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28 January 2014

To: Chairman – Councillor Robert Turner  
Vice-Chairman – Councillor Lynda Harford  
All Members of the Planning Committee - Councillors David Bard, Val Barrett,  
Brian Burling, Tumi Hawkins, Caroline Hunt, Sebastian Kindersley,  
David McCraith, Deborah Roberts, Ben Shelton, Hazel Smith and Nick Wright

Quorum: 4

Dear Councillor

You are invited to attend the next meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **WEDNESDAY, 5 FEBRUARY 2014 at 10.00 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully  
**JEAN HUNTER**  
Chief Executive

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## AGENDA

## PAGES

### PUBLIC SEATING AND SPEAKING

Public seating is available both in the Council Chamber (First Floor) and the Public Gallery / Balcony (Second Floor). Those not on the Committee but wishing to speak at the meeting should first read the Public Speaking Protocol (revised May 2013) attached to the electronic version of the agenda on the Council's website.

### PROCEDURAL ITEMS

- 1. Apologies**  
To receive apologies for absence from committee members.
- 2. General Declarations of Interest** **1 - 2**
- 3. Minutes of Previous Meeting**  
To authorise the Chairman to sign the Minutes of the meeting held on 8 January 2014 as a correct record.

## **PLANNING APPLICATIONS AND OTHER DECISION ITEMS**

<b>4.</b>	<b>S/0439/12/FL - Litlington (Land at Highfield Farm, West of Royston Road)</b>	<b>3 - 150</b>
<b>5.</b>	<b>S/2607/12/VC - Meldreth (Showman's Site, Biddalls Boulevard, Kneesworth Road)</b>	<b>151 - 164</b>
<b>6.</b>	<b>S/2526/13/FL - Great Shelford (10 Chaston Road)</b>	<b>165 - 170</b>
<b>7.</b>	<b>S/2330/13/FL - Papworth Everard (Bernard Sunley Centre)</b>	<b>171 - 180</b>
<b>8.</b>	<b>S/1808/13/OL - Harston (98-102 High Street)</b>	<b>181 - 194</b>
<b>9.</b>	<b>S/1980/13/OL - Hauxton (Land adjacent Desmonds Close)</b>	<b>195 - 204</b>

## **INFORMATION ITEMS**

<b>10.</b>	<b>Enforcement Report</b>	<b>205 - 208</b>
<b>11.</b>	<b>Appeals against Planning Decisions and Enforcement Action</b>	<b>209 - 210</b>

### **OUR LONG-TERM VISION**

South Cambridgeshire will continue to be the best place to live, work and study in the country. Our district will demonstrate impressive and sustainable economic growth. Our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment.

The Council will be recognised as consistently innovative and a high performer with a track record of delivering value for money by focusing on the priorities, needs and aspirations of our residents, parishes and businesses.

### **OUR VALUES**

We will demonstrate our corporate values in all our actions. These are:

- Trust
- Mutual respect
- A commitment to improving services
- Customer service

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#### **Disturbance by Public**

If a member of the public interrupts proceedings at a meeting, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared. The meeting will be suspended until order has been restored.

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## **EXCLUSION OF PRESS AND PUBLIC**

The law allows Councils to consider a limited range of issues in private session without members of the Press and public being present. Typically, such issues relate to personal details, financial and business affairs, legal privilege and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

"I propose that the Press and public be excluded from the meeting during the consideration of the following item number(s) ..... in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph(s) ..... of Part 1 of Schedule 12A of the Act."

If exempt (confidential) information has been provided as part of the agenda, the Press and public will not be able to view it. There will be an explanation on the website however as to why the information is exempt.

### **Notes**

- (1) Some development control matters in this Agenda where the periods of consultation and representation may not have quite expired are reported to Committee to save time in the decision making process. Decisions on these applications will only be made at the end of the consultation periods after taking into account all material representations made within the full consultation period. The final decisions may be delegated to the Corporate Manager (Planning and Sustainable Communities).
- (2) The Council considers every planning application on its merits and in the context of national, regional and local planning policy. As part of the Council's customer service standards, Councillors and officers aim to put customers first, deliver outstanding service and provide easy access to services and information. At all times, we will treat customers with respect and will be polite, patient and honest. The Council is also committed to treat everyone fairly and justly, and to promote equality. This applies to all residents and customers, planning applicants and those people against whom the Council is taking, or proposing to take, planning enforcement action. More details can be found on the Council's website under 'Council and Democracy'.

# Agenda Item 2

## Planning Committee

### Declarations of Interest

#### 1. Disclosable pecuniary interests (“DPI”)

A DPI is where a committee member or his/her spouse or partner has any kind of beneficial interest in the land under consideration at the meeting.

#### 2. Non-disclosable pecuniary interests

These are interests that are pecuniary involving a personal financial benefit or detriment but do not come within the definition of a DPI. An example would be where a member of their family/close friend (who is not their spouse or partner) has such an interest.

#### 3. Non-pecuniary interests

Where the interest is not one which involves any personal financial benefit or detriment to the Councillor but arises out of a close connection with someone or some body /association. An example would be membership of a sports committee/ membership of another council which is involved in the matter under consideration.

I have the following interest(s) (\* delete where inapplicable) as follows:

Agenda no.	Application Ref.	Village	Interest type	Nature of Interest
	S/		1* 2* 3*	
	S/		1* 2* 3*	
	S/		1* 2* 3*	

Address/ Location of land where applicable

Signature: .....

Name ..... Date .....

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# Agenda Item 4

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

05 February 2014

**AUTHOR/S:** Planning and New Communities Director

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<b>Application Number:</b>	S/0439/12/FL
<b>Parish(es):</b>	Litlington
<b>Proposal:</b>	Installation of five wind turbines of maximum height to tip of 100m, a single 60m lattice tower meteorological mast, on-site substation, access tracks, hardstanding areas, external transformers, temporary construction compound, and associated infrastructure
<b>Site address:</b>	Land at Highfield Farm, west of Royston Road
<b>Applicant(s):</b>	Mr Ralph Parker, Highfield Wind Energy Limited
<b>Recommendation:</b>	Refusal
<b>Key material considerations:</b>	Renewable energy generation, landscape and visual impact, cumulative impact, residential amenity, cultural heritage and archaeology, rights of way, noise, shadow flicker, aviation, ecology, ornithology, highway safety, and utilities and telecommunication.
<b>Committee Site Visit:</b>	04 February 2014
<b>Departure Application:</b>	No
<b>Presenting Officer:</b>	Paul Sexton
<b>Application brought to Committee because:</b>	Officers consider that the application is one which should be presented to Committee for decision
<b>Date by which decision due:</b>	02 July 2012

### Site and Proposal

1. The application proposes the erection of 5 wind turbines on land at Highfield Farm, to the west of Royston Road, Litlington.

2. The detailed location of the turbines is set out below:

Turbine 1 E531309 N241142  
Turbine 2 E531393 N240852  
Turbine 3 E531828 N240955  
Turbine 4...E531680 N241200  
Turbine 5...E532173 N241081

3. Each turbine will have an overall tip height of 100m, although the application states that the exact make and model of the turbine will not be selected until the pre-construction phase of the project. The assessments accompanying the application are based upon the 2.5MW Nordex N80 turbine. Based on this the application states that the proposed output from the wind farm would provide approximately 27,400Mwh of electricity, sufficient for about 4,980 homes.
4. In addition to the five turbines a 60m high lattice tower meteorological mast is to be constructed 150m north east of Turbine 2, and will be in place for the life of the wind farm. Hardstanding areas will be required around the base of each turbine for construction purposes, but will be left in place for the lifetime of the project in case of repair. A small transformer may be required at the base of each turbine.
5. A single storey substation, approximately 4.6m by 5.6m in size, is proposed 450m to the south of turbine 3, to allow for connection to the local electricity generation network, which would be via an existing 33kv line
6. Although the proposal is to use and upgrade existing farm tracks within the site where possible, there would be approximately 1.6km of new tracks, which will have a crushed stone running surface, laid over a stone sub-surface, which itself lies on top of a geotextile membrane
7. It is proposed to upgrade an existing farm entrance off the Royston Road, to the east of the site, to facilitate that delivery of components to the site. The anticipated delivery route would be from Junction 10 of the M11 at Duxford, then west via the A505 to the turn off to Litlington, east of Royston.
8. The site is located on undulating farmland approximately 1.5km to the south of the centre of the village of Litlington. The site is approximately 1.7km north of the A505. To the west is a public footpath and permissive bridleway running north to south, with another permissive bridleway along the boundary to the north. The Icknield Way. A long distance footpath runs east to west to the south of Litlington, 800m north of the site. There is a bridleway running north to south through Morden Grange farm, 800m west of the site. A map showing the position of the site in relation to existing rights of way and permissive paths is attached as Appendix 1.
9. The closest buildings to the site are at Highfield Cottages, and Highfield Farm and Grade II listed barn to the south, within the ownership of the applicant. To the west are Brick Cottages, White Cottages and Morden Grange Farmhouse, along with former agricultural buildings, which are now partly in commercial use.
10. The proposed operational lifetime of the project is 25 years, following which the wind farm would be decommissioned, unless a fresh planning permission was granted for its retention.



11. The application is accompanied by an Environmental Statement (ES), Design and Access Statement, Planning Appraisal,
12. The Environmental Statement comprises:
  - Volume 1 – Non-Technical Summary
  - Volume 2 – Written Statement
  - Volume 2 – Appendices
  - Volume 3 – Figures
  - Volume 4 - Visualisations.
13. The Chapters in the ES comprise:
  1. Introduction
  2. Development Rationale
  3. Site Selection
  4. Existing Physical Conditions
  5. Environmental Impact Assessment
  6. The Development Proposal
  7. Construction Operation and Decommissioning
  8. Traffic and Transport
  9. Landscape and Visual Impact Assessment
  10. Cultural Heritage
  11. Ornithology
  12. Ecology
  13. Noise
  14. Archaeology
  15. Utilities and Communication
  16. Aviation
  17. Socio-Economics
  18. Avoidance and Mitigation Summary
  19. Residual Impacts Summary
  20. Concluding Statement
14. Since the submission of the application the additional information has been submitted by the applicant, which can be viewed on the website, including observations in respect of the NPPF, comments on responses to consultations, additional information/clarification on noise and shadow flicker, additional visualisations, supplementary cultural heritage report, revised ecology mitigation and draft planning conditions.

### **Planning History**

15. There is no relevant planning history.

### **Planning Policies**

*National Planning Policy Framework (NPPF)*

16. Paragraph 2 confirms that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.

17. Paragraph 3 confirms that National policy statements form part of the overall framework of national planning policy, and are material considerations in decisions on planning applications.
18. The NPPF confirms the presumption in favour of sustainable development (paragraph 14)
19. Paragraph 17 supports the transition to a low carbon future and encourages the use of renewable resources, such as the development of renewable energy. It also states that planning should contribute to conserving and enhancing the natural environment, and conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life for this and future generations
20. Paragraph 75 states that planning policies should protect and enhance public rights of way and that opportunities should be sought to improve and add to existing networks.
21. Paragraphs 97 and 98 refer to renewable energy. They state that Local Planning Authorities should have a positive strategy to promote energy from renewable and low carbon sources. Applicants for renewable energy should not be required to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emission. An application should be approved if its impacts are (or can be made) acceptable
22. Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.
23. Paragraph 118 states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. If significant harm cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused.  
Paragraph 128 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.
24. Paragraph 133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
25. Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
26. Paragraph 135 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

*The Planning System: General Principles 2005*

27. This document remains extant and seeks to establish the principles within plan-making and decision taking.

*National Policy Statement EN-1: Overarching Energy (2011)*

28. This document is intended to provide policy for developments considered by the Infrastructure Planning Commission; which in the case of wind turbine development would be schemes capable of generating 50MW or more. The statement describes the challenge of cutting greenhouse gases by at least 80% by 2050 (compared to 1990 levels); a legally binding target, as 'major, and that rapid change will be required in the UK. It also confirms that about a quarter of the UK's generating capacity is due to close by 2018; that the UK needs all types of energy referred to in the document in order to achieve energy security; there is an urgent need for new energy (certainly in the next 10-15 years)

*National Planning Statement EN-3 – Renewable Energy (2011)*

29. Section 2.7 discusses on-shore wind with reference to a number of considerations. It states that appropriate distances, having regard to noise and visual amenity, should be maintained between turbines and sensitive receptors; spacing should be provided between the turbines; grid connection can have an impact on commercial feasibility; the time-limited nature of wind farms is an important consideration; a tolerance for micro-siting of between 30 and 50 metres is typical; reducing the scale of the proposal may not be feasible; noise measurement should use ETSU-R-97.

*Energy Roadmap – July 2011 (updated 2012)*

30. The headline objective is to ensure that 15% of the UK energy demand is met by renewable sources by 2020. On-shore wind is identified as a key component in the renewables mix. The aspiration is for 30% of electricity to be generated from renewable sources by 2020. A central scenario of 40% by 2050 is also included.
31. *Department for Communities and Local Government - Planning practice guidance for renewable and low carbon energy – July 2013* provides advice on the planning issues associated with the development of renewable energy, and should be read alongside other planning practice guidance and the NPPF. 'Planning for Renewable Energy: A Companion Guide to PPS22' is cancelled by the guidance.
32. Paragraph 16 states that local planning authorities should not rule out otherwise acceptable renewable energy developments through inflexible rules on buffer zones or separation distances.
33. Paragraphs 29 – 45 give specific advice in respect of wind turbines.

*Local Development Framework*

34. DP/1 – Sustainable Development  
DP/2 – Design of New Development  
DP/3 – Development Criteria  
DP/7 – Development Framework  
NE/2 – Renewable Energy  
NE/4 – Landscape Character Areas  
NE/6 – Biodiversity

NE/11 – Flood Risk  
NE/15 – Noise Pollution  
NE/16 – Emissions  
NE/17 – Protecting High Quality Agricultural Land  
CH/1 – Historic Landscapes  
CH/2 – Archaeological Sites  
CH/4 – Development Within the Curtilage or Setting of a Listed Building  
CH/5 – Conservation Areas

*Supplementary Planning Documents*

35. Biodiversity SPD  
Landscapes and New Developments SPD  
Listed Buildings SPD  
Development Affecting Conservation Areas SPD

*Draft Local Plan 2013*

36. S/3 – Presumption in Favour of Sustainable Development  
S/7 – Development Frameworks  
CC/2 – Renewable and Low Carbon Energy Generation  
CC/6 – Construction Methods  
CC/7 – Water Quality  
CC/8 – Sustainable Drainage Systems  
HQ/1 – Design Principles  
NH/2 – Protecting and Enhancing Landscape Character  
NH/3 – Protecting Agricultural Land  
NH/4 – Biodiversity  
NH/14 – Heritage Assets  
SC/11 – Noise Pollution
37. In February 2011 Council passed a resolution confirming that it supported seeking energy from renewable sources. “However, applications for wind farms (2 turbines or more) cause deep concerns to our residents by nature of their scale, size and noise. This Council believes that a minimum distance of 2km between a dwelling and a turbine should be set to protect residents from disturbance and visual impact. If the applicant can prove that this is not the case a shorter distance would be considered. This will be addressed during the review of the Local Development Framework.”
38. Policy CC/2 of the Draft Local Plan 2013 confirms this by proposing a minimum distance of 2km between a dwelling and a wind turbine (proposals for 2 or more turbines) is set to protect residents from disturbance and visual impact. If the applicant can prove that this is not the case, a shorter distance would be considered.
39. Objections to this part of Policy CC/2 have been received, and will need to be considered as part of the ongoing Local Plan review process.

**Consultations**

40. A number of the consultation responses are very detailed and have been attached as appendices, so that Members can read them in full. Where this has been done only brief summaries are given below.
41. **Litlington Parish Council** recommends refusal. A full copy of its response is attached as Appendix 2.

42. The reasons for refusal can be summarised as:
- The impact on health and well-being of residents
  - The impact on the character of the landscape
  - The impact on the visual amenity of residents
  - The impact on cultural heritage
  - Traffic and Transport
43. Other considerations such as the question of whether any harm was clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.
44. **Steeple Morden Parish Council** recommends refusal
45. The Parish Council fully supports the move towards renewable energy and its efficient production. However, the proposed wind farm and its location raise a number of significant concerns, both for the Parish of Steeple Morden and for the wider area. We would summarise as follows:
- Landscape*
46. We feel the proposal would be extremely detrimental to the character and setting of the site and the surrounding Parishes, and of the neighbouring Therfield Heath, a valued and very popular local amenity. The size of the proposal would be out of scale with its Cam Valley location and consequently unsympathetic to its intimate landscape character. In addition, it would have a detrimental impact on the character and setting of a number of listed buildings within this Parish.
- Intrusion*
47. There are five properties at Morden Grange Farm within 800m of the proposed site – not four, as stated in the Application – which would be adversely affected by the flicker from the turbine blades, as well as the constant noise from the site. In addition (and not mentioned at all in the Application despite being within a mile of the wind farm site), there are three dwellings at The Thrift and a further two dwellings at Gatley End, together with a proposed 70-room hotel on the site of the former Horse and Groom Public House. All of these would be overshadowed by the five turbines and, again, subject to constant noise from their operation.
48. For the sake of these residents, we feel that it should be incumbent on the Applicants to produce examples of existing installations that effectively and reliably mitigate the risk of blade flicker, together with an indication of noise levels likely to be experienced at these locations by day and night (including low frequency noise), once the actual model of the turbine had been decided on. Since these dwellings would also be the most likely to suffer from interference to their television signal, an acceptable method of avoiding this would also need to be agreed, before any decision on the application is reached.
- Access*
49. We have grave concerns about the access route to the site during the construction phase, and for its subsequent maintenance and possible decommissioning. In particular, a 30% uplift in the number of HGV's crossing the eastbound carriageway of the A505 during the construction phase seems fraught with danger, occurring at a

point where most traffic on this trunk road is travelling at or above the 70mph legal speed limit. Having visited the site, these HGV's would have to emerge into this same high-speed traffic stream from a standing start, as there is no entry slip at this junction for them to gain at least some speed.

50. Added to this are the 144 exceptional loads mentioned in the Application that would reach the site via the same route and would also have to cross the eastbound carriageway of the A505 – presumably only possible after a police escort has stopped all eastbound traffic for each of the 144 crossings.
51. We would welcome some comment from the Highways Agency on the likely disruption to local and trunk-road traffic, and also for the constabulary on the cost and operational requirements of providing the necessary escorts for the exceptional loads. In addition, we would seek reassurance from Network Rail on the safety implications of so many HGV's using the Litlington level crossing and also that the exceptional loads will be able to negotiate the crossing, without the entry and exit angles bringing some of the components into dangerously close proximity to the 25KV overhead wires.

#### *Biodiversity*

52. We note that the Environmental Impact figures in the Appendices refer to an earlier version of the Application for four turbines and different blade length from the five-turbine version now being considered. These tables should be updated to reflect the configuration under discussion, then re-examined.

#### *Justification*

53. When consulted on an earlier application for the anemometry mast on this site, we did suggest a condition requiring the data from this mast be placed in the public domain. Unfortunately that suggestion was not acted upon, nor was an undertaking, given at the public meeting in October 2011, that on-site data would be used in this application. Without access to this data, we are unable to state categorically whether the considerable local harm would be outweighed by any 'green' benefits arising from this site. However, extrapolating the likely output based on locally available wind-speed data and comparing that with the Applicants' own figures, we remain unconvinced of the site's ability to swing the balance even slightly in its favour, whereas the potential harm is all too evident.
54. Without prejudice to these objections, we would suggest the following conditions, should the committee see fit to approve this Application:
1. Any increase in the overall height or blade length as a result of final turbine selection should require a fresh Planning Application to be made.
  2. The proposed £5,000 per turbine contribution to the local community should accrue from revenue, not profit, as stated in the Application."

55. **Bassingbourn Parish Council** recommends refusal

"The turbines would cause damage to the character of the landscape. They would harm cultural heritage. If approved a precedent would be set for future applications."

56. **Abington Pigotts Parish Meeting** recommends refusal

“To permit this in the least windy part of the country would inflict a negative financial return on those who subsidise these schemes, the electricity consumer.”

57. **Guilden Morden Parish Council** recommends refusal

“The Parish Council is concerned about noise pollution and the overbearing nature of the proposed turbines.”

**Royston Town Council** recommends refusal

58. “Members understand the need for sustainable energy but were divided on the need for this particular wind farm at this location as it will be close to people’s homes and that it would be detrimental impact on our valued landscape. If this farm is allowed to diversify for economical reasons then the whole area could become covered with a swathe of wind farms.
59. Other concerns raised were the effectiveness of the turbines and the impact during construction. Members voted 4 against and 2 for, it was agreed to inform South Cambridgeshire District Council that the council objects to the development and that the Town Council wished this matter to be discussed further at their next Full Council scheduled to be held on 25 June 2012. This would allow all of Royston Councillors to discuss this application.”
60. In response to the amended consultation in March 2013 it states that following a full discussion the Council agreed to object to this application for the installation of five turbines. They are in the wrong area and there are plenty of other locations not within a mile of residential properties. The prevailing wind is westerly which will have an effect on Royston. These turbines will also have an effect on Therfield and Ashwell residents. Members therefore agreed to object on environmental grounds of noise and appearance, a wrong location.’
61. In a further letter received in September 2013 it reaffirms its strong objection stating that there are much more suitable and less populated places for a wind farm than on the doorstep of a town of over 17,000 residents. The location is only 1km from the A505 and Litlington, and a little over a mile from the west end of Royston. The turbines will be very visible on long stretches of the A505 and a distraction to drivers on what is already a dangerous road. The site is some 50-60 metres above sea level. The Heath opposite is 100-120 metres. The turbines will tower above the Heath, the town and surrounding area and be visible from miles around. The noise from them will certainly be heard by Litlington residents and probably also some Royston residents as the prevailing wind is from the west.
62. The Council also draws attention to the developer’s consultants response to SCDC Health and Environmental Services, 4 October 2013 -22/2/13 item 41
63. “Health Effects of Wind Farms  
There are no direct health effects of wind farms as the noise levels, especially at low frequency and infrasonic levels, are too low to cause any such effects. Indirect health effects such as annoyance leading to stress, or stress related sleep disturbances, may occur but this can be minimised through compliance with the current government planning guidance on noise from wind farms.”
64. It does not say there will be no effects, only that they will be minimised.

65. The Town Council is also concerned that this is not the only controversial planning application very close to Royston not within the boundaries of NHDC and not under NHDC control. Is it a coincidence that the developers have chosen the perimeter of SCDC for this planning application and the other application for a solar farm. Do the developers think that SCDC will be less concerned than they might of this application was for a location within 1 mile of Trumpington or Cambridge? Royston Town Council asks that SCDC object to this application and give weight to the views of the local residents as they would if it was in their heartland.
66. **Kelshall Parish Council** recommends refusal
67. Not considered suitable for this environment.  
Too close to too many communities.  
Air space used by army and small airfields, plus Stansted and proposed flight path for the extra Luton runway.  
Not convinced of 'proven wind farm function' and recommends wind advice.
68. In response to the amended consultation in March 2013 it comments that if it is correct that radar is affected by turbine activity, in which case, has regard been given to the proposed expansion of Stanstead Airport and the likely new runway effect from Luton Airport. We understand that the Luton flight path is scheduled to be above the Highfield Development. Because this is Essex and Bedfordshire Councils, have they been consulted?
69. **Therfield Parish Council** recommends refusal
70. "Therfield Parish Council is opposed to this application on the ground of the proximity of the site to the limestone scarp of Therfield Heath."
71. **North Hertfordshire District Council** states that the application was discussed by its Planning Committee on 18 April 2013 and comments:
72. It strongly recommends that the determining Authority consult the Parish Council's at Hinxworth, Ashwell, Kelshall (Parish Meeting), Therfield, Sandon, Barkway and Reed as well as Royston Town Council. Additionally it recommends that the Conservators of Therfield Heath are consulted.
73. It recommends that Hertfordshire County Council is consulted in respect of vehicle movements during construction on the A505, and the ongoing issue of driver distraction.
74. It recommends that the issue of noise in relation to the nearest noise sensitive properties, as well as shadow flicker, be fully investigated in order to safeguard reasonable living conditions.
75. **Central Bedfordshire Council** has no objection.
76. The **Councils former Team Leader Sustainable Communities (and Principal Lead for Environmental Sustainability and Climate Change)** commented in March 2013.
77. "The following response assumes that the applicant has satisfactorily resolved any outstanding local technical and environmental matters arising, such as those relating to potential impacts on aviation, microwave links, highways, network transmissions, biodiversity, landscape, conservation and public health.



