completion due November 2011</p> <p>5.10.2011 No Change</p> <p>11.01.2012 Majority of works now complete, Further inspection to be carried out by Conservation team.</p> <p>4.04.2012 Further inspection carried out by Conservation team – Works to window still outstanding - Negotiations continue</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>07/09 Great Eastern Drying Centre 163 High Street SAWSTON</p>	<p>Dismantling and removal works on a grade11* Listed building without authorisation.</p>	<p>Delegated authority to take enforcement action</p>	<p>1.07.2009 Listed Building Enforcement Notice, reference no 3520 issued 17th April 2009. Notice appealed.</p> <p>7.10.2009 No change</p> <p>13.1.2010 Hearing date 5th January 2010.</p> <p>7.4.2010 Appeal withdrawn</p> <p>7.7.2010 Formal discussions with Conservation Team as to next steps</p> <p>6.10.2010 No change</p> <p>12.01.2011 No change</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p> <p>5.10.2011 No change</p> <p>11.01.2012 No change</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>4.04.12 No change</p>
<p>01/10 Land at Moor Drove Histon</p>	<p>Use of land for stationing or parking of commercial vehicles</p>	<p>Delegated authority to take enforcement action Enforcement Notice .3851 issued effective 15th February 2010</p>	<p>7.4.2010 Enforcement Notice issued – Compliance period to cease the unauthorised use two months i.e. by 15th April 2010 – Appeal submitted.</p> <p>7.7.2010 No change</p> <p>6.10.2010 No change</p> <p>12.01.2011 6th December 2010 appeal dismissed, compliance period 6th February 2011</p> <p>6.04.2011 Further report received that the HGV vehicle previously identified, is continuing to breach the planning enforcement notice. Breach confirmed and formal copy of the appeal decision notice and warning issued to the vehicle operator. Monitoring continues.</p> <p>6.07.2011 No change</p> <p>5.10.2011 No change</p> <p>11.01.2012 Enforcement Notice now complied with – Monitoring to continue.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>4.04.2012 No change</p>
<p>02/10 Hill Trees Babraham Road Stapleford</p>	<p>Without planning permission the change of use of residential accommodation to a mixed use of residential and motor vehicle sale and repair</p>	<p>Delegated authority to take enforcement action Enforcement Notice .3837 issued effective 15th March 2010</p>	<p>7.4.2010 Enforcement Notice issued – Compliance period to cease the use of the land for motor vehicle sales and repairs one month i.e. by 15th April 2010</p> <p>7.7.2010 Appeal submitted</p> <p>6.10.2010 Public Enquiry date 12th October 2010</p> <p>12.01.2011 Appeal dismissed 4th November 2011 partial costs awarded. Application to appeal against the Inspectors decision has been made.</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p> <p>5.10.2011 Appeal registered – Court Hearing date confirmed as 18th October 2011</p> <p>11.01.2012 Application to appeal dismissed. Further site inspection carried out 2nd December 2011, although notice complied with further issues were highlighted relating to the storage of motor vehicles and amenity /waste deposited on the land. Legal file to be prepared.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>4.04.2012 Following Enforcement Sub-Committee approval to instigate direct action, application made to apply for a Judicial Review</p>
<p>13/10 North Road Farm Ermine Way Whaddon</p>	<p>Unauthorised construction of a conservatory on a Grade II Listed Building</p>	<p>Delegated authority to take enforcement action Listed Building Enforcement Notice .3864 issued, effective 22nd March 2010</p>	<p>7.4.2010 Listed Building Enforcement Notice issued – Compliance period one calendar month, i.e. by 22nd April 2010</p> <p>Appeal submitted 4th March 2010</p> <p>7.7.2010 Appeal dismissed – New planning application (S/0292/10/LB) refused, further appeal lodged</p> <p>6.10.2010 Enforcement Notice withdrawn – Planning and Conservation Officers currently in negotiation with Owner</p> <p>12.01.2011 No change</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p> <p>5.10.2011 No change</p> <p>11.01.2012 No change</p> <p>4.04.2012 Amended scheme submitted and approved subject to conditions</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>19/10 Park Farmhouse Station Road Stow-Cum-Quy</p>	<p>Unauthorised installation of a pair of entrance gates to the boundary wall within the curtilage of a grade 11 listed building</p>	<p>Delegated authority to take enforcement action Listed Building Enforcement Notice .3929 issued, effective 8th May 2010</p>	<p>7.4.2010 Enforcement Notice issued – Compliance period to remove the unauthorised gates, two months i.e. by 8 August 2010</p> <p>7.7.2010 Notice Appealed</p> <p>6.10.2010 Listed Building Enforcement Notice withdrawn and reissued – See case 24/10.</p>