78. From the perspective of sustainable development there are two key issues that should be taken into account when considering the determination of the current Highfield Farm application:
- a) The need and relevance for large scale wind farm development as an effective and appropriate renewable energy technology in South Cambridgeshire
79. From this strategic perspective, the strength of argument (as reflected in national and local policy) is overwhelmingly in favour and constructed from the following elements:
80. The likely impacts associated with climate change will be increasingly and dangerously disruptive without the very rapid and comprehensive reductions in greenhouse gases laid by Government from the Climate Change Act of 2008 (impacts locally will likely include more frequent and more severe flooding, subsidence, water shortages and increased insurance associated with damage to buildings). The importance to South Cambridgeshire and the Cambridge sub-region as a whole, of which the district is an integral part, cannot be understated since much of the area lies close to sea level and already experiences some of the driest seasonal weather in the country.
81. South Cambridgeshire residents also have, on average, one of the highest annual per capita carbon footprint figures in the region - at approximately 10 tonnes of CO<sub>2</sub> (as calculated by DEFRA in its annual reporting).
82. It is therefore appropriate that the district takes all steps available to mitigate these impacts through maximising its contribution to carbon reduction as rapidly as possible. The Highfield Wind Farm would be a useful important part of this contribution.
83. South Cambridgeshire District Council is committed, as a signatory to the Nottingham Declaration, to taking steps to mitigate the effects of climate change. Alongside this broader strategic position, South Cambridgeshire as the local planning authority, is specifically disposed through its planning policies to encourage the installation of renewable energy technologies within the district.
84. On-shore wind is currently the most available and economically viable low carbon renewable energy technology in the UK and has a significant and very relevant role to play in decentralised energy provision. On-shore wind energy makes a very competitive contribution to the country's energy supply as a clean and reliable form of power produced in an environmentally friendly way as the turbines do not produce chemical or radioactive waste.
85. In response to the 2008 EU Renewable Energy Directive the UK Government has adopted a target of generating 15% of all energy from renewable sources by 2020. The current scenario for realising this target suggests that it will need to incorporate 35% of electricity generation from renewable sources. Onshore wind generation has been specifically identified as a means of realising these targets (off-shore wind generation requires a much greater investment. The conditions for securing such investments are presently far less favourable than they were).
86. Wind turbines provide load relief for conventional fossil fuel powered plants, enabling them to throttle back and save fuel. The need for a back-up conventional electricity supply to stand in when the wind is not blowing has created concern over potential carbon savings. However, National Grid has calculated that 33GW of wind would

require an additional 6.5GW of reserve back-up supply, roughly the same proportion as is currently built into the grid system. It should be remembered that every kWh generated by wind is one less from fossil fuels. The issue is not relative reliability but the number of kWh delivered to the grid.

b) The importance of securing local community support, acceptance or buy-in for the wind farm development

87. The second strategic sustainability issue relevant to this proposed development has gained significant recent profile when it comes to the consideration of commercial wind farm planning applications. This relates to the importance of effective public engagement as society makes the transition to low-carbon living in a low-carbon economy over the next 20 to 30 years.
88. Effective public engagement is a necessity and bedrock of this transition and all decentralisation measures (of which the Highfield Wind Farm must be considered one) will need to ensure that they propagate support. The essential facets of the take-up and shift to low carbon lifestyles over the coming two or three decades are not geographically remote, they are local, existing at community, neighbourhood and individual levels of engagement and agency. The decentralisation transition will come about as much through our individual actions to reduce carbon emissions in our day-to-day lives as it will from a change to a locally dispersed infrastructure of non-fossil fuel based energy generation, the former arising from behaviour change and domestic level changes towards more sustainable energy management, and the latter arising from the progressive inclusion of renewable energy installations, such as the Highfield Wind Farm proposal.
89. The ability and significance of these two elements supporting each other must not be missed or underestimated. If the two are effectively linked then the rate of change is far more likely to reach that required to meet the challenging targets that have been set for national and local carbon reduction between now and 2050.
90. Proposed developments, such as the Highfield Wind Farm, are well placed to do this by fostering community buy-in and ownership. Without this local relationship between such installations (especially the more visible ones such as large-scale wind) and the communities around them, and for whom they will become an element of day-to-day life, they will risk:
- i) not making the most of the opportunities they bring to engage local populations actively in the benefits and positive options arising from the transition to low carbon living in a low carbon economy, and;
  - ii) alienating significant numbers of the local population from this transition process. Unless active and responsive consultation is carried out alongside potential options around local community buy-in, partial ownership or some other mechanism for sharing returns from the energy output, many local residents will come to see wind farms as externally imposed and purely commercial driven impositions upon their lives and local areas.
91. The current wind farm application appears to be running this 'social' risk as significant local opposition remains. Within the strategic sustainability framework, social viability is as important as its technical, environmental and financial counterparts.
92. As it currently stands, from a strategic sustainability perspective, the underdevelopment of a convincing responsive consultation process and tangible

financial stake for all residents (ideally one that is tied to the productivity of the wind farm) is the greatest weakness of the application. Opportunities around partial/limited local ownership (for example through share options) of one of the turbines is an option that could have been brought forward. Many people are anxious about climate change and energy security and would welcome the chance to have a direct stake in a new low carbon future.

*Overall recommendation*

93. Support the application from a strategic sustainability perspective
94. Request that the applicant look to address the concerns raised around community engagement – especially those relating to options for limited/partial community ownership or shareholding that would allow residents to secure a long term stake in the productivity of the wind farm.
95. The **Landscapes Officer** comments are attached as Appendix 3. He concludes:
96. “The proposed Highfield wind farm development will have significant negative Landscape and Visual effects over a wide area of South Cambridgeshire and neighbouring districts.
97. In the villages close to the site and their immediate surroundings, the development will dominate and alter the landscape character and the views experienced by people living in and travelling through the area. Harm to the existing landscape character and views will affect both the villages themselves, and their setting in the wider landscape.
98. The development will significantly reduce the present landscape character, views and amenity value of a valued and popular recreation area, and many associated public rights of way.
99. The development will also form a visual bridging point between the existing Wadlow and Langford developments. Effects will be particularly evident between Langford and the proposed Highfield development.
100. In my opinion the proposed development will cause unacceptable levels of harm to the local landscape character, to the villages, their setting, and the wider landscape, and to the amenity of local people and visitors. There will be few opportunities for mitigation to reduce the Landscape and Visual effects of the development.”
101. The **Trees Officer** comments that this agricultural landscape has minimal significant trees and there is an existing infrastructure for access requiring what would appear to be minimal loss of any hedges/trees. No objections are raised, however the overall impact on the landscape from the scale of the turbines will be more of a consideration.
102. The **Conservation Officer** comments are set out in three consultation responses, dated 17 July 2012, 4 April 2013 and 8 September 2013, which are attached as Appendix 4.

103. The comments state that the site is significant, being highly visible open countryside on a ridge running east west above a chalkland valley, which contains numerous historic villages (most of which are Conservation Areas), Listed Buildings and Archaeological sites. The ridge itself is considered significant as the route of the Icknield Way (Ashwell Street), and locally it connects Litlington with Royston
104. Within South Cambridgeshire the proposal would affect the settings of the nearest Conservation Areas comprising the villages within the valley between the two east-west chalk ridges. The views across the valley are predominately tranquil, unspoilt and rural in character, and from north to south all the five closest Church spires and villages within these Conservation Areas are visible on a clear day, linking the highly designated Listed churches to the Conservation Areas they predominate, and demonstrating the visual, historic and communal links between these historic settlements. Likewise from the north, the villages are seen within a backdrop of the southern ridge and edge of Hertfordshire, to which they were also linked. Being the tallest structures within the settlements the Churches and their inter-visibility is important, and they and the villages would be dominated by the proposed turbines.
105. The consultation responses set out the concerns regarding the harm to Litlington Conservation Area, and the listed buildings within it, and refer specifically to the impact on Bury Farm and Manor Farm, the impact from Viewpoint D, the impact on the southern part of the Conservation Area and views out of the village along the Royston Road. Viewpoint 3 shows that the nacelles at least would be visible above rooftops in this part of the village, and the character of the group of historic buildings in this area would be notably and detrimentally affected by the proposed turbines.
106. The grade II listed barn at Highfield Farm is the closest listed building, at 520 metres south of turbine 5. The unspoilt rural character, outlook and functioning of the listed barn would be notably and detrimentally affected by the proposed turbines.
107. There is specific concern regarding the impact on Steeple Morden Conservation Area.
108. There is also concern about the views of the turbines from the Wimpole Hall South Avenue, from which there would be a significant impact.
109. **English Heritage** comments that the proposed wind farm will be a dominant feature in a sensitive landscape that includes a number of heritage assets. Its full comments, which are contained in letters dated 21 August 2013, 22 October 2012, and 25 May 2012, are attached as Appendix 5.
110. It is particularly concerned about the series of ancient monuments on Therfield Heath, which lie immediately south of the proposed site. From the additional photomontages provided by the applicant, it is apparent that the wind farm would adversely impact on the setting of the prehistoric barrow cemetery on Therfield Heath, the constituent monuments of which were sited in commanding locations, overlooking this landscape. In addition, it would interrupt views of the Heath from Icknield Way and from the undesignated war memorial at the former World War II Steeple Morden air base. The siting of a wind farm in this landscape will result in harm to the significance of these assets.
111. English Heritage is of the view that this proposed wind farm will result in harm to the significance of a number of heritage assets on Therfield Heath and, in accordance

with paragraph 134 of the NPPF it will be necessary to weigh that harm against the public benefits of the proposal.

112. It states that in arriving at this recommendation it has reviewed the findings of recent appeal decisions to inform its balancing of the harm against the public benefit, and makes specific reference to the case of the Bicton wind enquiry
113. Given the quality of the assets affected by the proposal, and the level of harm that would result from this proposal, it doubts that there would be sufficient public benefit to outweigh the harm, and if the Local Planning Authority agrees with the assessment, then it would expect the application to be refused.
114. **Environmental Health Officer** - updated comments are attached as Appendix 6 and deal with the issues of noise, shadow flicker, amplitude modulation, construction noise and vibration, and wind farm operational noise. The conclusions are set out below:
115. "The purpose of an ES is to provide all the necessary information in a readily understandable format for public scrutiny to allow an informed decision to be made on whether planning permission should be granted.
116. The following environmental health issues need to be considered and addressed effectively in order to minimise potential adverse impacts on existing residents and which are paramount in facilitating sustainable development and safeguarding amenity and a healthy living environment:
  - a) Noise Impact – Construction Noise and Vibration, and Wind Farm Operational Noise
  - b) Shadow Flicker
117. We have therefore considered the effect of the proposed development on living conditions at residential dwellings in the surrounding area, including its impact on quality of life/amenity in terms of operational noise including Other or Excess Amplitude/Aerodynamic Modulation (O/EAM) and shadow flicker impacts.
118. As far as the living conditions of the wind farm neighbours are concerned, having reviewed the additional background noise monitoring undertaken and information provided we conclude that robust noise and shadow flicker impact assessments have been undertaken and reported within the ES. The assessments have been undertaken in accordance with current government/industry standards and best practice guidance.
119. In particular, the necessary noise assessment for the wind farm has been carried out in accordance with government / industry best practice including the requirements of ETSU-R-97, the "Prediction and assessment of wind turbine noise" IOA bulletin March/April 2009 and the May 2013 IOA Good Practice Guide.
120. It has been demonstrated following a robust analysis of the supporting baseline monitoring data and assessment approach that the proposed Wind Farm should not exceed the limits recommended by ETSU and therefore would result in no significant effects at the residential receptors identified in relation to noise.

121. The impact assessment predicts that collective operational turbine noise levels for all the closest residential receptor locations fall within the relevant levels of acceptability (meeting the ETSU guidance derived noise limits), at all wind speeds and directions.
122. On balance we have no objection principle as it is our view that the proposals should not give rise to significant adverse impacts on health and quality of life as a result of noise and shadow flicker subject to mitigation control/regulation by appropriately worded conditions that provide an adequate level of protection.”

Suggested conditions include

123. The **Scientific Officer (Contaminated Land)** states that a condition relating to contaminated land investigation is not required.
124. The **Environmental Health Officer (Public Health Specialist)** states that under the Council’s policy this application falls into the definition requiring a Health Impact Assessment (HIA), however he is happy that relevant issues have been considered as part of the Environmental Statement and a specific HIA is not needed in this case.
125. **Ecology Officer** - has no objection:
126. “The EIA has taken account of all areas of potential ecological concern requested by myself and others during the scoping process. The surveys have been undertaken over a period of several years with main effort focussed in 2008 and 2009, with a review in 2011.
127. The two main areas of potential concern, bird and bat, have been investigated with a thoroughness and the application of different approaches. The use of extensive vantage point surveys for bird surveys over many months gives me confidence that the conclusion ‘no significant effects of the Highfield Wind Farm on valued ornithological receptors are expected’ is correct in view of the data assessed. The bat survey work accords with the guidelines of the Bat Conservation Trust and if significant populations were present then their presence should have been detected. I accept that the development area is not particularly rich in bat numbers or species.
128. The applicant and landowner should be commended for the discovery of a breeding pair of stone curlews using the site. However, the project now proposes a number of measures, such as the control of cropping types and areas of bare ground, in order to specifically enhance areas of the farm for this regionally important species.
129. Through the provision of plots specifically for stone curlew the proposal has the opportunity to benefit other species including rare arable plants, brown hare and typical (but declining) farmland birds such as grey partridge and skylark.
130. Badgers are present in the general area but not likely to be adversely affected
131. No reptiles were recorded in the development area.
132. The scheme proposes post-project monitoring, with specific measures for stone curlew. The mitigation, enhancement and monitoring regimes can be secured through a suitably worded condition.
133. Para 317 of Appendix 11 shows the collision risk model spreadsheets. For each of the birds considered it states that 4 turbines are proposed, yet the scheme is for 5.

Can the applicant comment as to whether this area of evaluation needs to be re-considered, or do the result of this specific model remain unaffected?

134. Windfarms generate electricity that then needs to be distributed across the wider countryside. The surrounding land has a number of County Wildlife Sites and Protected Road Verges. Can it be confirmed that none of these important botanical sites will be damaged as a result of infrastructure work associated with the wind farm proposal?
135. **Cambridge Airport** - currently objects due to the potential impact on airfield operations, however it is in discussions with the applicant to see if agreement can be reached on mitigation measures.
136. In a recent email the Airport has indicated that following discussions with the applicants agent it expects to be able to withdraw its objection by suggesting two conditions, the wording of which will have been agreed between it and the applicant. The conditions would deal with the preparation of an appropriate mitigation strategy for its radar, and its timely implementation funded by the applicants. It states that this would be a similar position to that reached in respect of earlier wind farm applications at Boxworth and Balsham.
137. **Cambridgeshire Archaeology** - has no objection as no archaeology of national importance was revealed in the field evaluation undertaken for the Environmental Statement. Of the 5 turbine locations only one produced evidence of archaeology that will be directly affected by construction impacts. For this reason it recommends that the site should be subject to a programme of archaeological investigation to be secured by condition.
138. **The Rights of Way and Access Team, Cambridgeshire County Council** comments that there are a number of rights of way and permissive access in proximity of the development site. The British Horse Society guidance suggest that 200m exclusion zone around public bridleways to avoid wind turbines frightening horses, and fall over distance is considered to be an acceptable separation from a public right of way.
139. It welcomes the applicant's consideration of public rights of way and recreational routes adjacent to the site. The proximity of turbines 1 and 2 exceeds the fall over distance from Public Footpath No.44 Steeple Morden, however a permissive bridleway also follows the line of the Public Footpath so local horse riding groups may have some concerns regarding the close proximity of the turbines. Records show a permissive footpath north of turbines 1 and 4, which is approximately only 60m north of turbine 1 so the landowner may want to consider re-routing this path or re-positioning turbine 1 south of turbine 2.
140. In areas of poor public access it is generally asked that improved access is provided to help mitigate for the effect of the wind turbines on the enjoyment of public rights of way. In this case access is already reasonably good, but it states that it would be pleased to discuss any proposals which the developer may make, and in particular it would welcome a link to the currently dead-end Litlington Byway Open to all Traffic No.11 from Royston Road to the disused quarry.
141. In response to the amended consultation (March 2013) it is noted that the applicant has acknowledged the location of the permissive path and rights of way on the locality and welcomes that it has been considering options for making improvements to public access through newly dedicated public rights of way or permissive paths.

**Environment Agency** - has no objection in principle.

142. Where soakaways, or infiltration drainage, are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Authority. The maximum acceptable depth for soakaways is 2m below existing ground level. Soakaways must not be located in contaminated areas. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.
143. Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.
144. Any culverting or works affecting the flow of an Ordinary Watercourse requires the prior written Consent of the Lead Local Flood Authority (LLFA), Cambridgeshire County Council in this instance. The LLFA seeks to avoid culverting, and its Consent for such works will not normally be granted except as a means of access.
145. The granting of planning approval must not be taken to imply that consent has been given in respect of the above.
146. The **Defence Infrastructure Organisation** objects.
147. The turbines will be 24.4km from, in line of sight to, and will cause unacceptable interference to the ATC radar at Cambridge Airfield. It states that wind turbines have been shown to have detrimental effects on the performance of MOD ATC and Range Control radars. These effects include the desensitisation of radar in the vicinity of the turbines, and the creation of 'false' aircraft returns which air traffic controllers must treat as real. The desensitisation of radar could result in aircraft not being detected by the radar and therefore not presented to air traffic controllers. Controllers use the radar to separate and sequence both military and civilian aircraft, and in busy uncontrolled airspace radar is the only sure way to do this safely. Maintaining situational awareness of all aircraft movements within the airspace is crucial to achieving a safe and efficient air traffic service, and the integrity of the radar is central to this purpose. The creation of 'false' aircraft displayed on radar leads to increased workload for both controllers and aircrews, and may have a significant operational impact. Furthermore, real aircraft returns can be obscured by the turbine's radar returns, making the tracking of conflicting unknown aircraft) the controllers' own traffic) much more difficult.
148. If the developer is able to overcome the issues stated above, the MOD will request that all turbines be fitted with 25 candela omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practical point.
149. In response to the updated consultations (March 2013) it noted the discussions that have been taking place between Cambridge Airport and the developer but no final agreement had been reached at that point.
150. **NATS Safeguarding** states that the proposed development has been examined from a technical safeguarding aspect and does not conflict with its safeguarding criteria and accordingly it has no objection to the proposal.



151. **Imperial War Museum Duxford** has no comments. It states that it has seen nothing of significance in the proposal that would prevent it from carrying out its current business.
152. The **Civil Aviation Authority** has raised no objection, but states that should consent be granted the Defence Geographic Centre should be contacted to inform the dates, location and heights of the turbines in order to ensure the accuracy of aviation charts and publications in the interest of aviation safety.
153. **Bassingbourn Barracks** has not commented on the application.
154. **Natural England** comments as follows:
- Designated Sites*
155. Provided the development is carried out in strict accordance with the details of as submitted then it is satisfied that the proposal is unlikely to have an effect on any statutorily designated sites.
156. The development is located close to several Local Wildlife Sites, and SCDC should ensure that it has sufficient information to fully understand the impact of the proposal on such sites before it determines the application.
- Wider Ecology*
157. Based on the information provided the potential impacts of the scheme appear to be limited to birds and bats, and as such it has restricted its comments on wider ecology accordingly:
- Ornithology*
158. Detailed consideration of the ornithological impacts of the proposed scheme are provided in Chapter 11 of the ES and supporting appendices, and whilst the survey information collected in support of the application is now several years old, Natural England is satisfied that sufficient survey effort has been undertaken to inform the assessment of impacts.
159. Chapter 11 identifies that a range of sensitive species were observed across the site between 2007 and 2009, including the breeding activity of two Annex 1 bird species (stone curlew and hobby).
160. Collision risk modelling and consideration of displacement effects are presented for each of the identified species, and Natural England is satisfied that, with the exception of stone curlew, there are unlikely to be any significant impacts on these species as a result of the proposals.
161. With regard to the stone curlews, the ES and supporting appendices consider several methodologies for determining collision risk, and whilst potential risks of collision are assessed as being unlikely, the ES acknowledges uncertainty regarding this assessment, and that any unpredicted collision impact on the stone curlew would have a negative impact.
162. To mitigate potential collision risks and displacement effects on future breeding success, a detailed Ecological Enhancement Plan is provided in Appendix 11.3. This includes measures to deter future nesting attempts in the vicinity of the turbines (Sugar beet exclusion zone, turbine base design), and the provision of dedicated nesting plots and foraging areas elsewhere on site. Section 7 of the plan

recommends ensuring its implementation over the lifespan of the turbine scheme through the use of a suitably worded planning condition.

163. Whilst Natural England is broadly satisfied with the proposed plan (which it suggests relates primarily to mitigation, and not just enhancement), it highlights that the plan will have implications for the existing Higher Level Stewardship (HLS) scheme on the site. Section 3 of the plan clearly identifies that three new stone curlew plots will be provided, and suggest that new areas of grazed pasture are also part of the proposals. Elsewhere the ES suggest that the grazed land is either being proposed (ES para 12.117) or will be preserved (ES para 11.156). The relationship between the proposed mitigation/enhancements is only vaguely described (ES para 11.156) and it is aware that the grazed pasture identified on Figure 11.2 (Stone Curlew Enhancement) is already covered by options within the HLS agreement. Natural England clarifies that Environmental Stewardship funding cannot be used to fund anything that a developer is required to do as a condition of a planning permission, and should permission be granted the existing HLS agreement will need to be reviewed and amended accordingly (potentially involving the reclamation of any HLS payments already made). Alternatively, the applicant could look to re-locate the grazed pasture within the current application to other areas within the farm holding not covered by HLS options, and Natural England would be happy to discuss this issue further as required.
164. The ES and Enhancement Plan also identifies the need to undertake post-construction monitoring for stone curlew, which Natural England fully supports, However, it is noted that the proposed programme relies in part on the involvement of the RSPB. Whilst Natural England would look to the RSPB to provide any comments on their willingness to participate in future stone curlew monitoring of the site, as a general principle it is highlighted that the developer should be responsible for undertaking all monitoring directly associated with the development proposals.
165. Finally the ES proposes that pre-construction checks (para 11.160) and post-construction monitoring will be undertaken for red and amber listed breeding birds. Again Natural England supports these measures but recommends that this is expanded to incorporate hobby, given the previous history of this Annex 1 species nesting on site.

#### *Bats*

166. Chapter 12 of the ES identifies that a suite of manual and static bat surveys were undertaken at the site during 2009. Whilst the level of survey effort for manual transects appears reasonable and well spread across the active season, the level of effort employed through static detectors is minimal (compared with the Bat Conservation Trusts, Bat Survey: Good Practice Guidelines 2<sup>nd</sup> Ed (2012)), and provides no information regarding activity in open habitats where the turbines are located. However, based on the information that has been collected across the more suitable habitats on site, Natural England concurs that the general level of bat activity appears to be low (with only individual records of high risk species such as noctule and possibly nathusius pipistrelle). Given the low levels of activity and the identified buffers to any suitable habitats such as the shelterbelts on site will be at least 80m from turbine tip (ES para 12.97), Natural England is satisfied that the risks to bats have been minimised and that significant impacts are unlikely to occur.

#### *Landscape*

167. The proposed development is not located within, or within the setting of, any nationally designated landscape, and Natural England would therefore look to the Council's Landscapes Officer to provide any detailed comments on the visual impacts

and effects on local landscape character resulting from the proposals. All proposals however should complement and where possible enhance local distinctiveness and be guided by the Council's landscape character assessment where available, and the policies protecting landscape in the local plan or development framework.

168. Natural England notes that significant effects on both landscape character (LCA2, LCA 227 and LCA 228) and visual amenity (such as users of the Icknield Way and Hertfordshire Chain Walk and visitors to Therfield Heath SSSI/Local Nature Reserve) are predicted as a result of the introduction of tall structures with moving rotors which are not a component of the current local landscape (typically characterised by continuous, uninterrupted views of predominantly open arable downland). Such impacts will therefore need to be given due consideration as part of the decision making process.
169. The **RSPB** comments that it has been involved in pre-application discussions with the consultants in regard to bird surveys carried out for the proposed wind farm and bird species on the site.

*The RSPB's position on wind technologies*

170. The RSPB is supportive of renewable energy projects providing that adverse impacts upon wildlife are avoided by appropriate siting and design. The RSPB views climate change as the greatest long-term threat to biodiversity and renewable energy offers a way of mitigating the impact and reducing overreliance on fossil fuels.
171. The available evidence suggests that wind farms can pose three main problems for birds; disturbance, habitat loss or damage, and collision. Birds may be scared away by construction noise, vehicle movements, or the presence of operating turbines. The wind farm itself may physically destroy bird's feeding, breeding or roosting sites. In addition, birds may fly into the turbine tower or blades and be killed or injured; storms or conditions of poor visibility will increase the likelihood of this occurring. The siting of turbines may also be an issue for bats, not only because of the risk of direct collision if turbines are placed on migration or commuting routes, but also because of the displacement of foraging habitat.

*RSPB position*

172. The RSPB has no objection to the proposed wind farm providing that the proposed mitigation measures are detailed in Section 11.143 of the ES are imposed through suitable conditions.

*Designated sites*

173. The RSPB accepts the conclusion in the ES that the proposed development is unlikely to have any significant effect on any sites designated for birds.

*Environmental Statement*

174. The RSPB has reviewed Chapter 11 of the ES (Ornithology) and is satisfied that the bird vantage point surveys and breeding bird surveys provide a satisfactory baseline from which an assessment of the impact of the wind farm on bird species can be made.
175. The RSPB accepts that collision risk estimates have been provided for all the target species, with the exception of the stone curlew. These estimates suggest the wind farm is unlikely to have a significant effect (i.e. 1% mortality) on the population of these species. It will be important that these predictions are verified by post-construction monitoring.

176. **Network Rail** has no objection in principle. It states that its only concern would be the route that construction traffic will take to/from the development site during the construction phase in relation to railway bridges or level crossings along the route. The preferred route passed over the Litlington Level Crossing just to the south of the site. It notes from the submitted information that consideration has been given to this crossing and an assessment made has been made. However, it requests that the applicant contacts the Asset Protection Team to discuss the preferred route to ensure that all aspects of the crossing have been taken into account given that overhead lines are present in the area. It also requests that be informed of abnormal loads with a minimum of 6 weeks notice, and there may be a requirement for bridge/level crossing protection measures to be put in place at the applicant's expense.
177. The **Local Highway Authority (Cambridgeshire County Council)** has no objection subject to a condition requiring the submission of a method statement which should include proposed access routes for the individual elements of the turbines; traffic management for their delivery, any modifications required to the adopted public highway to enable the turbines to be delivered to the site, and the serving arrangements for the turbines once installed.
178. However, it points out that Hertfordshire County Council is Highway Authority for the A505.
179. **Hertfordshire County Council** comments as Highway Authority for the A505 will be included in an update report.
180. The **Ramblers Association** points out that the proposal affects Public Footpath 44, Steeple Morden, and also Ashwell Street, part of which is Public Byway No.8 Litlington. It is noted that all the proposed turbines would be located far enough away from any public right of way, so as not to result in any danger to path users, and accordingly it is not considered appropriate to make a formal objection to the application.
181. However it was noted that operation of the turbines would be likely to result in some disturbance to path users, both by noise and, more significantly, their impact on the landscape. The area chosen is currently a peaceful tract of open countryside, away from major roads, and pleasantly undulating so that it provides attractive and exceptionally wide views. In particular the view southwards from Ashwell Street, which is a popular path and forms part of the Icknield Way Trail, would be seriously affected by the presence of the turbines.
182. It states that it is aware that Cambridgeshire County Council has suggested that planning consent for the turbines might usefully be made conditional on the provision of some additional public access to the surrounding countryside, by way of compensation for the disturbance caused, and it would support this proposal. It is noted that there is currently a permissive riders' route between Steeple Morden Footpath 44 and the disused Litlington Clunch Pit, linking with the dead-end Litlington Byway 11. Conversion of the route into a public right of way would seem a worthy objective in this context, though it may be necessary to re-route a portion of the path, or to re-position Turbine No.1, which would be too close to it for safety.

**CPRE Cambridgeshire and Peterborough** objects:

183. "Severe detrimental impact upon the landscape and historic context of the Parishes, conservation areas and listed buildings over a considerable visual zone, particularly

the cherished view of Therfield Heath. This development will implant alien industrial structures of significant magnitude on a predominantly rural scene. The fragile and intimate landscape character of the Chalk Lands will suffer substantial degradation from these structures. Little or no mitigation measures are possible.

184. The severe detrimental visual impact upon the visual amenity provided by Therfield Heath with its views across the Cam Valley. This is an historic vista enjoyed by many receptors and is of considerable local importance. It is also an SSSI.
185. We are concerned at the robustness of the indicative energy output figures provided by the applicant. Estimates presented to us suggest that these have been overstated when local statistics for wind are used rather than Eastern Region averages.

**CPRE Hertfordshire objects:**

186. "There would be a severe detrimental visual impact on the landscape and historic context of Therfield Heath and the extensive and important views from the chalk ridge between Baldock and Royston in the abutting district of North Hertfordshire. This development would result in the construction of industrial structures up to 100 metres in overall height in an almost entirely small scale rural scene. In our opinion the important landscape character of the Chalk Lands would suffer substantial degradation from the installation of these structures, for which no substantive mitigation measures are proposed or indeed possible
187. There would be severe detrimental visual impact upon the visual amenity of the Therfield Heath SSSI, with its views across the Cam Valley. This is an historic vista enjoyed by many receptors and is of considerable local importance.

Insufficient information has been provided by the applicant to override planning policies for the protection of the countryside from unsuitable development. In particular, the energy output figures provided by the applicant indicate that these are likely to have been overstated by use of Eastern Region averages rather than the local wind statistics.

188. In conclusion we consider that the proposal therefore conflicts with Policy NE3 of the South Cambridgeshire LDF on Renewable Energy, by failing to meet the requirements of the following policies in the LDF in respect of the development:

- DP/1 (p) Conserve and wherever possible enhance local landscape character
189. DP/2 (f) Be compatible with its location and appropriate in terms of scale, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area
190. DP/3 (2) Planning permission will not be granted where the proposed development would have an unacceptable adverse impact: M. On the countryside and rural character.
191. The **Conservators of the Therfield Heath and Greens** object. Therfield Heath overlooks the proposed windfarm site. The provided visualisation shows clearly how intrusive the site will be from the Heath. Therfield Heath provides a unique open space for the people of South Cambridgeshire and North Herts. The proposed screening will be totally inadequate when viewed from the high ground of the chalk escarpments. The application makes no mention of the community gain.
192. **Cambridgeshire Local Access Forum (LAF)** states that it is aware that Cambridgeshire County Council has suggested that planning consent for the turbines

might usefully be made conditional on the provision of some additional public access to the surrounding countryside, by way of compensation for the disturbance caused, and the LAF support this proposal.

193. The **Shelford and District Bridleways Group** objects on the grounds that the proposal is contrary to the health and safety advice issued by the British Horse Society in relation to wind farms, which recommends that there should be a 200m clearance from bridleways to avoid turbines spooking horses.
194. Whilst an objection is not raised in principle either the turbines should be moved so that they are more than 200m from the permissive bridleway, or an alternative bridleway route is offered which complies with the advice.
195. **British Horse Society** – no comments received.
196. **OFCOM** – no comments received.

### **Representations**

197. 306 letters of objection have been received, from 191 households. The households can be broken down geographically into: Litlington – 114; Steeple Morden – 39; Royston – 11; Bassingbourn – 10, Kelshall – 5; Therfield, Abington Pigotts and Barrington – 2 each; and Guilden Morden, Reed, Melbourn, Ashwell, Baldock and Heydon – 1 each.
198. The areas of objection are set out below:
  - Breach of SCDC 1.5km policy
  - Site not windy enough – turbines will only work intermittently Wind speed based on average wind speed for EA and not data collected by the on-site mast – credible information? Lack of wind data
  - Type of turbine Nordik 80 – not suited to conditions – wind shadow of Therfield Heath/Chalk ridge
  - Will not produce output stated
  - Too small to be accepted for renewable energy reasons – solely a commercial venture with total disregard to the feelings of the local community.
  - Amount of power generated not significant enough to warrant disruption to landscape
  - Adverse impacts outweigh benefits
  - Turbines take more energy to generate than they generate
  - Economies of electricity generation from on-shore wind turbines of questionable efficiency – sustained by financial subsidy, which cannot be justified given harm
  - Not sustainable
  - Cambridgeshire has exceeded the target it was set for RE generation – should be located in other areas.
  - Impacts will significantly and demonstrably outweigh benefits
  - Too close to the village and neighbouring houses.
  - Oppressive/overbearing. Overshadow entire village
  - The whole of Litlington is within 2km of turbines – unacceptable.
  - Only 500m from nearest houses.
  - The two western turbines are very close to the four cottages and farmhouse at Morden Grange Farm, and only 170m from the farm boundary
  - 1 and 2 Brick Cottages are only 560m from turbine 2 and 740m from turbine 1. 3 and 4 White Cottages are about 620m from turbine 2 and 700m from turbine 1.

- Whilst it is difficult to assess impact turbine 2 should be removed from proposed location.
- Height at 100m unacceptable and would be visible from a wide area and for many miles. By comparison the Johnson Matthey chimney at Royston is only 40m tall
  - Impact of views from properties in Litlington and Morden Grange area. 600m from Morden Grange Cottages
  - Industrial scale development
  - Area of Best Landscape in 2003 Structure Plan – Landscape Character Area
  - Rural landscape – contrary to Policies DP/1, DP/2 and DP/3 – residential amenity, traffic, village character, countryside/landscape character, environmental disturbance, ecology, wildlife, cultural heritage
  - Visualisations only serve to increase concerns – artificially soften impact – grey colour against grey skies blend in - trees in full leaf
  - Impact of noise – prevailing wind to village – swish and low rumble
  - Current piece and calm – quiet background levels. Noise levels with application appear to indicate a significantly raised level (expected noise at 35DbA – which is current occasional peak
  - Lack of sleep and impact on sleep patterns due to noise leading to ill-health
  - Information given in paragraphs B210 and B215 of the ES Non-Technical Summary in respect of noise are misleading – information misleading
  - Assurance is sought if noise levels exceed those predicted that turbines will not be operated or effective adaptations will be made to reduce noise to acceptable levels.
  - Shadow flicker - effect on health and well-being
  - Effect from Amplitude Modulation
  - ETSU-R-97 – now over 10 years old
  - Force families from houses as has happened in other parts of the country
  - Impact on Roman Road – evidence of villa in garden of Manor Farm – change to cultural heritage – conservation areas – Litlington Church
  - Important Countryside Frontage – flint wall of Manor Farm
  - Affect 30 Listed Buildings
  - Impact on views from Therfield Heath – an SSSI
  - 26 Scheduled Ancient Monuments within 5km – setting of Therfield Heath – barrows/tumuli which were carefully located as territorial markers – Pen Hill Therfield Heath
  - Impact on views from Steeple Morden War Memorial
  - The ES at para 10.95 – states that the effects upon eleven assets are predicted to be significant
  - Moving blades not characteristic of landscape
  - Impact on surrounding footpaths/bridleway. Dog walkers and cyclists as well as pedestrians and horse riders use network of paths – popular routes of Icknield Way and to Clunch Pits
  - Contrary to Horse Society recommendations - Frighten horses
  - One turbine is too close to the Royston Road causing distraction to drivers
  - Driving on Royston Road – shadow flicker, sun, leading to migraines
  - Distraction to drivers on A505 – 70mph limit with a dangerous turn into Litlington
  - Ecology – Flora and fauna – force abandonment of badger setts- habitats – wildlife. Birds – stone curlew (Schedule 1 of W and Cons Act 1981 – proposal to ‘move’ is not convincing. Grey Partridge, Corn Bunting – red listed. Barn owl – recorded in area but not seen in EA. Dotterel – red listed. Red kite. Impact on migratory birds
  - Impact on bats - Barbestelle bat
  - Impact on Whitehill Wood – planted as wood and given to community
  - Tons of concrete detrimental to local eco-system

- No indication of any benefits to villages which would suffer relentless noise
- Area of UK where MOD flying – Helicopter route between AAC stations of Middle Wallop and Wattisham. Flying from Bassingbourn. Need to re-direct helicopters as a result of development?
- High level of light aircraft in area – no lighting proposed – impact on Duxford – Flight path to Luton
- Impact on Debden radar
- Loss of TV reception
- Construction noise and traffic
- Impact on level crossing on Litlington Road – power lines – will be access route for site
- In reality will not be commissioned after 25 years
- Flooding risk – large areas of concrete
- Effect of concreted area on usability of water – Thrift Cottages extract from borehole
- Safety – fire, shredding pieces
- Capacity of substation questioned
- No account taken of localism
- Distraction from local sports pitches – risk of injury
- Impact on tourism in the area – proven to reduce
- Other areas to west more suitable
- Will lead to further turbines in the future
- Should be offshore
- Loss of value to properties

199. An objection received from the **Stop Litlington Wind Farm Action Group (SLWFAG)** is attached at Appendix 7. The document was updated in March 2013, with the updated sections underlined. The summary and conclusions of the submission are set out below:

*“Policy*

200. The application would have wide-ranging and significant adverse impacts and is in conflict with:
201. National Policy (NPPF), by failing to meet the basic presumption in favour of sustainable development.
202. Regional Policy (East of England Plan), by failing to protect and enhance the diversity and local distinctiveness of the countryside character (ENV2), failing to protect diversity (ENV3) and failing to protect the historic environment (ENV6)
203. Local Policy (Local Development Framework), by being incompatible with the landscape scale, form, siting and proportion, by opposing the wishes of the local population (localism) and by failing to protect residents from disturbance and visual impact with the policy of South Cambs District Council.
204. The relationship between the National, Regional and Local Policies was recently considered in the High Court:
205. ‘...as a matter of law it is not correct to assert that the national policy promoting the use of renewable resources in PPG1 paragraph 22 negates the local landscape policies or must be given “primacy” over them’.



206. The developer variously suggests that selected planning policies are 'not relevant to the determination of this planning application', and in other places the same policies are 'still material to the determination of planning applications'. This demonstrates that the Developer's appraisal of planning policies relevant to this application cannot be relied upon.

*Site Selection*

207. The site is of a constrained size and shape and is in a low wind speed area that would impose disproportionately large adverse impacts for a proportionately small amount of electricity.
208. Alternative sites, which might offer a more equitable balance of harms and benefits, are not presented as required by planning regulations.

*Landscape Character*

209. The application acknowledges that the proposal would have significant adverse impacts on the character of the landscape, in conflict with the Local Development Framework.
210. We note that the developer acknowledges that mitigations '..would not materially change the extent and intensity of the significant effects predicted in this assessment.'

*Visual Amenity*

211. The application acknowledges that the proposal would have significant adverse impacts on the visual amenity of people who live, work, study, visit or travel through the surrounding area.
212. The turbines would be completely out of scale with and alien to all other natural or man-made vertical features present.
213. Therfield Heath, which overlooks the site, forms part of a nationally designated landscape of the Chilterns to which regional policy requires the highest level of protection be afforded. The application acknowledges that visitors to Therfield Heath would experience significant effects on their visual amenity as a result of the proposed turbines.
214. The proposal is unnecessarily and inappropriately close to residential dwellings and, in the absence of a visual amenity assessment for all dwellings within 1km of the proposed site, the precautionary principle should be applied and the application should be refused.

*Cultural Heritage*

215. The application acknowledges that the effects upon cultural heritage assets would be significant, which conflicts with regional and local policy.

*Noise*

216. Prevailing legislation offers no guarantee that a noise nuisance will not occur and rigorous noise assessment should be undertaken before determination.

217. Aspects of the noise assessment are flawed; do not meet the requirements of the prevailing legislation and thus the conclusions drawn in the ES about the potential for noise nuisance cannot be relied upon.
218. Excessive amplitude modulation is likely, due to the insufficient separation of the turbines within the turbine array. Dwellings lie well within the normal separation distance and are likely to suffer unacceptable noise impacts.
219. The scheme should be required to meet the acceptance criteria at the EIA state prior to determination rather than through planning conditions.

#### *Construction Traffic*

220. The traffic movements predicted have been considerably under-estimated and hence the conclusions drawn about the significance of the potential impacts cannot be relied upon.
221. The application fails to address the implications for road safety during the 25-year operational period, in particular the increased risk of distraction for drivers crossing 2 lanes of a dual carriageway with oncoming traffic travelling at the national speed limit.

#### *Ornithology/Ecology*

222. The potential risk of significant adverse impacts on the richness and diversity of species within a comparatively small area conflicts with national policy. This states that planning permission will not be granted for a development that would have an unacceptable impact on biodiversity.

#### *Benefits*

223. The applicant does not offer any credible data to support the claim for the amount of electricity the site might produce.
224. The type of turbine proposed is unsuited to wind speeds at this site and has been included solely to inflate the 'headline' amount of electricity that the site might produce
225. SLWFAG has identified and used three local, independent, verifiable sources of mean wind speed data to prepare a rigorous 'real-world' forecast of the amount of energy that the site could produce which suggest that the amount of electricity that could be produced is likely to be around one third of the amount claimed by the applicant.
226. We note the continuing absence of actual wind speed data to support the claims of the developer for the amount of electricity that the site could produce. The developer now suggests that estimates are merely, 'indicative of the scale of development only.' The estimates offered by the developer simply cannot be relied upon and should be discounted.

#### *Conclusion*

227. This application would impose wide-ranging and substantial harms on the quality of life, health and well-being of the local community. These would substantially outweigh the very limited benefits the application offers and thus the application should be refused.

228. The main body of this document sets out in detail why SLWFAG oppose this application in common with Parish Councils and Members of Parliament for the surrounding area.'

**Andrew Lansley MP** opposes the application:

229. "I have had a large volume of letters from my constituents who reside in the immediate area, and I share the views of my constituents with respect to the list of concerns the residents have raised with me:

230. *Damage to the character of the local landscape:* The area surrounding Litlington, and indeed South Cambridgeshire generally, is characterised by lovely flat hills, gentle hills and charming villages. Residents more often than not move to villages such as Litlington precisely for their quiet, calm atmosphere.

231. *The detrimental visual impact of the development:* The erection of 100 metre turbines in Litlington will be visible from the Mordens, Heydon, and other surrounding villages and would, I fear, be a sad blight on the beautiful landscape there.

232. *The harmful impact on residents:* Given the proximity to many of the houses (which appear to be as close as 700 metres in some instances), there is little doubt in my mind that there will be an impact on nearby residents, both in terms of noise and flicker from the rotating blades.

233. Although I am of course aware that it is not a binding decision, I do hope that the 2011 South Cambridgeshire decision to support a minimum distance of 2 kilometres and private residents and new turbines will also be applied in this instance."

**Oliver Heald MP** is not in favour of the proposal.

234. "I do think this will damage the view of the Cambridge plain from Therfield Heath and be a general intrusion into the visual amenity. In the past, Planning Inspectors have expressed the importance of maintaining the view from Therfield Heath across the Cambridge plain and indeed Royston Town Football Club was not allowed to relocate to the site next to the Little Chef on Baldock Road for this reason. The windfarm in question would be just as invasive."

235.

7 letters have been received supporting the application on the following grounds:

- Ample regional and national policy to support such a development
- Overriding national requirement to develop low carbon energy projects – this will reduce CO<sub>2</sub> emissions
- The electricity generation figures produced are accurate
- Wind farm projects are much needed with modern power stations desperately needed but problematic to build quickly enough to plug the energy gap
- Objections driven by selfish desire to preserve views of the countryside and house prices, neither of which are preserved in right by planning law
- Visual impact will not be negative. The area is not an AONB.
- Will be attractive compared to telecommunications masts in the area
- Noise will not be an issue given the A505 and railway line noise
- Site selection criteria met
- Turbines further from Heath than Johnson Matthey chimney
- Status of Therfield Heath as an SSSI has nothing to do with visual amenity

- The number of people with significant views is overestimated
- Cultural heritage not adversely affected
- Construction traffic not a substantive issue
- Wind farms have very low rate of bird kill except for the few on migration routes

## **Planning Comments**

### *General*

236. The approved development plan for the purposes of this application is the adopted Local Development Framework and where this is consistent with advice in the NPFF, it remains the starting point for consideration of planning applications. Although there are reference to specific policies in the Draft Local Plan this document does not carry significant weight at this point in time, particularly in cases such as Policy CC/2 where objection have been received.
237. The main thrust of Central Government policy is to help counter the serious effects of climate change and important role that renewable energy projects play in reducing CO<sub>2</sub> emissions, and increasing the amount of energy provided from renewable sources.

### *Energy generation of the scheme*

238. Concern has been raised about whether the amount of electricity generated will be as predicted in the application submission, and that the type of turbine illustrated is not suitable for the particular local conditions.
239. The applicant has confirmed that the electricity production is based on a capacity factor of 25% and that the Nordex N80 has been used as the candidate turbine, but states that the wind turbine market is fast moving and that there presently a number of models available within the 100m tip height envelope. The requirement for this flexibility is recognised by National Policy Statement for Renewable Energy Infrastructure (EN-3).
240. The Planning practice guidance for renewable and low carbon energy – July 2013 at paragraph 38 states that as with any form of energy production this can vary for a number of reasons, but that this can be useful information in considering energy contribution to be made by a proposal, particularly when a decision is finely balanced.
241. For the reasons set out below officers are of the view that the decision is not finely balanced in this case.

### *Landscape Impact*

242. Volume 4 of the ES contains 15 visualisation viewpoints and 7 cumulative visualisations. Since the submission of the application an additional 9 locations have been provided.
243. A summary of the ES assessment of the predicted effects from the 15 viewpoints is set out on pages 205 – 208 of Volume 2 – Written Statement with a number being predicted as major or major/moderate+, particularly those closer to the site.