<p>23/10 Field Gate Nurseries 32 Station Road Meldreth</p>	<p>Without planning permission, the erection of an extension to the main warehouse building within the site</p>	<p>Delegated authority to take enforcement action Enforcement Notice .4178 issued, effective 12th July 2010</p>	<p>7.7.2010 Enforcement Notice issued – Compliance period to dismantle or demolish the structure of the extension and remove all resulting materials, rubble and /or spoil from the site, one month i.e. 12th August 2010</p> <p>6.10.2010 No change</p> <p>12.01.2011 Application submitted</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p> <p>5.10.2011 No change</p> <p>11.01.2012 Planning permission granted subject to conditions. Compliance</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>to be monitored.</p> <p>4.04.2012 No change</p>
<p>24/10 Park Farm Station Road Stow-Cum-Quy</p>	<p>Without planning permission, the installation of a pair of gates</p>	<p>Delegated authority to take enforcement action Enforcement Notice .4196 issued, effective 5th August 2010</p>	<p>6.10.2010 Enforcement notice issued – Compliance period to remove unauthorised gates, one month i.e. by 6th September 2010 Appeal submitted</p> <p>12.01.2011 1st December 2010 appeal dismissed – Time period to comply extended to 12 months – Revised scheme to be submitted and agreed by SCDC.</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p> <p>5.10.2011 No change</p> <p>11.01.2012 Revised scheme agreed further application to be submitted.</p> <p>4.04/12 Amended scheme submitted and approved subject to conditions</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>28/10 Odsey Grange Baldock Road Odsey</p>	<p>Without planning permission, the erection of a garage the dimensions of which are in excess of those allowed under planning permission S/0856/09/F dated the 10th August 2009</p>	<p>Delegated authority to take enforcement action Enforcement Notice .4367 issued, effective 21st January 2011</p>	<p>12.01.2011 Enforcement Notice issued – Compliance period to remove the unauthorised garage, three calendar months i.e. by 21st April 2011</p> <p>6.04.2011 Appeal submitted</p> <p>6.07.2011 Appeal dismissed – Compliance period 3 months i.e by 9th September 2011</p> <p>05.10.2011 Re-Inspection appointment set 28th September 2011</p> <p>11.01.2012 Further application submitted S/1942/11 – Negotiations continue.</p> <p>4.04.2012 No change</p>
<p>1/11 The Blue Lion 74 Main Street Hardwick</p>	<p>Without planning permission, the erection of a raised timber 'L' - shaped decked surface within the curtilage of a Public House (Grade 11 listed building) used for seating customers</p>	<p>Delegated authority to take enforcement action Enforcement Notice .4640 issued, effective 30th August 2011</p>	<p>5.10.2011 Enforcement Notice issued – Compliance period to remove the unauthorised timber decking, one calendar months i.e. by 30th September 2011 - Appeal submitted</p> <p>11.01.2012 No change</p> <p>4.04.2012 Revised scheme S/2082/11, submitted – Refused 13th March 2012</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>4/11 Overbrook Farm Green End Landbeach</p>	<p>Without planning permission, the stationing and occupation for residential purposes of three static caravans</p>	<p>Delegated authority to take enforcement action Enforcement Notice .4484 issued, effective 19th September 2011</p>	<p>5.10.2011 Enforcement Notice Issued. Compliance period to cease residential occupation of the three static caravans and then remove the same from the affected land, followed by restoration of the affected land to its former condition as land in agricultural use – Three months i.e. by 19th December 2011.</p> <p>Appeal submitted</p> <p>11.01.2012 No Change</p> <p>4.04.2012 17th February 2012 appeal successful enforcement notice quashed. Remove from active list.</p>