244. The comments of the Landscapes Officer at Appendix 2 sets out the Methodology used by officers for the assessment of the impact of the proposed development on the landscape.
245. The proposed development lies in the Chalkland Landscape Area, as defined by the Cambridgeshire Landscape guidelines, and in the 'East Anglian Chalk' landscape area, as defined by Natural England's national character areas.
246. This is a large scale landscape, with an ordered pattern of large or very large fields, fields and woodland separated by low mechanically trimmed hedges or open ditches, and featuring relatively few hedgerow trees. The landscape pattern becomes more detailed at the edge of settlements and in the steam valleys.
247. The area is generally sparsely settled, with settlements small and relatively compact. Long views are possible from chalk ridges to the north and south of the site.
248. Some infrastructure is present close to the development site, notably the A505, the main railway line and industrial development at the edge of Royston. Much of the area remains tranquil however, with opportunities to get away from transport corridors and built up areas on the numerous lanes and public rights of way, particularly in the immediate vicinity of the site to the west and the Ickniel way to the north.
249. Viewpoints 1 (junction of local byway and Royston Road near Limlow Hill), Viewpoint 3 ( Church Street, Litlington), and the additional viewpoint 5 (Bridleway near Morden Grange Farm) in particular, show the turbines as dominating the approach to the village, the village centre itself (here officers consider that far more of the turbines would be visible than suggested in Viewpoint 3, and the tranquil landscape west of the village. The turbines would be set between 600m and 1500m from these viewpoints.
250. Here the landscape is considered by officers to have a medium level of sensitivity to change- a tranquil rolling landscape with a small scale and detailed landscape pattern around the village itself, and officers consider that the magnitude of the effects of the development would be major. The scale and movement of the turbines, would completely dominate and alter the present landscape character.
251. In officers view this would result in a Very Substantial or Substantial level of harm to Litlington and its surrounding landscape, with little no opportunity for mitigation of the effects.
252. Turbine 5 will have a significant impact when approaching Litlington on the Royston Road, being site only 110m west of the road.
253. Further from the village the landscape effects will be substantial or very substantial. Viewpoints 4 (Scenic viewpoint on Therfield Heath, and extra information Viewpoint B July 2012(Therfield Heath near Pen Hills) show the possible landscape effects of the proposed turbines from the elevated positions on Therfield Heath.
254. Here the wide open landscape is relatively free of infrastructure and clutter, and what there is (the railway and the A505) take the form of low, horizontal forms in the landscape mid-ground, and below the horizon. Again the landscape here is sensitive to change, and almost entirely rural in character, from the heath dropping away in the foreground to the open patch or agricultural land, small woodlands and shelter belts to the more distant chalk ridge between Haslingfield and Croydon.

255. The turbines would be set in a larger landscape, but due their scale, movement and industrial nature, projecting significantly above the horizon, would form a substantial and dominant landscape feature. Again there would be no mitigation measures possible to reduce the landscape effects.

*Visual effects/amenity*

256. The level of sensitivity to receptors of visual effects are graded high, medium and low. Receptors of high sensitivity include people using the public right of way network, local residents with clear or close views of the development, and people involved in outdoor recreation.
257. Views from the centre, south and west edges of villages will vary in their magnitude, but some will cause very substantial or substantial harm to views.
258. From the elevated position of Therfield Heath (with extensive public access), and from viewpoints on long distance footpaths of Icknield Way and Harcamlow Way, south of Litlington, the proposed turbines will dominate the view. They will cause particular harm at these points as the heath, and the surrounding footpaths and bridleways are a popular recreation area, which people visit, at least in part, for the specific views available from the heath and local rights of way.
259. Views to the south from the Icknield Way and surrounding footpaths of the rising land at Therfield Heath are currently unspoilt and the proposed turbines will significantly detract from these views.
260. The proposed development would alter the views over a wide area, which visitors would experience over extended periods of time – with the development being either constantly in view, or experienced as a series of viewpoints. Visual effects would be very substantial or substantial, with little scope to reduce the harm by mitigation

*Cumulative effect on landscape and visual amenity*

261. This matter is addressed in Chapter 9 of the ES and five viewpoints demonstrating potential cumulative impact are included in Volume 4 – Visualisations. Additional viewpoints have been submitted during the course of the application
262. The visual and landscape effects of a wind farm development can combine with existing and proposed wind farm developments to produce a cumulative effect.
263. Cumulative impacts can be defined as the additional changes caused by the proposed development in conjunction with other similar developments, or as the combined effect of a number of developments. Assessment of Cumulative effects should take account of existing wind farms, and those which are consented or at application stage.
264. Cumulative effects will include both Landscape and Visual effects, and can be experienced in several ways – as effects on the physical landscape fabric, or as effects on the landscape character - either as combined visibility where two or more developments exist in the same view, or where the developments are experienced as a as a sequence of landscape and visual effects.
265. At the proposed Highfield development both combined and sequential effects can be seen.

266. At Therfield Heath the existing wind farm at Langford, east of Biggleswade can be seen clearly on the horizon. These turbines would appear as a backdrop to the proposed development, marking space and foreshortening the views between the two, with the Highfield development dominating.
267. The Wadlow wind farm development is also visible from Therfield Heath. The view from the public car park, for example, would encompass the Wadlow development (distant) Highfield (close) and Langford (Middle distance). The entire horizon would be affected to a greater or lesser extent by wind farm development.
268. These developments would also be experienced sequentially. For example on a journey from east to west along the A505 there would be varying degrees of Landscape and Visual effects, from Very Substantial to minor, associated with wind farm developments for much of the journey.
269. Significant Cumulative Landscape and Visual effects will also be evident west of Highfield. In the Guilden Morden area, to the north and south of the village, both the Langford and Highfield developments will both be clearly visible from many viewpoints, with one or the other effecting the landscape and viewpoints to varying degrees producing effects from Very Substantial to Minor as the traveller moves between the two developments.
270. The conclusions of the Landscapes Officer are set out under Consultations above. Officers are of the view that the proposal will have a significant negative visual effects over a wide area of South Cambridgeshire.

*Residential amenity*

271. Although the broad visual impact of the development on the surrounding locality is considered above the matter of the impact of the wind farm on the outlook of nearby residential properties needs to be considered. Although private views are not normally considered to be a material planning consideration, appeals into wind farm proposals have taken the view that when turbines are present in such numbers, size and proximity that they represent an unpleasantly overwhelming and unavoidable presence in the main views from a house or garden, there is every likelihood that the property would become widely regarded as unattractive and thus an unsatisfactory place in which to live. In such cases it has been considered that it is not in the public interest to create such living conditions where they did not previously exist.
272. This matter is dealt with in paragraph 9.261 of the ES Volume 2.
273. In this case the closest residential properties are those at Highfield Farm, Highfield House and Cottages. These properties are linked to the development by ownership and therefore less sensitive receptors than those other local residents who would have the development imposed upon them.
274. Limlow Cottage is a single storey property on the east side of Royston Road. The closest turbine would be turbine 4, at approximately 520m from the front of the dwelling. The property looks directly across the Royston Road from its front ground floor windows and the turbines will be visible in an arc of about 70 degrees, although to the left of the direct view from the windows. The garden of the property to the rear faces east, although all turbines would be viewed when looking back across Royston Road to the south west. Officers are of the view that as the turbines are offset from the straight ahead view from the front of the property the change in outlook, whilst significant, would not be overpowering or unpleasantly overwhelming.

275. Nos 3 and 4 White Cottages (part of the complex of buildings at Morden Grange Farm) are located 650m south west of turbine 2. The cottage facing the development has no windows in its side elevation and the ground and first floor windows of both cottages face north south, such that any view of the turbines will be very oblique and could not be considered to be overpowering or unpleasantly overwhelming. Views from the garden should be considered in the same way, as views to the north, west and much of the view south will be unchanged.
276. 1 and 2 Brick Cottages (part of the complex of buildings at Morden Grange Farm) are located approximately 580m west of turbine 2. All turbines will be able to be viewed from the rear windows of gardens of these properties in an arc of about 90 degrees to the north east, although views to the south will be unchanged. There are a small number of windows at the rear of these cottages but the existence of outbuildings and tall screening at the bottom of the relatively short gardens, mean that full unobstructed views across the development site more difficult to obtain. Although the assessment of the impact on these properties is more balanced officers are of the view that again the development could not be considered overpowering or unpleasantly overwhelming.
277. Morden Grange Farm is 700m west of turbine 2 and the side elevation will look directly towards that turbine. Again views to the south, south east and west will be unaffected. There is significant landscaping in the garden of the property which will to some extent screen direct views of the turbines and again officers are of the view that the development could not be considered overpowering or unpleasantly overwhelming from that property.
278. There are a number of properties at the southern edge of Litlington and in the village itself which would have views out of the village to the south of the turbines, although the undulating landscape and landscaping will affect the amount of each turbine viewed in each case. The distances to the closest of these properties range from 900m to 1km from turbines 1 and 4. Although the turbines may be more evident in views south and south west, officers are of the view that the development could not be considered overpowering or unpleasantly overwhelming from these properties.

*Cultural Heritage and Archaeology*

279. This matter is dealt with in Chapter 14 of the ES and a supplementary cultural heritage report received in July 2013, which deals comprehensively with the impact of the development of heritage assets in the five conservation areas identified by the Councils Conservation Officer as being affected by the proposal. It considers that the impact on Therfield barrows will be low major adverse effect; the impact on Litlington Conservation Area moderate; Steeple Morden Conservation Area minor; Guilden Morden Conservation Area negligible; Abington Pigotts negligible; Bassingbourn Conservation Area negligible; a moderate effect is identified on the listed barn at Highfield Barn; an minor effect on Gatley Farmhouse, Wimpole Hall and the Steeple Morden War Memorial.
280. In respect of archaeological interests within the site itself the Cambridgeshire Archaeology is satisfied that its interests can be dealt with by a negatively worded condition.
281. English Heritage has expressed concerns at the impact of the proposed turbines on the setting of the Therfield barrow cemetery, the importance of which is highlighted in its comments Appendix 5. The further assessment carried out on behalf of the



applicant, whilst recognising the importance of the heritage asset, does not attach the same degree of harm.

282. Given the location of the majority of the barrows, to the east of the major viewing point on the Heath, officers are of the view that the importance of the setting of this asset has been accurately assessed by English Heritage, and that there will be a very significant degree of harm, which will need to be balanced against the public benefits of the proposal.
283. The Conservation Officer is concerned at general views across the site both from the north and south and the impact that this will have on the setting and historical visual linkages of Churches in a number of villages, which tend to be the highest buildings, and therefore more prominent in distant views.
284. There are particular concerns about the impact of views into and out of the Conservation Areas of Litlington and Steeple Morden, along with the impact of important listed buildings.
285. These views are set out in the advice submitted at Appendix 4, and are not rehearsed again here. In a number of areas the degree of harm to heritage assets is rated higher than in the applicants submission, and there is particular concern about the setting of listed buildings on edge of the village where views of the heritage assets will be severely affected.
286. In those areas where the harm is identified as less than substantial the harm has to be balanced against any public benefits of the proposal.
287. The Conservation Manager is concerned about views from the southern end of the South Avenue of Wimpole Hall and Members will have an opportunity to view from this point. Although the wind farm will be approximately 7.5m away it will still adversely impact on the setting of the heritage asset to a significant degree.

#### *Rights of Way*

288. The effect on the enjoyment of the public rights of way in the area has been considered under visual amenity above, and is considered to be of great concern
289. The Rights of Way Officer, Cambridgeshire County Council has confirmed that the separation distances to existing public footpaths is acceptable.
290. Concern has been expressed about proximity of the proposed turbines 1 and 2 to the permissive bridleways to the north and west of the site. The British Horse Society recommends a minimum separation distance of 200m from a bridleway to a turbine to prevent horses from spooking, however this is not a statutory requirement and turbine 2 has a clearance of 180m. Turbine 1 however is within 100m of the permissive bridleway to the north. As this is a permissive rather than statutory route realignment within other land owned by the applicant could be secured by condition. The applicant has indicated his willingness to improve rights of way as part of the proposal

#### *Noise*

291. The Environmental Health Officer has carefully analysed the proposal against the original information, and the additional information supplied. The application has been considered in the light of the advice in ETSU-R-97, and whilst there has been concern expressed locally about the use of this document it remains the standard

against which wind farm proposals should be assessed. This position is supported in the Planning Practice and Guidance for Renewable and Low Carbon Energy published in July 2013

292. The Environmental Health Officer has concluded that the noise impacts from the proposal are acceptable subject to the imposition of appropriate conditions. These would include:
- Construction Environmental Management Plan covering hours of work/construction, noise predictions etc, in accordance with BS 5228:2009.
  - Operational noise – maximum permitted noise levels at specified properties having regard to ES and ETSU limit guidance/IOA Good Practice Guidance May 2013
  - Provision of noise and met data as requested
  - Compliance checking if complaints received etc
  - Other or Excess Amplitude Modulation noise occurrence greater than that envisaged or inherent in ETSU should complaints arise
  - Post commissioning noise compliance checking for a period of time.
293. The applicants agent has supplied a draft set of conditions which the Environmental Health Officer is currently considering.

*Shadow flicker*

294. Under certain combinations of geographical position, time of day and year, the sun may pass behind the rotor of a wind turbine and cast a long shadow. When the sun is in a certain position on the sky at a specific time of day and alignment with an intervening turbine and the window of a neighbouring dwelling, as the blades rotate shadows can pass a narrow window. A person in that room may perceive that the shadow, effectively a drop in the light levels which comes and goes with each pass of the blade
295. Shadow flicker normally only occurs within 10 rotor diameters of the turbines at 130 degrees either side of north relative to the turbines, however these conditions should not be viewed as an absolute and at distances beyond 10 rotor diameters there is a low risk that shadow flicker may occur.
296. Modern turbines can be controlled so as to avoid shadow flicker when it has the potential to occur. Individual turbines can be controlled to avoid shadow flicker at a specific property or group of properties on sunny days, for specific times of the day, and on specific days of the year
297. The potential for shadow flicker is considered in Chapter 9 of the ES Volume 2. Seven dwellings have been identified as having the potential to experience shadow flicker effects and it is concluded that there are five potential receptor properties within the study area that could be exposed to shadow flicker, although for very short periods. Apart from Highfield House the worst affected property is Morden Grange Farm House, which could experience 80 shadow days per annum for a maximum of up to 51 minutes on each day – a total of 36.1 shadow hours per annum.
298. The Environmental Health Officer has addressed this issue in Section 4.0 of his comments in Appendix xx, and agrees with the assessment above. He agrees that a shadow flicker related mitigation condition is necessary and reasonable in the interests of the amenities of nearby residents subject to agreement on the final wording.

### *Aviation*

299. This matter is considered in Chapter 16 of the ES, which concludes that following the proposed mitigation measures, no significant impacts on either civil or military airfields are anticipated.
300. Wind turbines can have an adverse effect on air traffic movement and safety as they may represent a risk of collision with low flying aircraft, and they may interfere with the proper operation of radar by limiting the capacity to handle air traffic, and aircraft instrument landing systems.
301. The Defence Infrastructure Organisation and Cambridge Airport currently object to the application on the grounds of potential interference with radar at Cambridge Airport. The applicant has been working with the Airport to address these concerns by appropriate mitigation measures, which it is suggested could be secured by two conditions. At the time of writing the report however officers have not received confirmation of an agreement, and therefore the objection constitutes a reason of refusal at the present time. A further update will be given at the meeting
302. No objection in respect of aviation has been raised by the National Air Traffic Control (NATS) or Duxford Airfield. Bassingbourn Barracks has been consulted but has not commented on the application.

### *Ecology*

303. This matter is considered in Chapter 12 of the ES. In the conclusions it refers to the extensive surveys that undertaken at the site, and that a number of non-avian protected species were confirmed to be present within a 500m buffer area, most notably four species of bat and a modest population of badgers. Potentially significant pre-mitigation impacts were not identified as credible concerns for any protected species. The ES states that given the mitigation measures proposed, the construction and operation of the proposed development is deemed unlikely to result in negative ecological impacts beyond a minor magnitude for some species at the Parish/Local geographical scale. The enhancement measures described in Chapter 11 'Ornithology' are predicted to make significant contributions to UK BAP priority species targets.
304. The Planning Practice and Guidance for Renewable and Low Carbon Energy states at paragraph 33, that evidence suggests that there is a risk of collision between moving turbine blades and birds and/or bats. Other risks include disturbance and displacement of birds and bats and the drop in air pressure close to the blades which can cause barotrauma (lung expansion) in bats, which can be fatal. Whilst these are stated to be generally a relatively low risk, in some situations, such as in close proximity to important habitats used by birds or bats, the risk is greater and the impacts should therefore be assessed.
305. The local concerns in respect of the impact on ecology are noted, however Members will see from the consultation responses that Natural England, the Council's Ecology Officer and the RSPB have not objected to the application, and are satisfied with the investigations undertaken. The mitigation measures will need to be secured by condition.

### *Ornithology*

306. This matter is considered in Chapter 11 of the ES, which states a number of avian species were found to be present at the site including: Stone Curlew, Hobby, Nightjar, Montagu's Harrier, Merlin, Whimbrel, Honey Buzzard, Bar-tailed Godwit, Peregrine, Marsh Harrier, Red Kite, and Golden Plover. A number of other bird species listed as birds of conservation concern were also recorded.
307. The ES states that significant effects were identified for collision risk to Stone Curlew. Whilst collision remains unlikely, if it were to occur, it would result in a major negative effect on the Regional population of stone curlew. Mitigation has been proposed (originally on three nesting plots to the south of the site) to reduce this potential impact still further, and potentially result in significant progress towards BAP species targets.
308. Members will see from the consultation responses that Natural England, the Council's Ecology Officer and the RSPB have not objected, subject to the mitigation measures proposed.
309. In September 2013, a letter was received from the applicants agent, stating that two further surveys targeted at Stone Curlews were undertaken in spring/summer 2013. The ES reported a breeding pair of Stone Curlews present in 2008, while in 2009 a single bird was observed, with no breeding suspected. A further survey was conducted in June 2009 but no birds were observed on that occasion. The 2013 survey again found no evidence of stone curlew on the site.
310. As a result, and with the agreement of the RSPB a slightly revised scheme of mitigation is proposed, which reduces the proposed nesting plots from three to two.

*Highway safety implications*

311. This matter is considered in Chapter 8 of the ES, which concludes that given predicted peak HGV movements are anticipated to exceed more than 30% of existing HGV movements along Royston Road from the junction of the A505, limited local disruption may occur to local traffic during the five non-consecutive days of turbine foundation concrete pouring. It is also anticipated that some brief disruption may occur during the delivery of the major turbine components.
312. Concern has been raised that the proposed turbines will represent a distraction and hazard to drivers, particularly when crossing the A505. The turbines will be a minimum of 1.2km to the north of the A505, and will be visible to drivers travelling along the A505 from both the Royston and Baldock directions. Officers are of the view that whilst when turning north from the A505 drivers will be looking towards the turbines, and particularly No5, they will be a feature in the landscape which has been visible for some time before the turn, and will not therefore represent a distraction so as to cause a hazard.
313. The applicants agent has pointed out that in previous Government Guidance, now replaced by the Planning Practice and Guidance for Renewable and Low Carbon Energy, it was stated that wind turbines should not be treated any differently from other distractions a driver must face, and should not be considered particularly hazardous.
314. Cambridgeshire County Council, as Highway Authority for the Royston Road, from where access onto the site will be gained has not objected on highway safety grounds. There should be a condition requiring a method statement for the site,

which would include routing and securing any modifications required to the public highway for safe delivery.

315. The comments of Hertfordshire County Council, as Highway Authority for the A505, will be included in an update report.

*Impact on railway line*

316. Traffic accessing the site from the A505 will need to cross the railway line at the Litlington crossing, where there are overhead lines. A detailed topographical survey was undertaken at the level crossing for the ES.
317. Network Rail has not objected to the application and has had further correspondence with the applicant's agent regarding the safeguarding measures which will need to be put in place during the period of construction.

*Utilities and Telecommunications*

318. Although OFCOM has not made comments in respect of this application it did input into the preparation of the ES and this issue is considered in Chapter 15 of Volume 2 of the ES, and modifications were made prior to submission.
319. Wind farms can potentially affect electromagnetic transmissions (e.g. radios, television and phone signals) and a clearance of 100m either side of a line of site link from the swept area of turbine blades is normally required. The application complies in this respect, however it would be appropriate to include a condition in any consent to ensure that any issues subsequently experienced can be dealt with.

*Conclusions*

320. Members will have the opportunity to visit the site and view from a selection of the important viewpoints highlighted above. The presumption remains in favour of sustainable development unless material considerations indicate otherwise. Although the amount of energy that the proposed development might generate is contested locally, Members must recognise that the proposed development will contribute to renewable energy levels.
321. This then has to be balanced against any harm and a view taken as to whether the public benefits of the proposal outweigh that harm. In this case officers have identified substantial levels of harm in terms of landscape and visual impact on the surrounding area, cultural heritage and impact on aviation (although it is recognised that Cambridge Airport may withdraw its objection).
322. In this case officers are of the view that the degree of harm outweighs the public benefits and the application should be refused.

**Recommendation**

323. That the application is refused for the reasons set out below.

**Reasons for refusal**

- 1) The proposed development will cause unacceptable levels of harm to the local landscape character, to the local villages and their setting - particularly Litlington and Steeple Morden.

The development would appear completely at odds with the character, scale and pattern of the landscape, and would dominate views both locally and in the wider landscape over large areas.

The development will also cause substantial harm to local amenity and the recreational experiences of residents and visitors. The open nature of the wider landscape and the numerous elevated views available mean that the development would be visible for extended periods of time to users of the landscape, particularly from Therfield Heath and the Hamcarlow way.

The development would also combine with views to the Wadlow wind farm development and with the much closer recent wind farm at Langford. These cumulative effects will also cause substantial levels of harm to the landscape and village settings, particularly north and west of Litlington.

There will be few opportunities for mitigation to reduce the Landscape and Visual effects of the development, and so the levels of harm to landscape and amenity will remain unacceptably high.

- 2) The proposal will result in significant harm to a number of important heritage assets in the area including the ancient barrows on Therfield Heath, views into and out of Litlington and Steeple Morden Conservation Areas, the setting of a number of listed buildings in Litlington, including the Church, the setting of the South Avenue of Wimpole Hall, and views to and from the chalk ridges to the north and south of Litlington. The Local Planning Authority is of the view that the public benefits of the proposal do not outweigh the identified harm to heritage assets.
- 3) The proposed turbines would have an adverse impact on the operation of the radar at Cambridge Airport to the detriment of air safety.

### **Background Papers**

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

The following list contains links to the documents on the Council's website and/or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Plan Proposed Submission July 2013
- South Cambridgeshire Supplementary Planning Documents
- National Planning Policy Framework 2012
- Planning File References: S/0439/12/FL.

**Report Author:** Paul Sexton – Principal Planning Officer  
Telephone: (01954) 713255



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**Project:**  
Highfield  
Wind Farm

**Client:**

engena

- Key:**
- Location of proposed turbines
  - Access land
  - Permissive open access
  - Icknield Way Path
  - Harcamlow Way
  - Herfordshire Way
  - Herfordshire Chain Walk
  - Public footpath
  - Public bridleway
  - Byway Open to All Traffic
  - Stewardship Access Paths
  - Permissive bridleway
- Visitor Attractions**
- Fox Covert Local Nature Reserve
  - Thefield Heath Local Nature Reserve
  - Viewpoint locations

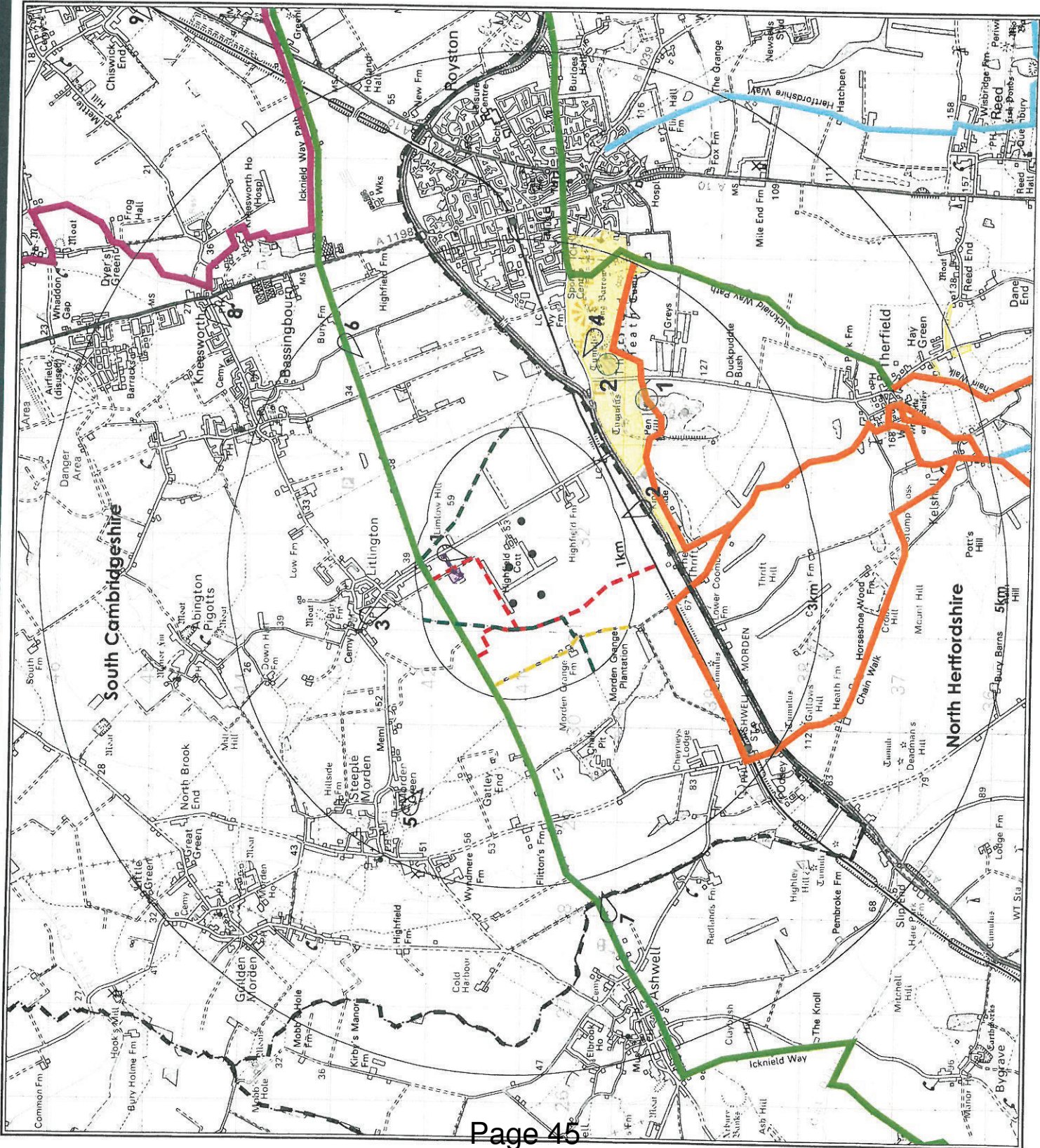
**Notes:**

1. Reproduced from Ordnance Survey digital map data © Crown copyright 2011. All rights reserved. Licence number 010003167.

Scale: 1:40 000



**Figure: 9.4**  
Recreational Routes, Access Land  
and Visitor Attractions



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CCB23 6EA

Your Ref: S/0439/12/FL

21<sup>st</sup> March 2013

Dear Mr Sexton

**Amended Planning Application S/0439/12/FL**

**Land at Highfield Farm, west of Royston Road, Litlington**  
***Installation of five wind turbines to a maximum height to tip of 100m; a single lattice tower meteorological mast; on site substation; access tracks; hardstanding areas; external transformers; temporary construction compound; and associated infrastructure***

Litlington Parish Council held a well attended meeting last week to discuss the above amended application. Councillors agreed that the comments made on the original application should be reiterated. Please see following objections and comments in italics in relation to the new information provided. The Parish Council would like these comments considered in addition to the original comments and it should not be taken to suggest the original comments have been addressed satisfactorily by the new information provided.

Litlington Parish Council object to the proposed development in the strongest possible terms permitted by law because of

- The impact of health and well being of residents
- The impact on the character of the landscape
- The impact on the visual amenity of residents
- The impact on cultural heritage
- Traffic and Transport
- Other considerations such as the question of whether any harm was clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development

The following comments are presented in the order in which they appear in the application.

#### Planning Appraisal

##### 6.2 – National Planning Policy Framework (NPPF)

We note that the NPPF has now replaced the Planning Policy Guidance and Statements referred to in the Planning Appraisal. We would ask that the applicant revise the Planning Appraisal document to reflect this change. We also ask that the views of the residents of this Parish should now weigh heavily in the appraisal of this application in accordance with the principles of localism.

***We have reviewed the interpretation of the NPPF provided by the developer<sup>1</sup> and we note that the NPPF acknowledges the possibility that 'adverse impacts' could 'outweigh the benefits'<sup>2</sup> We ask that considerable adverse impacts identified in this submission and the submissions of others are duly weighed in proportion to the limited expected benefits of the application.***

#### Chapter 2 - Development Rationale

##### 20.28 – Renewable Energy

We do not accept that the application has any realistic prospect of meeting 1.5% of the entire onshore regional renewable energy target, and 1.5% of the 2015 waymark target for wind energy. This is because we believe that the calculations provided in Appendix 1.1 cannot be relied upon (see

***We note that no new information has been offered in response to this observation and so we trust that the planning department will consult widely and fully to ensure that the full implications of the proposed development on these activities is properly understood and considered.***

Chapter 17. Socio-Economics).

***See Chapter 17. Socio-Economics.***

#### Chapter 7 - Construction, Operation and Decommissioning

##### 7.55 – Decommissioning Phase

We note that during the decommissioning period 'the site will be reinstated with electrical connections isolated and made safe and turbine foundations removed down to a level where they would have no impact on farming practice.'

We see no justification as to why leaving the electrical connections and turbine foundations largely in place would have an acceptable impact on the environment. We recommend that a full impact assessment is undertaken to determine what the implications of leaving the electrical connections and/or turbine foundations largely in place will be and if these are found to be significant and adverse, the applicant should be asked to undertake whatever mitigation is necessary to make the residual impacts acceptable.

***We have reviewed the comments of the developer on Decommissioning and note that no explanation is offered as to why leaving the turbine foundations largely in place would result in '...less environmental impact than complete removal.' Our view therefore remains unchanged that a full impact assessment should be undertaken to determine what the implications of leaving the electrical connections and/or turbine foundations largely in place would be.***

#### Chapter 8 - Traffic and Transport

##### Junction of A505 and Royston Road

We note that the assessment on traffic and transport 'has been limited to the construction process', a period of 9 months. It takes no account of the implications to road safety of the proposed development for the operating phase, a period of 25 years. This is in spite of the fact that the Landscape and Visual Assessment (9.277) notes that the proposed development would result in

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<sup>1</sup> [plan.scamb.gov.uk/swift/ig/MediaTemp/1124229-442931.pdf](http://plan.scamb.gov.uk/swift/ig/MediaTemp/1124229-442931.pdf)

<sup>2</sup> Paragraph 14

significant effects on the visual amenity of motorists, in particular those using the minor road adjacent to the site (Royston Road).

The junction turning right from the A505 onto Royston Road requires drivers to cross two lanes of fast moving traffic travelling at or in excess of the maximum speed limit. This requires heightened presence of mind and sound powers of observation at the best of times. The presence of 5 turbines, each 100metres tall, with moving rotors in the direct line of sight of drivers attempting this challenging manoeuvre can only increase the risk of distraction, accident and resulting harm to drivers and passengers.

We consider that the level of driver distraction posed by these structures when navigating this junction would be unprecedented for a wind farm application so close to a major public highway. We recommend that a full assessment is undertaken of the risk of driver distraction during the operational phase to determine if and how this risk could be mitigated.

***We have reviewed the comments of the developer on Traffic, Transport and Driver Distraction and note that the Technical Annex of the PPS22 Companion Guide referred to was published 9 years ago and does not therefore reflect more recent understanding of the impact of wind turbines on traffic and transport. We consider that the level of driver distraction posed by these structures when navigating this junction would be unprecedented for a wind farm application so close to a major public highway and this cannot be adequately assessed by dated and generalised commentary. Our view therefore remains that a full assessment should be undertaken of the risk of driver distraction during the operational phase to determine if and how this risk could be mitigated.***

#### **Chapter 9 - Landscape and visual assessment**

***We have reviewed the comments of the developer on Landscape and Visual and Cultural Heritage and our comments are set out in the relevant sections below.***

##### **9.261 – Lillington**

We note that many residents of Lillington would have views towards the turbines, particularly houses on South Street, Royston Road, Church Street and Bassingbourn Road. We further note that the wind turbines would result in significant effect in the views from their properties; would become a defining characteristic of these views; would contrast with the existing landscape; and would be in views that are valued by these residents, and so would result in a significant effect on their visual amenity.

***We note that in Appeal Decision ID 2146094 the Planning Inspector comments in paragraph 45: "In assessing the impact on the landscape it is important to have regard to the communities that inhabit that landscape and are affected both positively and negatively by its appearance and character and other less tangible qualities, such as a sense of openness, that enable the landscape to enrich the daily lives of residents."***

***We ask that considerable adverse impacts on the landscape and the living conditions of residents identified in this submission and the submissions of others are duly weighed in proportion to the limited expected benefits of the application.***

##### **9.266 – Therfield Heath**

We note that visitors to Therfield Heath would experience a significant effect on their visual amenity.

***We note that one of the reasons given for the refusal of planning permission at the Horse and Groom, Baldock Road<sup>3</sup> is '...that the neighbouring SSSI Therfield Heath has a very high landscape quality that is highly valued with extensive public access over the semi natural chalk grassland and expansive views over the arable land to the North. It is considered to have a very high sensitivity to development that is already affected by the A505 and industrial and commercial development to the North East.' It goes on to say that the development proposed would '...have a significantly adverse impact on the surrounding landscape.' It concludes that the application '...is therefore considered to be contrary to the requirements of Policy DP/3 that states planning permission will not be granted where the proposed***

<sup>3</sup> S/I0702/12/FL

*development would have an unacceptable adverse impact on the countryside and landscape character.'*

*We conclude that this reasoning would be equally relevant and applicable to this application.*

#### **9.268 – Icknield Way**

We note that users of the Icknield Way, which runs within 700m of the proposed turbines, would experience significant effects on their visual amenity as a result of the development.

**We have reviewed the additional visualisation 'Viewpoint A - Icknield Way along Ashwell Street'.**

**This reaffirms our view that significant effects on the visual amenity of walkers would arise as a result of the development.**

#### **9.269 - Hertfordshire Chain Walk**

We note that walkers on the Hertfordshire Chain Walk, which runs within 1.5 km of the proposed turbines, would experience significant effects on their visual amenity as a result of the development.

**We note that Cambridgeshire County Council has raised some matters of law in relation to Public Rights of Way but the additional information provided does not say what these are. We would welcome clarification on what these points of law are and trust that the Planning department will give full consideration to these.**

#### **9.274 - Walkers, Equestrians and Cyclists**

We note that walkers, equestrians and cyclists on local footpath, byways open to all traffic and bridleways would experience significant effects on views, that the turbines would become one of the key defining characteristics of views, would contrast with the existing landscape and would be on routes for purposes that include the appreciation of the view. Taken together, the development would result in significant effect on the visual amenity of walkers, equestrians and cyclists using local public rights of way.

**We have reviewed the additional visualisations and these give further weight to our view that the development would result in significant effects on the visual amenity of walkers, equestrians and cyclists using local public rights of way.**

#### **9.277 - Motorists**

We note that the proposed development would result in significant effects on the visual amenity of motorists, in particular those using the minor road adjacent to the site (Royston Road). We consider that this poses a threat to the safety of drivers and passengers as discussed in

**We have reviewed the comments of the developer on Decommissioning and note that no explanation is offered as to why leaving the turbine foundations largely in place would result in '...less environmental impact than complete removal.' Our view therefore remains unchanged that a full impact assessment should be undertaken to determine what the implications of leaving the electrical connections and/or turbine foundations largely in place would be.**

Chapter 8 - Traffic and Transport.

#### **See previous comments in Chapter 8 - Traffic and Transport**

#### **Whitethorn Wood**

The application makes no mention of Whitethorn Wood, a Cambridgeshire woodland fund site created in partnership with South Cambridgeshire District, Cambridgeshire County council and local people.. Whitethorn Wood lies ½ outside the village of Lillington and approximately 530 metres from the nearest proposed location (Turbine 1). Whitethorn Wood abuts two public rights of way, the public byway of Ashwell St to the north and a public footpath to the south. The proposed development would result in a significant effect on the visual amenity of residents and visitors to this cherished woodland.

**The commentary provided by Eeenvironment Ltd notes that Whitethorn Wood was planted in 1994 and is currently approximately 3m at most but goes on to suggest that '...as the woodland grows and matures it is reasonable to expect that the proposed turbines would**

*gradually become more screened...’ We would suggest that, if it has taken 19 years for the planting to reach a height of 3 metres, it is not reasonable to suggest that an array of 5 turbines, each 100 metres tall, have any realistic prospect of being screened to any meaningful extent in the foreseeable future and consequently we remain of the view that the proposed development would result in a significant effect on the visual amenity of residents and visitors to this cherished woodland.*

#### **War Memorial – RAF Steeple Morden**

The application makes no mention of the war memorial at RAF Steeple Morden, home of the 355th Fighter Group of the United States Air Force (USAAF), who flew combat missions to Germany, Belgium and France between 1943 and 1945.

The 355th was awarded a Distinguished Unit Citation for ‘extraordinary heroism in action against an armed enemy for displaying such gallantry, determination, and esprit de corps in accomplishing its mission under extremely difficult and hazardous conditions so as to set it apart from and above other units participating in the same campaign.’ The memorial commemorates 98 American and 142 Commonwealth service personnel who lost their lives from the base.

The memorial stands in an elevated location overlooking the proposed development and the presence of turbines would result in a significant effect on the tranquility and solemnity of the site.

***We have reviewed the additional visualisation ‘Viewpoint C - Steeple Morden War Memorial’ and the comments of E4environment and note that ‘The introduction of the proposed turbines would result in a significant change in the view...’, ‘...introduce moving elements...into the view...’ and ‘...the movement of blades would be clearly visible’. E4environment suggest, however, that ‘...the movement and sound are already features of the overall experience of visiting the memorial as the traffic on the adjacent local road and overhead air traffic are both discernible features.’ We would suggest that local traffic bears no meaningful comparison to the prominence, movement and sound of 5 turbines, each 100m tall distributed across the visible landscape. We conclude that, as the additional visualisation makes clear, the development would result in a significant effect on the tranquility and solemnity of the site.***

#### **Chapter 10. Cultural Heritage**

##### **10.76 – Landscape and Setting of Cultural Assets**

We note that the type of change discussed takes no account of the fact that the proposed turbines will be vastly out of proportion with any other man made changes to the landscape and that the presence of moving rotors will be entirely alien to the landscape. Taking these factors into consideration we resoundingly reject the suggestion that the landscape has a tolerance for wind farm development.

***As previously noted in 9.266 – Therfield Heath, the refusal of planning permission at the Horse and Groom, Baldock Road, ‘...Policy DP/3 that states planning permission will not be granted where the proposed development would have an unacceptable adverse impact on the countryside and landscape character.’ This supports our view that the suggestion by the developer that the landscape has a tolerance for wind farm development is wholly unjustified.***

##### **10.87 - Conservation Areas**

We note that the Lillington Conservation Area is classified as being of ‘High’ importance, i.e. a cultural heritage asset of national importance.

We note that the magnitude of change to the Lillington Conservation Area has been classified as ‘Moderate Adverse’, i.e. ‘Detrimental alteration to an asset or its setting due to the introduction of a prominent feature in the landscape’.

We consider that, by any reasonable measure, the magnitude of change can only be described as ‘Major Adverse’, i.e. ‘Considerable, detrimental alteration to an asset or its setting due to the introduction of a dominant feature in the landscape’.

Taking the ‘Site Importance’ and the ‘Magnitude of Change’ together, the ‘Significance of Effect’ will be ‘Large/Very Large’ and not ‘Moderate/Large’ as the application suggests.

##### **Important Countryside Frontage**

We note that Viewpoint 3 – Church Street, Lillington, makes no mention of the fact that this is a designated Important Countryside Frontage. We further note that Development Control Policy CH/7 states that planning permission for development will be refused if the proposed development would

compromise the strong countryside character. We consider that the proposed development would unquestionably compromise the strong countryside character.

***We have reviewed the comments of Edeenvironment on this subject and conclude that they make a lengthy but ultimately inconclusive case that policy CH7 is somehow not compromised. We remain of the view that the presence of 5 turbines, each 100m tall, plainly visible from this important countryside frontage can reasonably be expected to compromise the strong countryside character.***

## **Chapter 11. Ornithology**

### ***11.158 - Avian Species of Elevated Conservation Status***

We note that a number of avian species of elevated conservation status were found to be present at the site, including: Stone Curlew, Hobby, Nightjar, Montagu's Harrier, Merlin, Whimbrel, Honey Buzzard, Bar-tailed Godwit, Peregrine, Marsh Harrier, Red Kite, and Golden Plover.

A local ornithologist has observed healthy breeding populations of Grey Partridge (*Perdix perdix*) and Corn Bunting (*Emberiza calandra*) and Dotterel have been observed resting whilst migrating. These species are 'red listed' by the IUCN (International Union for Conservation of Nature), indicating the highest level of conservation concern.

We also note that the applicant did not record the presence of barn owls and concludes that the species may not be present in the vicinity of the study area. A local ornithologist has recorded this species in the area as recently as 2010.

Lastly, we note that Development Control Policy NIE/6 Biodiversity states that planning permission will not be granted for development which would have an unacceptable adverse impact on the biodiversity of Natural Areas and we would ask that this policy is given due weight in assessing the impact on ornithology.

## **Chapter 12. Non-Avian Ecology**

### ***12.123 – Ecological impact***

We note that negative ecological impacts of a significant magnitude for some species will occur at a Parish/local level. We do not accept, therefore, that the proposed development will have no significant effect on valued ecological interest as suggested by the applicant.

## **Chapter 13. Noise**

The potential impact on public health from the presence of turbines so close to housing is a source of great concern to residents.

We note that the assessment has carried out according to the recommendations of ETSU-R-97 as agreed with South Cambridgeshire District Council. We separately note, however, that the number of reported cases of wind turbines affecting the health and well-being of residents living nearby continues to grow. A peer-reviewed paper published in the British Medical Journal in March of this year notes that a large body of evidence now exists to suggest that wind turbines disturb sleep and impair health, particularly amongst children, at distances of up to 2 kilometres. The entire village of Lillington lies within 2 kilometres of the proposed developed.

We ask that the applicant explain how they will defend claims for damages and costs from residents who successfully demonstrate that the turbines have adversely impacted their quality of life, health and well being.

***We note that the developer does not offer any assurances that noise will not adversely impact the quality of life, health and well being of residents. Moreover, the developer does not explain how they would defend claims for damages and costs from residents that may be affected by noise.***

## **Chapter 15. Utilities and Telecommunications**

### ***Terrestrial Television***

We note that the proposal could interfere with the terrestrial television reception of 2,106 homes for which there is no alternative off-air service and 235 homes for which there may be an alternative off-



air service (15.28) but that interference can be resolved through technical solutions (15.43). We separately note, however, that the applicant does not propose to address any problems until after the development is complete and offers no undertakings on how promptly issues will be resolved (15.45). We consider that if a problem of this nature can be predicted and a technical solution is known to exist then it is reasonable to expect that the applicant should undertake to implement appropriate mitigations before a problem arises rather than simply wait for a resident to report a problem.

#### **Chapter 16. Aviation**

##### **16.13 – Civil Aviation**

The airspace above Lillington is regularly used for training and aerobatic practice (aircraft) and low-level flying (military helicopters). We expect that you will consult with the relevant stakeholders regarding these activities but we would ask you to note that any adverse consequences arising from the increased risk posed by the proposed turbines would be borne by this parish. We ask, therefore, that you consult widely and fully to ensure that the full implications of the proposed development on these activities is properly understood and considered.

***We note that no new information has been offered in response to this observation and so we trust that the planning department will consult widely and fully to ensure that the full implications of the proposed development on these activities is properly understood and considered.***

##### **16.58 – Military Aviation**

We note that no tactical training areas were identified in consultation with Defence Estates. We would ask you to note that military helicopters (Apache or similar and Chinook or similar) regularly fly at low-level above the village in close proximity to the proposed development.

***We note that no new information has been offered in response to this observation and so we trust that the planning department will consult widely and fully to ensure that the full implications of the proposed development on these activities is properly understood and considered.***

#### **Chapter 17. Socio-Economics**

##### **17.67 - Predicted Electricity Production of the Highfield Wind Farm**

We note that the prediction for the amount of electricity the proposed development will produce is not supported by actual wind speed data captured from the anemometer installed on the site for over two years for this purpose.

We separately note that the Stop Lillington Wind Farm Action Group (SLWFAAG) has prepared a separate forecast using three independent, local sources of wind speed data. Their analysis suggests that the proposed development has little realistic prospect of ever generating the amount of energy claimed. Moreover, they suggest that the specification of model of turbine referred to is unsuited to the wind speed in this area and has simply been included to inflate the prediction of the amount of electricity this development would produce.

We consider that the prediction from the application cannot be relied upon and a more rigorous, objective methodology for measuring the amount of electricity using relevant, local, independent real-world data should be used. Moreover, we consider that the weight given to the 'benefits' of this application should be adjusted in proportion to a more realistic projection of the amount of electricity the site is likely to produce.

***We have reviewed the comments of the developer on Wind Speed and Energy Production Estimates and note that no new information has been provided to support the claim for the amount of electricity the proposed development will produce. Our conclusion therefore remains unchanged that the calculations provided in the application cannot be relied upon.***

***Separately, the developer suggests that ‘...energy production from renewable sources is afforded the same positive benefit irrespective of the magnitude of energy produced.’ This view is not supported by Appeal Decisions published by the Planning Inspectorate. By way of example, in decision ID 2150950 the Inspector states in paragraph 81:***

***“There is no suggestion in national or local planning policy that pursuit of renewable energy targets overrides environmental considerations.”***

***Appeal decisions consistently refer to the balance between adverse impacts and expected benefits and therefore the 'magnitude of energy produced' is evidently a material consideration in determining whether the expected benefits outweigh the adverse impacts. We urge the planning department to weigh the considerable adverse impacts identified in this submission and the submissions of others in proportion to the limited expected benefits of the application.***

Yours sincerely

SALLY WALMESLEY

## Landscape Comments

### 1) Methodology

Landscape, Visual and Cumulative effects methods of assessment is based on Guidelines for Landscape and Visual Assessment Second Edition (Landscape Institute and Institute of Environmental Management and Assessment 2002) and Landscape Character Assessment for England and Scotland (Countryside Agency and Scottish National Heritage 2002)

Future assessment will include guidance from the recently published Landscape and Visual Assessment third edition.

Landscape and Visual effects result when development alters the existing landscape character, landscape patterns and scale, or sense of place (Landscape Effects) or affects receptors – people within the landscape - and their experience and view of the landscape (visual Effects).

Landscape and Visual effects can be assessed as Positive, Adverse or Neutral – the Nature of the effect.

Landscape effects are graded as High – Medium or Low levels of landscape sensitivity combined with Substantial- Moderate or Slight changes in landscape character combining to give Very Substantial, Substantial, Moderate or Minor landscape effects.

Visual effects consider the sensitivity of the receptor – High, Medium or Low combined with the magnitude of the change of view graded – Substantial, Moderate or Slight to give a level of Significance Very Substantial, Substantial, Moderate or Minor visual effects.

### The Landscape

The proposed development lies in the refer to Chalkland Landscape area, as defined by the Cambridgeshire landscape guidelines, and in the 'East Anglian Chalk' landscape character area, as defined by Natural England's national character areas.

This is a large scale landscape with an ordered pattern of large or very large fields, fields and woodland separated by low mechanically trimmed hedges or open ditches and featuring relatively few hedgerow trees. The landscape pattern becomes more detailed at the edge of settlements and in the stream valleys.

The area is generally sparsely settled, with settlements small and relatively compact. Long views are possible from chalk ridges to the north and south of the development site.

Some infrastructure is present close to the development site, notably the A 505, the main railway line and industrial development at the edge of Royston. Much of the area remains tranquil however, with opportunities to get away from transport corridors and built up areas on the numerous lanes and public rights of way.

### Landscape effects

The Landscape effects will generally lessen with distance from the development site. Landscape effects will be most keenly felt close to the proposed development or where the development will affect the landscape scale patterns and character, and the setting of villages, features or historic and landscapes.

Viewpoints have been submitted which demonstrate the probable Landscape effects of the development close to Littlington.