<p>6/11 The Scholars Junction Rectory Farm Road & Gt Wilbraham Road. Little Wilbraham</p>	<p>Without Planning permission, the carrying out of works of operational development, comprising a) the erection of a brick wall with pier features exceeding 1 metre in height adjacent to the highway and b) the erection of a mono-pitched roofed outbuilding</p>	<p>Delegated authority to take enforcement action Enforcement Notice .4816 issued, effective 20th December 2011</p>	<p>11.01.2012 Enforcement Notice issued. Owner required to a) Complete remedial works to ensure that no part of the boundary treatment (including piers or other features) exceeds 1 metre in height. b) remove the brick outbuilding and c) remove all scrap or surplus material resulting from compliance with parts a) and b)</p> <p>Compliance period three months.</p> <p>Appeal submitted – 18th December 2011</p> <p>4.04.2012 No change</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>7/11 The Scholars Junction Rectory Farm Road & Gt Wilbraham Road. Little Wilbraham</p>	<p>Without Planning permission, the carrying out of works of operational development, comprising</p> <p>a) The installation of a stainless steel extraction flue,</p> <p>b) The installation of four air-conditioning units with associated cabling and pipe work upon or above the flat roof to the ground floor element on the north-west side of the extension to the dwelling</p> <p>c) The installation of a lantern roof-light in the flat roof to the ground floor element on the north-west side of the extension</p>	<p>Delegated authority to take enforcement action Enforcement Notice .4817 issued, effective 20th December 2011</p>	<p>11.01.2012 Enforcement Notice issued. Owner required to</p> <ul style="list-style-type: none"> a) Remove the stainless steel extraction flue together with all associated exterior brackets and supports b) Remove the air-conditioning units and all associated exterior cabling and pipe work and c) Remove the unauthorised raised lantern type roof-light structure and replace with a flat profiled roof-light to accord with the details shown in plan 2001-003 revision B, as approved under planning consent S/0797/10/F <p>Compliance period three months.</p> <p>Appeal submitted – 18th December 2011</p> <p>4.04.2012 No change</p>
<p>8/11</p> <ul style="list-style-type: none"> a) Leo Autopoint petrol Filling Station, 11 Ermine Way Arrington b) Former Telephone Exchange, Ermine Way Arrington 	<p>Without planning permission, the material change of use of the affected land for purposes connected with the commercial operations of the business comprising</p> <p>a) The repair and servicing of motor</p>	<p>Delegated authority to take enforcement action Enforcement Notice .4747 issued, effective 2nd January 2012</p>	<p>11.01.2012 Enforcement Notice issued. Steps to be taken.</p> <ul style="list-style-type: none"> a) Cease the use of Area's A and B for commercial purpose consisting of the repairing, servicing, valeting and sale of motor vehicles. b) Remove all motor vehicles from the affected land that are present in connection with the unauthorised commercial use. <p>Compliance period three months – 2nd April 2012</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
	cars and light vans. b) The valeting of motor vehicles c) The sale of motor vehicles, including motor cars and light vans		4.04.2012 No change
1/12 1A Impetts Lane Fulbourn	Without planning permission, the carrying out of works of operational development, comprising the erection of a pair of side hung metal gates with one pass door, together with rendered support piers, all exceeding 2 metres in height	Delegated authority to take enforcement action Enforcement Notice .4885 issued, effective 20 th February 2012	4.04.2012 Enforcement Notice issued. Owner required to a) complete remedial works to either remove the entirety of the gates and support piers, or to secure the reduction in height of the structures so that no part of the same exceeds 2 metres in height when measured from the ground. b) Remove from the affected land all scrap or surplus material resulting from compliance with part a) Compliance period three months – 20 th May 2012