Viewpoints 1 and 3 and extra information viewpoint 5 show the turbines as dominating the approach to the village, the village centre itself (here far more of the turbines would be visible than suggested in viewpoint 3) and the tranquil landscape west of the village. The turbines would be set between 600m and 1500m from these viewpoints.

Here the Landscape has a medium level of sensitivity to change, - a tranquil rolling landscape with a small scale and detailed landscape pattern around the village itself - and the magnitude of the effects of the development would be major — The scale and movement of the turbines, would completely dominate and alter the present local landscape character.

This would result in a Very Substantial or Substantial level of harm to Littlington and its surrounding landscape, with little or no opportunity for mitigation of the effects.

Further from the village the landscape effects will also be very substantial or substantial. Viewpoints 4 and extra information viewpoint B Show the possible landscape effects of the turbines from elevated positions on Therfield Heath.

Here the wide and open landscape is relatively free of infrastructure and clutter, and what there is (the railway and the A505) take the form of low, horizontal forms in the landscape mid-ground. Again the landscape is sensitive to change, and almost entirely rural in character, from the heath dropping away in the foreground to the open patchwork of agricultural land, small woodlands and shelter belts to the more distant chalk ridge between Haslingfield and Croydon.

The turbines would be set in a larger landscape, but due to their scale and movement and industrial nature, would form a substantial and dominant landscape feature. Again there would be no mitigation measures possible to reduce the landscape effects.

### **3) Visual effects**

The level of sensitivity to receptors of visual effects are graded high medium and low. Receptors of high sensitivity include people using the public right of way network, local

residents with clear or close views of the development, and people involved in outdoor recreation.

Views from the centre, and south and west edges of the village will vary in their magnitude, but some will cause very substantial or substantial harm to views.

From the elevated viewpoints on Therfield Heath, and from viewpoints on the Hamcarlow Way South of Littleington, the proposed turbines will dominate the view. They will cause particular harm at these points as the heath and the surrounding footpaths and bridleways are a popular recreation area, which people visit, at least in part, for the specific views available from the heath and local rights of way.

The proposed development would alter the views over a wide area, which visitors would experience over extended periods of time – with the development being either constantly in view, or experienced as a series of viewpoints. Visual effects would be very substantial or substantial, with little scope to reduce the harm by mitigation.

### **Cumulative effects**

The visual and landscape effects of a wind farm development can combine with existing and proposed wind farm developments to produce a cumulative effect.

Cumulative impacts can be defined as the additional changes caused by the proposed development in conjunction with other similar developments, or as the combined effect of a number of developments. Assessment of Cumulative effects should take account of existing wind farms, and those which are consented or at application stage.

Cumulative effects will include both Landscape and Visual effects, and can be experienced in several ways – As effects on the physical landscape fabric, or as effects on the landscape character - either as combined visibility where two or more developments exist in the same view, or where the developments are experienced as a as a sequence of landscape and visual effects.

At The proposed Highfield development both combined and sequential effects can be seen.

At Therfield Heath the existing wind farm at Langford, east of Biggleswade can be seen clearly on the horizon. These turbines would appear as a backdrop to the proposed development, marking space and foreshortening the views between the two, with the Highfield development dominating.

The Wadlow wind farm development is also visible from Therfield Heath. The view from the public car park, for example, would encompass the Wadlow development (distant) Highfield (close) and Langford (Middle distance). The entire horizon would be affected to a greater or lesser extent by wind farm development.

These developments would also be experience sequentially. For example on a journey from east to west along the A505 there would be varying degrees of Landscape and Visual effects, from Very Substantial to minor, associated with wind farm developments for much of the journey.

Significant Cumulative Landscape and Visual effects will also be evident west of Highfield. In the Guilden Morden area, to the north and south of the village, both the Langford and Highfield developments will both be clearly visible from many viewpoints, with one or the other effecting the landscape and viewpoints to varying degrees producing effects from Very Substantial to Minor as the traveller moves between the two developments.

## Conclusion

The proposed Highfield wind farm development will have significant negative Landscape and Visual effects over a wide area of South Cambridgeshire and neighbouring districts.

In the villages close to the site and their immediate surroundings, the development will dominate and alter the landscape character and the views experienced by people living in and travelling through the area. Harm to the existing landscape character and views will affect both the villages themselves, and their setting in the wider landscape.

The development will significantly reduce the present landscape character, views and amenity value of a valued and popular recreation area, and many associated public rights of way.

The development will also form a visual bridging point between the existing Wadlow and Langford developments. Effects will be particularly evident between Langford and the proposed Highfield development.

In my opinion the proposed development will cause unacceptable levels of harm to the local landscape character, to the villages, their setting, and the wider landscape, and to the amenity of local people and visitors. There will be few opportunities for mitigation to reduce the Landscape and Visual effects of the development.

## **S/0439/12/FL**

Land at Highfield Farm, west of Royston Road, Littlington

Installation of; five wind turbines of maximum height to tip of 100m; a single 60m lattice tower meteorological mast; on-site substation; access tracks; hard standing areas; external transformers; temporary construction compound; and associated infrastructure.

### **Engina Documents**

Design and Access Statement

Written Statement Chapter 9 Landscape and Visual impact Assessment

Appendix 9 Methods of Landscape and Visual assessment

## **LANDSCAPE COMMENTS**

### **Landscape Character**

- 1) The Cambridge sere landscape guidelines refer to the area as the Chalklands Landscape area - This is a large scale landscape with an ordered pattern of large or very large fields, fields and woodland separated by low mechanically trimmed hedges or open ditches and featuring relatively few hedgerow trees.
- 2) The geometrical field pattern results from downland enclosure, and although some enclosure hedging has been lost in recent times, the open rolling landscape and field patterns have largely remained constant.
- 3) The eastern part of this area has a number of woodlands and shelter belts which help to break up the long distant views and give some form and character. The simple, open landscape, affords long distance, panoramic views in many areas
- 4) It is a fairly sparsely settled landscape, particularly to the south and east, with villages centred either on the river valleys or as strings of settlement on the spring line of the chalk slopes. Villages tend to be linier in form particularly on the higher ground. This is a rural and tranquil landscape which can feel empty and unpopulated in places.
- 5) The landscape and field pattern tends to be more detailed around the edge of villages, with thicker hedgerows, more mature trees and areas of woodland, and paddocks and small meadows forming the setting to the village. However the topography and the open nature of the surrounding landscape mean that long views are often possible from the village to the surrounding countryside.
- 6) The river and stream valleys are well wooded and are prominent features in the landscape. They generally have an enclosed, small scale and detailed character, although again long views are available out of the valleys to the wider landscape beyond.
- 7) The complex history of settlement and the impact of people on the landscape over

the centuries is particularly apparent in this part of the County. Roman roads, Anglo-Saxon earthworks, large fields, modern roads and developments are all interlinked. (e.g. Hamcarlow way, Roman Road, Fleam dyke)

### **The Wider Area**

- 1) The site is set at the edge of a noticeable escarpment, running north-east to south-west, affording long views to north-west to The Gog Magog Hills, Cambridge, and the wide Cam Valley and the Fens beyond, and to the high land east and west at the Great Chisel and Balsham areas.
- 2) Given the elevated position and open nature of the Landscape, long views are also possible back into the site from a wide area, whether from the valley bottoms to the north and west or from the surrounding hills to the south west and east.

### **The Local Landscape**

- 1) The proposed site lies in the central portion of the East Anglian Chalk landscape character area. The surrounding landscape is generally wide, open and rolling, with long views dominating, particularly to the north and south. Prominent chalk hills form distinct edges to the north and south of Littleington and these are cut by dry valleys to create a rounded rolling landform.
- 2) The site lies between these two ridges of hills which run from south-west to north-east. The northern ridge reaches approximately 80m AOD, while the southern area is considerably higher reaching about 120m AOD. Long views are available to the site from numerous locations on these areas of high ground.
- 3) Both ranges of hills are cut by the valley of the River Cam and its major tributaries, flowing north towards Cambridge. The Cam valley is a busier landscape and contains transport connections (M11, A1301 and the Railway) and some more developed villages such as Sawston and Great Shelford. Another major road, the A505 runs parallel and between the north and south ridges. This is joined north of Royston by the A1198 heading north towards Huntingdon. Away from the M11 corridor and these major roads the landscape is quiet and rural.

### **The Site**

- 1) The site lies at approximately 50m AOD. 1200m south of the village of Littleington and immediately to the west of Royston Road, running north south between Littleington and the A505. The site is generally flat land rises gently to the north and west and there are long views of the north and south chalk ridges from the site.
- 2) Belts of native trees and hedge plants approximately 5-15m tall run to the north and south of the site connected by a band of low trees which will split the proposed five turbines three to the east and two to the west.
- 3) A group of small buildings – Highfield Cottages are present on the site itself at the eastern end of the southern tree belt



- 4) Limlow –a bungalow with associated outbuildings is situated on the opposite side of Royston Road approximately 400m to the north east of the site and Morden Grange Farm and its associated cottages approximately 600m to the west are the closest buildings to the site

## **The Turbines in the Landscape**

### **Landscape Effects**

Landscape effects refer to how the proposed development will alter or change the character of the landscape, and to what extent. Landscape effects can be positive (beneficial) neutral or negative (detrimental)

- 1) This area bridging South Cambridgeshire and North Hertfordshire has a marked rural Character, and away from the main roads it is tranquil and quiet – sometimes deeply rural and ‘unspoilt’.
- 2) The turbines will be viewed in a rural landscape the in which the majority of visible development is largely defined by small scale settlements - villages and farms. There are views which contain more extensive settlements and infrastructure – for example distant views over Cambridge, pylons or industrial development at the edge of Royston, but the proposed turbines will often appear dominant to the existing development, which largely remains below the skyline or in distant views. From many positions from which they will be viewed the turbines, due to their scale, will appear above the skyline, and will often be the dominant landscape feature.
- 3) The long views possible between the chalk ridges and their villages, with the turbines sited between, will result in the turbines being visible from a high number of locations, and to remain visible over wide areas.
- 4) The proposed turbines will be visible in the landscape in conjunction with the existing turbines at Wallow, and the approved turbines at Langford. The three developments will not always be visible together, but in several locations along the north and south ridges a pair of the developments, or even all three will combine to produce a cumulative effect in the landscape in the landscape between Guilden Morden in the west and Balsham in the east.
- 5) When determining the impact of the proposed turbines, useful reference points are the Wadlow wind farm mentioned above, both in the wider and local landscape and the three communication pylons on the high ridge between Reed and Barkway. Although these pylons are fairly small in scale (about 20 m tall?) they do serve as useful positional markers across a wide area and give some indication of the likely visibility of the much larger turbines present in the same views.
- 6) The new turbine erected at Wadlow are also useful in terms of gauging likely visual and landscape effects, particularly in relation to landscape, buildings etc which are closer to the turbines - for example settlements along the road between Balsham and Weston Colville approximately 2-4km distant, and roads dropping towards the A11 – for example Six Mile Bottom Road between Green End Farm and Wadlow

Farm, approximately 1-2km distant.

- 7) The existing wind farm at Wadlow can also give an indication of how the development will appear in the wider landscape. When viewed to the east from Chapel Hill Barrington, The Wadlow wind farm is clearly visible and a notable feature in the landscape. The proposed site at Littlington is also visible from Chapel Hill, and will be approximately 5km closer than the Wadlow site, breaking the skyline and having a significant effect on views at over 12km distance.

### **Visual Effects**

Visual effects refer to the impact on views from footpaths, roads, dwellings, public spaces etc. The effect on a view of the proposed development can range from very large to negligible, and again can be positive (beneficial) neutral or negative (detrimental)

### ***Rights of Way***

- 1) Several Rights of way pass through or close to the site notably the long distance paths the Hamcarlow Way, which runs SW-NE approximately 600m north of the site and the Chain Walk around Therfield 3.5 km to the south linked by the Morden Grange Farm footpath which runs north-south 500m to the west. Further footpaths run north –south to the east of the site around Limlow Hill. Networks of footpaths connect the villages of the north ridge between Guilden Morden and Bassingbourn to the north, and Therfield to Great Chishill in the south.
- 2) As mentioned above, the long views possible between the chalk ridges and their villages, with the turbines sited between, will result in the turbines being visible from a high number of locations, and to remain visible in the landscape to outdoor travellers – walkers, horse riders - for long periods.
- 3) The area is popular with walkers and In some cases the rights of way the paths pass very close to the proposed turbines, and on the ground, the impact of development is likely to be even greater than that shown in the viewpoints. In this respect the visual effects of the completed turbines at Wadlow can be compared with those shown in the submitted viewpoints – for example comparing viewpoint 1 at 0.7 km distant from the development with views from Six Mile Bottom Road where the existing development is between 1 and 2 km distant.
- 4) Examples of local rights of way with views of the turbines are:
  - a) From Bassingbourn Chalk Pit Local Nature Reserve and paths – various views including views of turbines at full height above the Horizon from the path south of Bassingbourn
  - b) Wide views from Hamcarlow Way to Therfield Heath and chalk hills, again with the full views of turbines above the skyline.
  - c) From Littlington recreation centre – turbines visible over the rooftops from the Conservation area.

- d) South of Steeple Morden – a deeply rural area, quiet and tranquil with wide views to Royston and the ridge beyond – again a full view of the turbines which break the skyline.
- e) East of Steeple Morden long views to both north and south chalk ridges

### **Roads**

- 1) Most roads in the study area particularly to the east and west of the main river valleys, run on a loose grid orientated either along the slope of the ridges, generally SW to NE, or up and down the slopes SE-NW.
- 2) The open nature of the landscape long views and the low speed of travel on narrow country roads will mean that the proposed turbines will be visible for long periods to the driver or cyclist travelling between villages, - either along the high contours of the ridge, or heading towards or parallel to the development up or down the slope.
- 3) Along the slope, Littlington Road between Steeple Morden and Littlington, Bassingbourn Road between Littlington and Bassingbourne, and The Joint West of Barkway are examples. Up and down the slope North Brook End north of Steeple Morden, Croydon Hill south of Croydon and New Road north of Great Chishill are examples. There are several others.
- 4) Travel along main roads will be faster, but there are still many open stretches where the turbines will be highly visible to the driver for long periods. Extensive stretches of the A505 south of the site (SW-NE) and the A1198 (SE-NW) are examples.
- 5) Travelling through the areas at speed will also bring cumulative views of the consented Langford, Littlington and Wadlow wind farms, or enable them to be viewed in fairly rapid succession on a journey.

### **Villages and Buildings**

- 1) Many villages and individual farms and buildings will have views to the turbines. Virtually all villages on the northern slopes, from The Mordens to Croydon Hatley, Barrington, Bassingbourne and Littlington itself will have numbers of properties facing the Turbines on their southern sides.
- 2) There will also be some views to the turbines from villages on the south slopes on their northern sides. Barley and Great Chishill are examples.
- 3) Most of the local villages are fairly small with little large scale modern development. In most cases the majority of the built area is covered by a conservation area containing large numbers of listed buildings.
- 4) As mentioned above there will be clear views to the turbines from the village edges. There will also be views from within the villages and conservation areas, either through gaps in the built area or views of the turbines in conjunction with of village

buildings. Church Street Littlington, High Street Croydon and East Hatley, Hatley are examples.

### **The Submission**

- 1) The development will impose substantial effects on the landscape both locally and over a wider area. This is due both to the close proximity of numerous settlements, historical features, local quiet and rural landscapes, public rights of way, and also to the site's position in the wider, open landscape, its relationship to the setting of Cambridge, the Cam Valley and its tributaries, and relationships to the existing wind farm development at Wadlow and the consented development at Langford.
- 2) I feel that the submission under –estimates the Landscape and Visual effects of the proposals.
- 3) The Development is site is very close to several small, rural villages – Littlington conservation area is less than 1000m from the site. Five other village conservation areas are within 5Km of the site, and many more will have clear views to the site.
- 4) The turbines are by far the largest landscape features and will completely dominate the local landscape. As mentioned above the existing turbines at Wadlow show the magnitude of near distance landscape and visual effects of turbines on local landscape and buildings. Littlington is closer to the proposed turbines than the examples at wadlow.
- 5) The landscape of the study area is often surprisingly quiet, tranquil and rural, with few (or no) views to infrastructure such as pylons industrial buildings, major roads etc. The proposals will introduce extremely large, moving features into this landscape, completely changing its character.
- 6) In the wider landscape two other wind farm developments will be seen together, or in sequence with the Littlington site. The three developments will be seen as a row – Langford 12 km to the west, Wadlow 25 km to the east. Again the existence of Wadlow demonstrates the clarity of views, and the likely impacts when viewed from points such as Barrington hill and Barkway.
- 7) I would recommend refusal of the scheme due to unacceptable landscape and visual impacts, and the very significant cumulative impacts when combined with existing and consented developments.

## Sexton Paul

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**From:** Newell Corrie  
**Sent:** 08 September 2013 21:05  
**To:** Sexton Paul  
**Subject:** Highfields Wind Farm, Litlington S/0439/12/FL

Dear Paul,

Thank you for the additional information & report from Oxford Archaeological Associates Ltd dated July 2013.

As requested, the report corrects the list of relevant policies and acknowledges English Heritage guidance.

Specific points to address additional information supplied on concerns raised, are as follows:

I accept that the policy basis is now addressed in principle, although I do not agree with the detail of the case put forward. In particular:

- I do not agree that the English Heritage guidance referred to is at odds with the policies & advice cited (para 2.3.14).
- I do not agree that setting should be referred to as 'direct' or 'indirect'. Instead I agree with the EH case for objection. (para 2.3.20).
- I do not agree that the use of the DCLG criteria of effect should be used confusingly & interchangeably when referring both to the extent the wind farm would be perceived (the basis of the DCLG criteria) and also to the extent of the overall impact on the significance / sensitivity of the heritage asset (para 2.3.34). As described in my previous response, the use of the term 'impact' is more appropriate for the latter.

My concerns regarding the lack of consistent & transparent basis of analysis of individual heritage assets are not overcome, as the previous review remains the basis for the conclusion in Section 3. Again the criteria within the main table in Section 3 confuses 'effect' with 'impact'.

The report is an improvement in that it includes descriptions of each Conservation Area that demonstrate that the specific views have been assessed, although I do not agree with the generalisations and conclusions given, and strongly disagree with the section (Module B) for Litlington. My basic analysis & conclusions remain those within my previous response, for the reasons stated there.

Within the Litlington report, paragraphs B18, 19 & 23 are relevant to an area I called South Green. This is because it was the southernmost area of green I saw within the current village during my visual assessment. Whilst the report contests this on the basis of historic maps which show a green further north, neither of the historic maps provided annotates any area as South Green. I am happy to discuss further (preferably with some local input) the local name for this area, but in the meantime confirm my name for the area was based on the geographical basis of what now exists.

At our meeting to discuss the basis in principle of the additional information to be produced, I understood that numerous wireframe visuals would be produced, to cover the areas identified. However there are only two produced in total under the section on Conservation Areas, and of these, none are provided for Litlington, the Conservation Area I identified as most affected by the proposed development. I do not find the mathematical description of visuals given in the text sufficiently clear to assess the areas identified most of concern, and this therefore does not overcome the need for the visuals requested. I am also disappointed to find that there are no winter visuals in the report for the areas identified as having a significant difference between summer & winter, yet there is a winter visual for Wimpole South Avenue, an area also only considered after our previous response. Likewise I am disappointed that one of these positions identified as a primary area of impact during winter for the Conservation Area (at the Village entrance sign approaching Litlington Church) was presented as an addendum (at a time when there were no leaves) as a summer view (in full leaf) using a photograph clearly taken some months earlier. This gave the unfortunate impression that there are numerous known positions of primary views that had been assessed before the submission but are being withheld from decision makers.

I acknowledge the explanation for the apparent discrepancy of levels in the Wimpole South Avenue view (footer 1). If this is the case, I note then the turbines would be more visible than those in the visual, when standing each side of the view provided, when they are less obscured by trees. Because of the topography and significance of the raised plateau, the surrounding views and countryside are a significant part of the context to the avenue, and therefore there would be a significant impact in this view, albeit I agree the impact would not be as great as

if the view were directly on axis. I think my previous response dealt sufficiently with this point, but please contact me if you require more detail.

In conclusion, I maintain my objection to the proposals on the same grounds as in my previous response.

Regards,

Corrie

## Sexton Paul

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**From:** Newell Corrie  
**Sent:** 04 April 2013 18:23  
**To:** Sexton Paul  
**Subject:** FW: S/0439/12/FL Highfield Wind Farm

Dear Paul,

The site for the proposed wind farm is significant being part of a highly visible ridge running east west above a chalkland valley which contains numerous historic villages (most of which are Conservation Areas), Listed Buildings and Archaeological sites. The ridge itself is significant as the route of Icknield Way cum Ashwell Street, and locally it connects Litlington with Royston.

The site is also a significant undesignated archaeological site as can be seen from aerial photographs including fig 3.3. of the submitted documentation. As well as containing a horseshoe-shaped feature and known ditch, it also contains a section of Avenell Way which crosses north of the site with Icknield Way, and north and south to other sites of significance, within a landscape significant for its wealth of historic and archaeological features as described as being particularly significant to the character of the area within Design Guide Chapter 3 (and specifically para 3.15).

My previous concerns regarding the Environmental Statement, the methodology & references used have largely not been addressed. The additional addendums recently provided do not address those concerns specifically related to cultural heritage and my updates on this are:

1. The additional policy base update to the NPPF does not include those policy statements related to the historic environment (mainly from paragraphs 126 onwards); nor does it consider the need to contribute to the existing environment & to support the existing community in order to be sustainable development (under paragraph 7). Also, other than a mention that it still exists, there is no consideration of the relevant retained Practice Guide to PPS5 (heritage) and is therefore not proportionate to that given for PPS22 (renewable energy).
2. The methodology of the assessments and main sections on cultural heritage in Volume 2 (Chapter 10) and Appendix 11 are still flawed in that they are not revised to include significance, sensitivity, effect and impact in accordance with 2011 English Heritage Guidance on Setting. Instead they are stated to be based on a Highways Manual for roads & bridges, neither of which developments are relevant to the type of proposal in this case and which when referred to does not appear to mention heritage. The issues I previously identified regarding lack of transparency, errors in positioning of assets and inconsistencies in the individual assessments of assets remain. This includes the over-reliance on matrices rather than the assessment of characteristics of individual assets, and also results in a considerable lack of proportionality in dealing with Grade II Listed buildings and Conservation Areas.
3. Subject to these concerns, and given that there is a conclusion of harm to the significance of 11 assets, there is no investigation of less harmful alternatives. Para 10.92 of the ES says there is inherent mitigation in the location & design, but this is not transparent - there is no evidence of any alternatives explored, nor of the consideration of basic tweaked positions, such as to relocate further from visual prominence along roads & tracks. Again the minimising of harm is a basic step in the process expected within the EH Guidance on Setting.

Within South Cambridgeshire, the proposal would affect the settings of the nearest Conservation Areas comprising the villages within the valley between the two east-west chalk ridges. The views across the valley are predominately tranquil unspoilt and rural in character, and from north and south all the 5 closest church spires and villages within these Conservation Areas are visible on a clear day, linking the highly designated Listed churches to the Conservation Areas they predominate, and demonstrating the visual, historic and communal links between these historic settlements. Likewise, from the north, the villages are seen within a backdrop of the southern ridge and edge of Hertfordshire District, to which they were also

linked, e.g. by ancient trackways, roads between nearest Roman Towns, and combined ecclesiastical parishes.

Being the tallest structures within the settlements, the churches and their intervisibility is important, and they and the villages they serve would be dominated by the height of the proposed turbines, especially in views from the northern & southern ridges.

Within the Conservation Areas, the visual, historic, communal and functional links between the villages and surroundings are also significant. As rural villages located away from main roads and following medieval & pre-medieval road layouts, they have a predominately small scale, quiet, green & tranquil character and also contain farm groups, open fields, frequent village greens, lanes & tracks and long back gardens, linking the character and function of the village with the agricultural character and landscape beyond. Some, like Litlington, also contain moated sites, specifically designed with their landscape qualities in mind.

**Litlington** is a small village and Conservation Area built around a Parish Church, 2 village Greens and 3 Manors. The Conservation Area, which was designated on 12th July 1974, covers the heart of the old settlement together with the important open spaces and open frontages to the west, which form part of the setting of the village. It contains 1 Grade II\* and 36 Grade II listed buildings. The proposed wind farm would be visible in long views towards the village, within closer views on the Northern approach to the village and near the village sign, and from within the village core.

The Northern part of the village & Conservation Area is on higher ground around St Catherine's Church (listed Grade II\* and 1.6 km away from the nearest turbine). The Church is located between two early Manors to which it was closely historically related, at Bury Farm (formerly Dovetales Manor, then Litlington Manor) and Manor Farm (Huntingfields Manor); both of which are moated sites with Grade II listed farmhouses. These have a strong historic and functional relationship with their surroundings. On the Northern approach to the village, the Church & Bury Farm would be seen against a backdrop and skyline of wind turbines, with the turbines seen above the trees on the skyline and as taller structures than both of the buildings. The latest submitted predicted viewpoint D shows this approach, but during mid-summer. Now and during winter, the tree cover is substantially less including the trees around the Church and Bury Farm. The full height of the Church & its tower, the whole eastern front of Bury Farmhouse, intervening village buildings and farmland beyond are all currently visible in this approach to the village, in a series of positions, and therefore the historic and functional character of these would be notably and detrimentally affected by the conflicting modern character, movement and height of the proposed turbines. The tower of St Catherine's Church would no longer be the main focal landmark because the turbines would tower above it on the horizon when viewed towards the north and during winter towards the south west, above the village and Conservation Area.

The historic Southern part of the village & Conservation Area is located around the southern green, the site of the former village fair. It is surrounded by a number of historic grade II Listed buildings. These include College Farm and Hill Farm, which would have a functional as well as historic and visual relationship with the surrounding countryside and rural backdrop. The nearest wind turbine is 1.3 km away. Although no predicted view has been received for this, and the predicted Viewpoint 3 (fig 9.6.3) shows that the nacelles at least would be visible above rooftops in this part of the village and therefore from the Green, the wind turbines would project above and along the roof of Rose Cottage and above and between the other roofs. The orientation of the road to Royston is towards WT5 along part of its length here, making it likely that this turbine would be visible in views of this group and to and from these buildings for much of its height. The intimate, historic character of this group would again be notably and detrimentally affected by the proposed turbines.

The Southern boundary of the Conservation Area continues eastwards in the form of a designated Important Countryside Frontage within the 2009 Local Plan. The turbines would be visible almost in their entirety over and beyond the houses along Royston Road. This interruption to these designated countryside views would be detrimental to their character.

The Western part of the village & Conservation Area comprises Manor Farm and its farmland, and later development between this and the Southern Green. Much of this farmland is behind a historic wall fronting



the street, and is designated an Important Countryside Frontage within the 2009 Local Plan. The farmland is visible beyond the wall at entrances, from the higher part of the street, Manor Farm and its approach within the Conservation Area. An predicted view is shown as Viewpoint 3 (fig 9.6.3) although the nearest turbines appear to be located behind a tree. The whole group would therefore be faced by the listed Manor farmhouse, across its farmland. The unspoilt rural character, outlook and setting of manor farm, this part of the village and the designated countryside frontage would also be notably and detrimentally affected by the proposed turbines.

The grade II barn at Highfield farm is the closest listed building to the turbines at 520 metres and is outside the Conservation Area. It is within a farm group and has a functional as well as historic relationship to its surroundings. The turbines would be visible for much of their height above and around the listed building in both long and closer views and in the skyline above the trees from the site itself, and this is confirmed by the predicted viewpoints from Therfield Heath and the entrance to Highfields. Again recent photographs show the tree screening in those views is now significantly less than it was in mid-summer. The unspoilt rural character, outlook and functional setting of the listed barn would be notably and detrimentally affected by the proposed turbines.

**Steeple Morden** is a small historic village and Conservation Area with a main village street and a roughly rectangular grid of smaller lanes to its east. The main street runs parallel to Cheyney Water and the early settlements near the stream are identified by farms. It contains 1 Grade II\* and 37 Grade II listed buildings. Odsey and Morden Green are very small separate hamlets where there is a strong rural character and Morden Green is contained within the Conservation Area. The proposed wind farm is 2.3km from Morden Green and 3 km from the Church, and would be visible in long views towards the village, from Morden Green, and from within the village core.

Within the village, views would be as a backdrop and skyline to the buildings on the eastern side of the Main Street. From the Churchyard, these views would be more extensive due to the greater distance of view. It is likely that the reason for the discrepancy in assessment of the Church I previously noted is because the turbines were incorrectly plotted, as the photograph showing the direction of view on page 265 is incorrect.

The predicted viewpoint 5 shows that the entire wind farm would be visible on the hillside above the Listed buildings and Conservation Area at Morden Green. In particular, they would form a backdrop to the view ahead when following the road near 24 Litlington Road, a grade II listed building backing onto the fields.

To the south of the village, all the turbines would be visible from Station Road and above Gatley Farmhouse, a grade II listed farmhouse (1.9 km from the nearest) and with a close functional as well as historic relationship with the countryside.

I am unable to assess the impact on Bassingbourn from any viewpoints provided. There would be views in conjunction with Listed Buildings & the Conservation Area at South End (2.9 km) and probably also from South End Recreation field (3.3 km).

The indicative view of Wimpole Hall South Avenue does not appear to accord with the topography of the ridge on which the turbines sit. This view at the point at which it intersects with the road is significant as the main access point to the southern part of the Avenue. According to my calculations, the turbines would be on the higher ridge and therefore well above the treeline. I would ask for this to be clarified. Wimpole Hall is particularly sensitive and highly important group (Grade I listed with its Grade I designated Registered Park & Garden) and the changes to its primary views by the proposed wind farm would have a notable and detrimental impact.

Regards,

Corrie

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Principal Conservation Officer

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## Sexton Paul

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**From:** Newell Corrie  
**Sent:** 17 July 2012 14:37  
**To:** Sexton Paul  
**Cc:** Hamilton David  
**Subject:** S/0439/12/FL Highfield Wind Farm

Dear Paul,

We discussed some time ago that we were going to meet to have a closer look at the site itself & Morden Grange. In case this is not possible before I go on leave in 2 weeks' time, I thought it may help you to have my initial comments as follows:

The site is significant being highly visible open countryside on a ridge running east west above a chalkland valley which contains numerous historic villages (most of which are Conservation Areas), Listed Buildings and Archaeological sites. It is also a significant undesignated archaeological site as can be seen from aerial photographs including fig 3.3. of the submitted documentation, which links it north and south to other sites of significance, within a landscape significant for its wealth of historic and archaeological features (See Design Guide Chapter 3 including para 3.15).

Having reviewed the Appellants' Environmental Statement it is my opinion that it does not contain sufficient accuracy, analysis and evaluation of the existing cultural heritage and the potential effects of the proposed wind farm upon it, in order for an application to be determined (other than a refusal) on the basis of the information supplied.

Its policy base needs to be updated from the PPS to NPPF and also to take into account the 2011 EH Guidance on Setting. The assessments of setting in para 10.45 and in detailed sections such as Appendix 11 therefore need to be revised.

There are concerns in principle about the main sections on cultural heritage in Volume 2 (Chapter 10) and Appendix 11:

1. The terms and process of assessment used. The relevant policies refer to the significance of a heritage asset. However the assessment is based on 'site importance' instead and this importance appears to be a desk based exercise based on the level of designation of a heritage asset. It therefore does not take into account the relationship of the asset to the site. The word 'significance' is then applied to the 'effect significance' rather than the significance of the heritage asset. This leads to confusion when the detailed assessments are made because then the relationship of a heritage asset with its surroundings is not assessed as part of its importance, significance or sensitivity.

Instead, I would expect the normal process for assessing impact is as follows:

1. Assessing sensitivity, based on significance, designation, importance, landmark qualities & physical & functional relationship to setting etc., then
2. Assessing effect, based on proximity, visibility, effects on views & vistas, proximity etc., and then
3. multiplying sensitivity by effect to get impact.

If the applicant has specific reasoning for deviating from the norm, could this please be explained.

2. The criteria appears to change. For instance, the methodology for 'importance' in paras 10.35 onwards does not directly correspond with the assessments themselves - Table 10.1 bases importance on levels of designation and giving Grade II listed buildings and Conservation Areas only a Medium importance, whereas the detailed assessments in Appendix 11 then assesses all of them as High. In principle, if something is statutorily designated for its historic or architectural interest, then the importance would normally be High. Also, because no magnitude of effect is assessed as greater than Moderate, and no conclusion of Moderate or lower is considered significant, the effect of Table 10.1 is to make it impossible to conclude a significant impact on any Grade II Listed Building or Conservation Area. The resulting omission of the majority of the designated buildings & areas does not appear to accord with good practice and the conclusion in

para 10.95 that there is a significant impact on Litlington Conservation Area and Steeple Morden Church comes as a surprise.

3. Other categories for assessments do not appear to be taken forward with transparency to the conclusions of those assessments. For instance, the study of individual assets in Appendix 11 has a number of categories e.g. for amenity value that are not mentioned again when the impacts on individual assets are given. All assessments of assets within Appendix 11 need to be updated to accord with the EH guidance.
4. The assessment in Appendix 11 of specific views and effects appears very limited and only taken from the asset or very close to. This misses the middle distance views and those on the approach to settlements or assets, such as of Litlington & its Church. An assessment of relevant views needs to take into account views from heritage asset to the wind farm, from the wind farm to the heritage assets, and any side views. The individual assessments also need to be updated to accord with the EH guidance.
5. It only assesses visual impact (pg 261 para 10.45), but needs to acknowledge that there may be other impacts on heritage assets such as noise or loss of telecommunications resulting in potential changes to settings of buildings and areas that may result in the lessening of viability or in the demand for installations such as satellite dishes to overcome problems.
6. Given that there is a conclusion of harm to the significance of 11 assets, there is no investigation of less harmful alternatives. Para 10.92 says there is inherent mitigation in the location & design, but there is no evidence of any mitigation as this is the only scheme presented and there is no investigation of other alternatives explored.
7. Some significant inaccuracies are:
  1. Para 10.44 there are no known cultural heritage assets within the permanent land-take, but figure 3.3 from the 2008 satellite image clearly shows aerial archaeological features within the site (confirmed by our aerial photos including a horseshoe shaped feature within the western part of the site in addition to those on fig 3.3) and paras 14.124 and 14.125 describe a known feature ditch below Turbine 4 and other previously unrecorded features that would be directly impacted. I am advised that the north-south line through the site is Avenell Way and whilst it was not plotted on the County Council site until now, I think it could have been reasonably interpreted from the information available to each side of it read together with the comments and description of the pathway in the above paragraphs.
  2. The remains of Litlington Villa are reported to have been destroyed. This is based on an outdated study, overturned by the Time Team Series 17 investigation of 2010 which showed that the previous investigation was done in the wrong place. Our Design Guide para 2.11 describes this villa as a particularly large & magnificent example.
  3. There are errors in plotting heritage assets, such as St Catherine's Church (GII\*) and Manor Farmhouse (GdII), Litlington which are plotted further from the windfarm than they really are.

#### Initial assessment of assets:

Whilst I did not have access to the site itself, from the quarry ridge immediately north, the tranquil unspoilt rural character of the valley predominated and within that landscape all 5 closest church spires and villages within the valley were visible. On a clear day those within the northern part of the valley such as Croydon would also be seen. These villages are historically important and all 5 closest are also Conservation Areas. Their churches are important as a group of highly graded listed buildings and indicators of their community character, history & functions, and are currently the tallest solid structures within the valley. The proposed windfarm with 100M high turbines would weaken that relationship and the turbine heights would dominate.

Key views on the approaches to villages would also be detrimentally affected including:

1. Northern approach to Litlington (1.7 km) as a backdrop behind and above St Catherine's Church (GII\*) and Bury Farm (GdII), both of which have a functional relationship with the surrounding countryside.
2. South End Bassingbourn when leaving the village southwards (2.9 km)
3. Steeple Morden – eastern and northern approaches and when leaving the village, Morden Green (2.2 km) & Gatley End (1.9 km)
4. Abington Piggots – eastern & western approaches (3.1 km) and when viewed from north of village (4.4 km)

Key views to and from listed buildings and spaces within CAs in villages would be detrimentally affected, especially:

1. Litlington
  - Northern part of the village on higher ground around St Catherine's Church (GII\*) (1.6 km)
  - Western part of the village (1.5 km) including Manor Farm (GdII)
  - Southern part of the village including the group of listed buildings at South Green (1.3 km) including College Farm (GdII).

All these areas include listed buildings with a functional relationship with the countryside.

2. Steeple Morden
  - Eastern part of village including Morden Green (2.2 km) and listed buildings with a functional relationship with the countryside.
3. Bassingbourn
  - South End (2.9 km)
  - Group around South End Recreation field potentially (3.3 km)
4. Croydon
  - Although much further from the wind farm site at 8-9km, the village is located on the southern slopes of the next chalk ridge, and because of the substantial land slopes, far reaching views across the valley are a notable characteristic of the village and from above the Church (GdII\*). Whilst there would be some impact on Croydon, the views are also significant being across the 5 nearer villages at middle distance with the turbines located above them.

More information is required including:

Reasoning for assessments:

- 1. Considerable differences in assessment of impact between Steeple Morden Church and the other 4 Churches in the nearest group.
- 2. Litlington Church & northern approach to Litlington once positions of buildings are corrected.
- 3. Barn at Highfields Farm
- 4. The other key views above

Assessment & photomontage showing the northern approach to Litlington (1.6 km).

Assessment of Odsey Grange (GdII\*), an early racing Stables from the Dukes of Devonshire, built to take advantage of the land along the 2 chalk ridges on the northern edge of Royston, together with a photomontage from the eastern front of Odsey Grange (3.3 km).

Assessment & 2 photomontages from Wimpole Hall (GdI with GdI Registered Park & Garden), specifically from the South Avenue (e.g. at 8.3 km) and from the Ruin looking over the main house & avenue (11 km).

Assessment & photomontage from the eastern side of the Barn at Highfields Farm (GdII and at 520 metres is the closest Listed Building to the wind farm)

Assessment & photomontage from north east side of South End Recreation field, Bassingbourn (3.3 km).

Assessment and photomontage from Croydon above Church at junction of road and footpath (9 km).

Please contact me if you have any queries.

Regards,

Corrie

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Principal Conservation Officer

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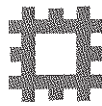
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Our ref: P00137674

22 October 2012

Dear Mr Sexton

**FARMLAND SOUTH OF LITLINGTON, CAMBRIDGESHIRE**  
**LPA Ref S/0439/12/FL**

Further to our letter of 25th May 2012 in respect of the application to site five wind turbines south of Litlington, in which we requested additional photomontages in order to finalise our advice; we have been sent a series of four additional images direct by the applicant and are therefore taking this opportunity to update our advice.

**Summary**

The proposed wind farm would be a dominant feature in a sensitive landscape that includes a number of designated heritage assets. From the additional photomontages provided by the applicant, it is apparent that the wind farm would adversely impact on the setting of the prehistoric barrow cemetery on Therfield Heath, the constituent monuments of which were sited in commanding locations, overlook this landscape. In addition, it would interrupt the views of the heath from the Icknield way and from the undesignated war memorial at the former World War II Steeple Morden air base. The siting of a wind farm in this landscape will result in harm to the significance of these assets.

**English Heritage Advice**

As noted in our previous letter, the proposed group of five turbines with a tip height of 100m will be very prominent and alien features in a landscape that is of significant historical interest and currently remarkably free of pylons and similar structures. There are a number of radio and mobile phone masts, but these are far less intrusive than the proposed wind farm. The landscape is also crossed by the A505 dual carriageway and the electrified railway line, but in both instances these are linear features which do not break the skyline and nor do they dominate the landscape in the way that the five turbines on the wind farm would.

Having had the opportunity to examine the additional material provided, English



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1. The first part of the document discusses the importance of maintaining accurate records of all transactions.

2. It also highlights the need for regular audits to ensure compliance with applicable laws and regulations.





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Heritage is particularly concerned by the impact that the wind farm would have on the setting of the Scheduled Monuments on Therfield Heath.

The Therfield barrow cemetery (20630-35, 20640-1) comprises a dispersed group of 12 earthwork round barrows, presumed to be of early bronze age date, associated with a neolithic long barrow. The latter is the only extant example of this monument type in Hertfordshire. Its significance as a focal feature in the prehistoric landscape is attested by bronze age, iron age and early medieval material recovered in the vicinity. The distribution of Hertfordshire barrow cemeteries is concentrated in a band along the Chiltern Hills, running along the crest and close to the watershed, with the largest concentration around Royston. The siting of cemeteries, such as Therfield, appears to be governed by principles of prehistoric land allotment, in which the areas given over to the burial and commemoration of the dead are distinctive and separate, making use of marginal, but visually prominent locations, in contrast to the lower ground given over to the living and their settlements.

Their setting is therefore an important component of the overall significance of these monuments and the introduction of five large turbines will necessarily result in harm to their significance, in views both to and from the monuments. The public benefit from understanding and appreciating the current historic environment without the proposed turbines, and this will change if the turbines are erected.

In the terms set out in the National Planning Policy Framework (NPPF) that harm would be less than substantial harm). While we do not consider the degree of harm to have crossed the threshold of substantial harm, harm should be looked upon as a linear spectrum rather than a simple stepped ranking. In such a linear spectrum we would assess the impact on the Scheduled Monuments on Therfield Heath to be a very significant degree of harm, falling just below that of substantial harm.

Paragraph 134 of the NPPF requires harm that is less than substantial harm to be weighed against the wider public benefits arising from the proposal, which in this instance will comprise measures to address the impact of climate change. Given the quality of the assets affected by the proposal, we would expect a very substantial degree of public benefit to be necessary to outweigh the harm, and mindful of the outcome of the recent public inquiry at Bicton in Huntingdonshire, we would not be surprised if, in this instance, the benefits failed to outweigh the harm.

### **Recommendation**

English Heritage is of the view that this proposed wind farm will result in harm to the significance of a number of heritage assets on Therfield Heath and, in accordance with paragraph 134 of the NPPF it will be necessary to weigh that harm against the public benefits of the proposal.



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In arriving at this recommendation we have reviewed the findings of recent appeal decisions to inform our balancing of the harm against public benefit, in particular when weighing the harm against the wider public benefit the inspector at the Bicton wind farm inquiry, concluded:

*"In this case, the harm that would occur to the attractive countryside in the Kym valley by reason of the location of turbines on the crest, in direct contravention of adopted supplementary guidance, is the most important factor and it is also the most serious contributing factor to the harm that would occur to the settings of heritage asset. In the light of the adopted LP and CS policies and emerging DPD policies, it amounts to a very substantial objection. The harm to residential amenity also carries weight. Although permission would be for 25 year, after which the turbines would be removed, that is a very long time in which the sensitive character of this valley landscape would be seriously adversely affect, the enjoyment of the attractive valley landscape impaired and the settings of important heritage assets significantly harmed. For the above reasons, and having regard to all other matters raised, I conclude that the environmental and economic benefits of the scheme would be significantly outweighed; and the appeal must be dismissed."*

Given the quality of the assets affected and the level of harm that will result from this proposal, English Heritage doubt that there would be sufficient public benefit to outweigh the harm and, if the LPA agrees with our assessment, then we would expect the application to be refused.

Yours sincerely

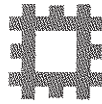
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Our ref: P00137674

25 May 2012

Dear Mr Sexton

**Notifications under Circular 01/2001 & GDPO 1995  
FARMLAND SOUTH OF LITLINGTON, CAMBRIDGESHIRE  
Application No S/0439/12/FL**

Thank you for your letter of 30 March 2012 notifying English Heritage of the above application.

**Summary**

The proposed wind farm will be a dominant feature in a sensitive landscape that includes a number of heritage assets. The limited number of photomontages provided with the application makes it difficult to determine the full impact of the proposal on the historic environment but it is likely that the proposal will result in a degree of harm. That harm will need to be weighed against the wider public benefit arising from addressing climate change. However, without more information it is not possible to properly evaluate the harm and English Heritage therefore recommends that the applicant is requested to provide additional photomontages to enable the extent of the harm (and its cumulative nature) to be properly assessed.

**English Heritage Advice**

The proposed group of 5 turbines with a tip height of 100m will be very prominent and alien features in a landscape that is of significant historical interest and currently remarkably free of pylons and similar structures. There are a number of radio and mobile phone masts, but these are far less intrusive than the proposed wind farm.

While there are no designated heritage assets within the site, there are a large number nearby. The impact on some of these assets will be modest, but other assets are likely to have their significance harmed by the construction of the proposed wind farm within their setting. English Heritage is particularly concerned about the series of

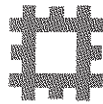


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scheduled monuments on Therfield Heath which lie immediately to the south of the proposed site. A photomontage (no 4) is provided from the heath, but this is taken towards the eastern end of the heath and English Heritage would wish to see a further photomontage prepared from the site of the scheduled monuments which are located at the western end of the heath, and which are in closer proximity to the proposed wind farm. We would also wish to see a photomontage prepared of the view back to the heath with the wind farm in the foreground when viewed from the Icknield Way, and also from the War Memorial at the former Steeple Morden airfield.

A photomontage has been prepared from the village of Litlington, but this does not illustrate the impact of the wind farm on the church (grade II\*) and a further photomontage should be prepared to illustrate how the wind farm might rival the prominence of the church tower in the landscape.

The war memorial on the site of the former Steeple Morden airfield may also be harmed by the proposal. While this is an undesignated heritage asset, English Heritage believes it to be of sufficient significance to warrant assessment as part of the application. While views of the main memorial will not take in the wind farm, the wind farm will be very prominent in view looking out over the site of the former airfield (as illustrated on the engraved plan to the side of the main memorial).

Wimpole Hall (grade I listed and grade I registered park and garden) is located at a little distance from the wind farm, but the asset is of such importance that the impact of the wind farm on its setting should be included in the assessment. We note that the impact on the registered park and garden at Wimpole Hall has been included, with a Moderate/Slight Adverse assessment, but no supporting information is provided and English Heritage would wish to see a photomontage prepared from the top of the steps on the south front of the house, so as to better understand the impact.

### Recommendation

English Heritage is of the view that this proposed wind farm will result in a degree of harm to the significance of a number of heritage assets and, in accordance with paragraph 134 of the NPPF it will be necessary to weigh that harm against the public benefits of the proposal. However, there is insufficient material provided to enable the full extent of the harm to be properly evaluated (as required by paragraph 128 of the NPPF). The applicant should therefore be asked to provide the additional photomontages outlined above and English Heritage would wish to have the opportunity to comment again once that information is available.



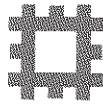
24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582 700 Facsimile 01223 582 701  
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*English Heritage is subject to the Freedom of Information Act, 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.*







ENGLISH HERITAGE  
EAST OF ENGLAND OFFICE

Yours sincerely

P.P. Andrew Northfield

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the FOIA or EIR applies.*





# Internal Memo

To: **Paul Sexton**  
**Principal Planning**  
**Officer**

Dept: **Planning & New Communities**

From: **Greg Kearney**  
**Russell Watkins**

Dept: **Environmental Health Officers, Health**  
& **Environmental Services (H & ES)**

Phone: **X3145**

Date: **24<sup>th</sup> January 2014**

Subject: **Land at Highfield Farm, West of Royston Road, Litlington**

**Highfield Wind Farm**

**Installation of five wind turbines of maximum height to tip of 100m; a single 60m lattice tower meteorological mast; on-site substation; access tracks; hard standing areas; external transformers; temporary construction compound and associated ancillary infrastructure.**

**Our Ref: Job No: WK207503**

**Your Ref: S/0439/12/FL**

This application is for the installation 5 wind turbines situated on farmland, approximately 1.5km South-west from the centre of the village of Litlington.

A Highfield Wind Farm Environmental Statement (ES) comprised of Volumes 1 to 4 dated February 2012, prepared by Engena UK Ltd (an independent renewable energy consultancy) on behalf of the applicant, Highfield Wind Energy Limited, forms part of the application.

The ES is comprised of the following Volumes 1 to 4:

- Volume 1: Non-Technical Summary
- Volume 2: Written Statement including Volume 2: Appendices
- Volume 3: Figures
- Volume 4: Visualisations

The ES reports on the findings of an Environmental Impact Assessment (EIA), undertaken by Eugena Ltd (principle project managers for the EIA) and a team of specialist consultants to identify the potential significant effects / impacts of the proposals upon the existing baseline environment and consideration of mitigation, as necessary.

For the purpose of the EIA and the ES assessment of impacts have been based upon a candidate turbine, the Nordex N80 2.5MW wind turbine which has a hub-height of 60m and a rotor diameter of 80m, with an overall height to tip of 100m.

## 1.0 Summary

The application documents and Environmental Impact Assessment (EIA) with associated Environment Statement (ES) / Appendices are technically complex and detailed in many respects.

The following environmental health issues need to be considered and addressed effectively in order to minimise potential adverse impacts on existing residents and which are paramount in facilitating sustainable development and safeguarding amenity and a healthy living environment:

- **Noise Impact**
  - Construction Noise & Vibration
  - Wind Farm Operational Noise
- **Shadow Flicker**

## 2.0 The Wind Farm Location

The proposed wind farm site is to be sited on open arable farmland within the ownership of Highfield Farm. The farmland is approximately 1.5km South-west from the centre of the village of Litlington.

The location of the 5 turbines on the application site is illustrated in Figure 3- Site Layout within Volume 3 – Figures and in Plate 3.5- Final Site Layout within Volume 2- Written Statement, of the ES.

The ES states that the residential properties Stretlands (Ashwell St / Track), Fairview, Bonfield and Turnberry all addressed as Royston Road on the south west edge of the village of Litlington are approximately 860 to 890 metres from the nearest proposed turbine 4.

The closest dwellings within 1km to the proposal and their approximate distance and direction from the nearest proposed turbines are those listed in Table 1- below (recreated from Table 4.1 – *Nearest Dwellings to the Proposal* (listed out to 1km) on page 59 of the ES- Volume 2: Written Statement.

**Table 1 –Nearest Dwellings to the Proposed Turbines**

Closest Dwellings to the Proposal (up to 1km)	Private or Wind Farm Landowner Owned	Distance from Nearest Turbine (approximate to nearest 5m)	Direction From Turbine	Turbine No.
<b>Highfield House</b> Highfield Farm, Royston Rd, Litlington, SG8 9NJ	Landowner	500m	SSE	5
<b>Highfield Farm</b>	Landowner	560m	SE	5

<b>Cottages ( semi-detached cottages, 1 &amp; 2)</b> Royston Rd, Litlington, SG8 9NJ					
<b>Highfield Farm</b> Royston Rd, Litlington, SG8 9NJ	Landowner	585m	SSE	5	
<b>Brick Cottages (also known as The Cottages or Morden Grange Cottages),</b> (semi-detached cottages) Baldock Rd (Ashwell St), Steeple Morden, SG8 9NR	Private	600m	SW	2	
<b>Limlow</b> (Residential House) Royston Rd, Litlington, SB8 0RS	Private	640m	NNE	4	
<b>White Cottages (No 3 &amp; 4 semi-detached cottages)</b> Ashwell St, Steeple Morden, SG8 9NR	Private	650m	WSW	2	
<b>Morden Grange Farm House</b> Baldock Rd (Ashwell St), Steeple Morden, SG8 0NT	Private	715m	WSW	2	
<b>Fairview</b> Royston Road	Private	860m	N	4	

### **3.0 Chapter 13- Noise**

Hayes McKenzie Partnership Ltd (HMP) have undertaken an assessment of the potential noise impact of the proposed Highfield Wind Farm scheme upon the surrounding area and in particular upon the nearest noise sensitive premises / any nearby dwellings, in accordance with the document 'The Assessment and Rating of Noise from Wind Farms' (commonly known as ETSU-R-97 or ETSU).

Reference is made to Planning Policy Statement (PPS) 22: Renewable Energy and the Companion Guide to PPS22- Planning for Renewable Energy both of which recommend that the document ETSU should be used to assess and rate noise from wind energy development.

ETSU in its introduction states that it:

*“describes a framework for the measurement of wind farm noise and gives indicative noise levels thought to offer a reasonable degree of protection to wind farm neighbours, without placing unreasonable restrictions on wind farm development or adding unduly to the costs and administrative burdens on wind farm developers or local authorities. The suggested noise limits and their reasonableness have been evaluated with regard to regulating the development of wind energy in the public interest. They have been presented in a manner*

*that makes them a suitable basis for noise-related planning conditions or covenants within an agreement between a developer of a wind farm and the local authority”.*

It is important to note that in recent years, members of the acoustic fraternity and various academic research papers have challenged the reliance on ETSU in assessing the noise impact of all wind farm planning applications. ETSU was based on the design and operation of turbines up to a height of approximately 60 metres and there is concern about whether it adequately assesses different noise issues associated with larger turbines like those proposed at Highfield Wind Farm.

The relevance of ETSU has been discussed at numerous recent wind farm planning appeals and inspectors have acknowledged that there are inherent problems with certain aspects of ETSU in assessing noise impact.

Notwithstanding these concerns, ETSU remains the governments best practice guidance on the assessment of noise impact but may be supplemented with additional assessment considerations and procedures if fully justified.

It is noted that the noise assessment is effectively based on a candidate type wind turbine. Subject to planning approval, it will necessary to warrant sound power levels for the turbines to ensure that the actual wind turbines installed will meet noise immissions that have been or will be used in any acceptable noise impact assessment.

The ES noise assessment generally follows and is in accordance with the four stage process recommended in ETSU:

- i. Undertake a baseline noise survey of the prevailing representative background noise levels during quiet day and night time periods at noise sensitive premises (NSP) (effectively establishes existing noise environment in the absence of the proposed wind farm operating)
- ii. Use the background noise levels to generate maximum permissible day and night time noise levels having regard to ETSU guidance, which then generally form the basis of any planning noise limit conditions.
- iii. The prediction of likely noise immissions from the turbines to each of the representative NSPs, to assess if maximum permissible day and night time noise criterion will be complied with. Consider amending turbine proposals if potential noise limits exceedances.
- iv. Drafting of planning conditions requiring that the relevant maximum permissible noise levels are not breached and action to be taken in the event of a justified complaint.

It is also noted that Appendix 13- Noise of ES Volume 2 - Appendices includes the following additional relevant information regarding noise:

- Appendix 13.1 – Background Noise Histograms (Time History Figures of Measured Background Noise and Wind Speed Data)
- Appendix 13.2 – Nordex N80 Noise Levels

### **3.1 Operational Noise Planning Guidance - Paragraphs 13.13 to 13.35**

Planning Policy Statement (PPS) 22: Renewable Energy and the Companion Guide to PPS22- Planning for Renewable Energy both promote renewable energy resources, “*subject to appropriate environmental safeguards.*” with paragraph PPS 22 requiring that: “*Local*

*planning authorities should ensure that renewable energy developments have been located and designed in such a way to minimise increases in ambient noise levels."*

The Companion Guide to PPS 22 also requires in paragraph 41 that: "Well-specified and well-designed wind farms should be located so that increases in ambient noise levels around noise-sensitive developments are kept to acceptable levels with relation to existing background noise."

These planning policies documents were probably relevant when the application was originally compiled but it is noted that the National Planning Policy Framework (NPPF), March 2012, was published and became effective on the 27<sup>th</sup> March 2011.

### 3.2 National Planning Policy Framework (NPPF) / ETSU-R-97 and Noise

The NPPF effectively replaced numerous PPSs and PPGs including PPS 22 and PPG 24: Planning & Noise.

Amongst other aims and with specific reference to noise pollution, the NPPF under section 11 and the heading "Conserving and enhancing the natural environment", paragraph 109, states:

*The planning system should contribute to and enhance the natural and local environment by:*

- *preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability;*

Paragraph 120 states that:

*To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.*

*With respect to noise aims, the NPPF is less prescriptive compared to previous policy / guidance and paragraph 123 states that planning policies and decisions should aim to:*

- *avoid noise from giving rise to significant adverse impacts<sup>27</sup> on health and quality of life as a result of new development;*
- *mitigate and reduce to a minimum other adverse impacts<sup>27</sup> on health and quality of life arising from noise from new development, including through the use of conditions;*
- *recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established;<sup>28</sup>*
- *and identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.*

<sup>27</sup> See Explanatory Note to the Noise Policy Statement for England (Department for the Environment, Food and Rural Affairs).

With regard to renewable energy schemes the NPPF at footnote 17 states:

*"In assessing the likely impacts of potential wind energy development when identifying suitable areas, and in determining planning applications for such development, planning authorities should follow the approach set out in the National Policy Statement for Renewable Energy Infrastructure (read with the relevant sections of the Overarching National Policy Statement for Energy Infrastructure, including that on aviation impacts). Where plans identify areas as suitable for renewable and low-carbon energy development, they should make clear what criteria have determined their selection, including for what size of development the areas are considered suitable."*

On the issue of noise from wind farms, the National Policy Statement for Renewable Energy Infrastructure (EN-3), DECC, July 2011 under the section "Onshore Wind Farm Impacts – Noise and vibration", states:

2.7.54 The ES should include a noise assessment as set out in Section 5.11 of EN-1. However, the noise created by wind turbines in operation is related to wind speed and is different to general industrial noise and an additional assessment of this noise should be made.

2.7.55 The method of assessing the impact of noise from a wind farm on nearby residents is described in the report, 'The Assessment and Rating of Noise from Wind Farms' (ETSU-R-97) 32. This was produced by the Working Group on Noise from Wind Turbines Final Report, September 1996 and the report recommends noise limits that seek to protect the amenity of wind farm neighbours. The noise levels recommended by ETSU-R-97 are determined by a combination of absolute noise limits and noise limits relative to the existing background noise levels around the site at different wind speeds. Therefore noise limits will often influence the separation of wind turbines from residential properties.

2.7.56 The applicant's assessment of noise from the operation of the wind turbines should use ETSU-R-97, taking account of the latest industry good practice. This should include any guidance on best practice that the Government may from time to time publish.

The policy section of the ES Chapter 13 Noise also makes reference to a number of noise guidance documents which reflect best practice in undertaking significance of impact assessment for certain noise sources and characteristics typically associated with wind turbine construction and operation.

### 3.3 Construction and Decommissioning Noise

Paragraphs 13.36 to 13.46 consider construction and decommissioning noise. The methodology used to assess the impact of noise associated with any construction / decommissioning on site and indirect offsite construction related traffic noise on local roads and access tracks, is acceptable and due regard has been given to BS 5228: 2009 - Code of Practice for Noise and Vibration on Construction and Open Sites- Part 1- Noise.

Construction noise will be audible from time to time at nearby dwellings it will be temporary / passing in nature. Providing the best practical means are used to mitigate impact in accordance with BS 5228, including controls over permitted construction hours of working, an unacceptable adverse impact is unlikely.



However, further detailed information will be required prior to commencement of development. Therefore construction noise and vibration impact should be controlled and mitigated by the imposition of conditions restricting the hours of construction work and requiring finalised construction details / noise impact assessments to be submitted for approval including noise mitigation and monitoring, as necessary.

This could be secured as part of a suitably worded overarching Construction / Decommissioning Environmental Management Plan / Programme (CDEMP) condition or similar, following consultation with this service.

### **3.4 Operational Noise Impact Assessment – Additional Information**

Following review of Chapter 13 noise assessment and associated appendices submitted as part of the original ES, under cover of a memo dated the 11<sup>th</sup> September 2012 this service requested further additional information, clarifications and or justification on the following noise related issues:

- Baseline Noise Measurements- Paragraphs 13.47 to 13.63 (Assessment of Existing Noise Environment / Locations)
- Measurement Positions- Paragraphs 13.50 to 13.49
- Instrumentation- Paragraphs 13.48 to 13.49
- Measurement Procedure- Paragraphs 13.56 to 13.61
- Data Removed from Analysis & Results of Noise Measurements - Paragraph 13.62 to 13.63
- Data Removed from Analysis & Results of Noise Measurements - Paragraph 13.62 to 13.63
- Operational Noise Impact Assessment – Paragraphs 13.78 to 13.85
- Infrasound and Low Frequency Noise
- Blade Swish/ Thump or Excess Amplitude / Aerodynamic Modulation (EAM) - Paragraphs 13.28 to 13.29

In response to this request the following additional responses and information have been submitted:

- “*Highfield Farm, Response to Objection Document (section 7 of Stop Littleton Wind Farm Action Group Objection, June 2012) with appendices A & B*”, Hayes McKenzie Partnership Ltd, 9<sup>th</sup> August 2012 (ref HM: 2086\_C\_L1\_RAW)
- “*Highfield Wind Farm, Response to SCDC Health & Environmental Services with appendices A to F - calibration certificates etc*”, Hayes McKenzie Partnership Ltd, 4<sup>th</sup> October 2012
- Engena email of the 31<sup>st</sup> January 2013, “*Subject: Requested further information*”, including the following:
  - Draft wording for a condition for Excess Amplitude Modulation
  - Hayes McKenzie Partnership Ltd Percentage (%) Spread of Wind Conditions During (Noise) Survey 12/03/2009 – 03/04/2009 Historic Spread of Wind Conditions, October 2008 – June 2012 (%),
  - Historic Yearly Average (Wind) Shear 2009
  - Average (Wind) Shear During Survey Period (12/03/2009 – 03/04/2009)

- *“Highfield Wind Farm, Response to SCDC Health & Environmental Services, Additional Comment on Measurement Position at Morden Grange Farm”, Hayes McKenzie Partnership Ltd, 1<sup>st</sup> February 2013*
- *Hayes McKenzie Partnership Ltd letter dated 22nd May 2013 titled “Proposed Highfield Wind Farm, Planning Application S/0439/12/FL Additional Noise Monitoring” (ref HM: 2086\_C\_L1\_RAW)*
- *“Highfield Wind Farm, Planning Application S/0439/12/FL, Additional Noise Monitoring with appendices A to D”, Hayes McKenzie Partnership Ltd, 17<sup>th</sup> July 2013*
- *Engena email of the 13 November 2013, “Subject: Highfield Wind farm – Suggested Noise Conditions”.*

I have also had an opportunity the representation submitted the Stop Lillington Wind Farm Action Group titled, *“Highfield Wind Farm, Lillington, South Cambridgeshire. An Updated Objection by Stop Lillington Wind Farm Action Group Local Planning Authority Reference: S/0439/12/FL, June 2012 (Original submission) March 2013 (Updated submission)”.*

### 3.5 Additional Noise Impact Assessment

It is important to note that following concerns expressed about how the representativeness of the baseline / background noise monitoring undertaken, following a methodology agreed with this service, additional baseline noise monitoring has been undertaken at two location 4 White Cottages (to the North of Morden grange farm) and 1 / 2 Ashwell Street, Lillington respectively. The results of additional monitoring and noise impact assessment are provided in the HMP submission / report titled *“Highfield Wind Farm, Planning Application S/0439/12/FL, Additional Noise Monitoring with appendices A to D”, Hayes McKenzie Partnership Ltd, dated the 17<sup>th</sup> July 2013.*

Table 2, below details the nearest noise sensitive residential properties, at which baseline / background noise monitoring have been undertaken.

**Table2: Background Monitoring Locations Relative to the Nearest Turbine**

Background Monitoring Locations	Private or Wind Farm Landowner Owned	Distance to Nearest Turbine (approximate to nearest 5m)	Direction From Turbine	Turbine No.
<b>Limlow</b> (Residential House) Royston Rd, Lillington, SB8 0RS	Private	640m	NNE	4
<b>Highfield House</b>	Landowner	500m	SSE	5
<b>Highfield Farm</b> , Royston Road, Lillington, SG8 9NJ	Landowner	560m	SE	5

<b>Cottages (1 &amp; 2)</b>	Royston Rd, Littleington, SG8 9NJ				
<b>Morden Grange Farm</b>	Baldock Rd (Ashwell St), Steeple Morden	Private	715m	WSW	2
<b>4 White Cottages</b>	Baldock Road, Steeple Morden, SG8 9NR	Private	645	SW	2
<b>1 / 2 Ashwell Street</b>	Royston Rd, Littleington, ORS SB8	Private	840m	Nrth	4

The locations are considered in the ES to be representative of the nearest dwellings to the proposed development.

Hayes McKenzie Partnership Ltd in their Additional Noise Monitoring Report dated the 17<sup>th</sup> July 2013, state that the noise impact assessment that has been undertaken complies with ETSU-R-97, the IOA Bulletin (2009) and also the Institute of Acoustics (IOA) document titled "A Good Practice Guide to the Application of ETSU-R-97 for the Assessment and Rating of Wind Turbine Noise, May 2013" and any supplementary guidance notes published to date (most currently consultations). This includes the noise impact assessment undertaken prior to May 2013.

The May 2013 IOA Good Practice Guide is effectively a technical supplement to ETSU-R-97 and whilst research / review was not undertaken by Government, it came about from an invitation by the Department of Energy & Climate Change (DECC) to the IOA to set up a working group to take forward the relevant recommendations of the HMP report on "Analysis of How Noise Impacts are considered in the Determination of Wind Farm Planning Applications", as referred to in footnote 34 to NPS EN-3. The aim of the IOA working group was to review the available evidence and to produce good practice on wind turbine noise assessment.

The IOA Good Practice Guide has not been published by Government but it is important to note that DECC accept that it represents current industry good practice and endorse it as a supplement to ETSU.

As stated, national planning guidance supports the use of ETSU-R-97 as the test of the acceptability of wind farm noise. In England, the National Policy Statement for Renewable Energy Infrastructure (NPS EN-3) includes specific guidance on noise impact assessment for onshore wind farm developments.

NPS EN-3 advises that the ETSU-R-97 methodology, in accordance with the latest industry good practice (which should reflect any updated guidance issued in relation to ETSU-R-97 and accepted by Government i.e. the IOA Good Practice Guide May 2013) should be used to assess and rate noise from wind farms.

Therefore, the assessment of significant operational noise effects is based upon compliance with the ETSU-R-97 guidelines. Meeting noise limits is judged a 'not significant effect', whereas an excess over the noise limits is considered a 'significant effect'. It is acknowledged that the ETSU approach does not directly aim to determine significance in an EIA context, rather it represents a balance between the need for wind energy and the need to protect residential amenities.

The key national guidance documents, which provided guidelines on the assessment of noise in England, are the NPPF and the Noise Policy Statement for England (NPSE).

NPPF outlines general aims for planning policy with regard to noise: avoiding significant impacts and minimising other impacts arising from new development, protecting identified areas of tranquillity, recognising that this should be balanced against the need for business to operate without unreasonable restrictions being imposed. This is consistent with the general Government policy on noise as set out in the NPSE.

### **3.6 Noise Impact Assessment**

The noise assessment involves the setting of maximum permissible operational noise limit levels at various nearest receptors and ES follows the recommended approach in ETSU-R-97.

ETSU states that noise from the wind farm should be limited to 5dB(A) above background for both day and night-time (with the exception of the lower limits), remembering that the background level of each period may be different.

In low noise environments the day-time level of the LA90, 10min of the wind farm noise should be limited to an absolute level within the range of 35-40dB(A). The actual value chosen within this range should depend upon a number of factors:

- the number of dwellings in the neighbourhood of the wind farm
- the effect of noise limits on the number of kWh generated
- the duration and level of exposure.

A fixed limit for night-time is 43dB(A) is recommended.

For all properties with a financially involved occupier, a higher limit of 45 dB may be warranted.

### **3.7 Blade Swish/ Thump or Other or Excess Amplitude / Aerodynamic Modulation (O/EAM)**

Wind turbine noise is not always a steady sound and can include an aerodynamic noise known as amplitude modulation (AM) at times, in the form a relatively constant modulated or fluctuating beat or swish / thump which occurs at the same rate as the turbine blades rotate.

At the time of the preparation and publication of ETSU-R-97 the phenomenon of AM was acknowledged appreciated but the understanding of its potential effect on the prediction of noise from wind turbines in the UK was limited.

The ETSU report does identify the inherent potential for AM in the order of 3 dBA peak to trough, meaning that the noise level increases and decreases by 3 dBA variation from a broadband constant level with every rotation of the turbine / blade passing frequency. In the majority of cases ETSU regards the modulation as acceptable and specifically excludes applying any noise penalty for the character of AM noise.

Recently however research indicates that in stable atmospheric conditions, the effect of wind shear at altitudes in which modern wind turbines operate can be underestimated and results in considerable AM of up to 9.5dBA.

Such an effect has the potential to have a more pronounced and noticeable adverse noise impact giving rise to more annoyance and has become commonly known as or referred to as enhanced amplitude modulation (EAM).

An article in the July / August 2009 edition of the IOA Acoustics Bulletin Vol133 No 4, by Bowdler presented a review of the evidence and information regarding amplitude modulation, in order to attempt to better characterise and identify possible causes of the phenomenon. Bowdler concluded that:

*"It seems probable that there are two distinct mechanisms in operation to create amplitude modulation. The first is swish, which is a function of the observer's position relative to the turbine. The second is thump which is due to turbine blades passing through uneven air velocities as they rotate. In the second case the uneven air may be due to the interaction of other turbines, excessive wind shear or topography. These two mechanisms are entirely separate though it is possible that they interact. If this is the case there is little that can be done about swish but further research into thump would help to avoid excessive amplitude modulation in future developments."*

Bowdler also described 'swish' earlier in the article as a 'relatively benign' feature of the noise, so it would be reasonable to conclude that concerns are mainly associated with 'thump'.

While the understanding of EAM generation is limited and its onset and severity is not totally predictable, it is recognised by professional acousticians that EAM is more likely to occur under the following mechanisms (most of which result in uneven air flow) as possible sources of thump:

- Interactions between turbines (inadequate spacing or linear array = rotor / wake effects);
- Excessive wind shear / stable atmosphere;
- High turbulence; and
- Topography
- Local Blade Stall

It is acknowledged that the appropriate spacing for turbines is strongly dependent on the nature of the terrain and the wind rose for a site. Whist spacing may be mainly associated with energy loss it is our view that if turbines are spaced closer than 6 rotor diameters in a frequent prevailing wind direction and 4 rotor diameters across / perpendicular the prevailing wind direction, it is likely that unacceptable high wake and turbulence induced noise may occur and may result in a greater potential for EAM to occur.

However it should be noted that on the 16<sup>th</sup> December 2013, after 3 to 5 years of research Renewable UK (The voice of the wind and marine energy- the wind industry trade association), published detailed new scientific research on wind energy acoustics. The study was carried out to investigate the causes of and solutions to, the occurrence of an acoustic characteristic known as "Other Amplitude Modulation" (OAM).

The report explains the differences between "Normal Amplitude Modulation" (NAM), which is the common swishing sound made by turbine blades as they pass through the air, and OAM, which in their view is an "*infrequent and uncommon sound which typically lasts only for a few minutes*". As a result of the research, acoustics professionals and the wind industry should have a clear understanding of the characteristics of OAM, as well as how to address it if it should occur.

They report that the wind industry has identified solutions to the AM issue such as software adjustments which change the angle of the turbine blades at certain times when OAM could occur.

It also states that "*the industry has also worked with members of the Institute of Acoustics on the development of a planning condition which can be used by local authorities. This means that when wind farm developers apply to build projects, they will be required to resolve any instances of OAM in accordance with the planning permission.*"

However the Institute of Acoustics has cautiously welcomed the publication by RenewableUK of the research and a proposed planning condition to deal with the issue of amplitude modulation (AM) of noise from wind turbines.

The Chairman of the IOA Noise Working Group has stated said: "*This research is a significant step forward in understanding what causes amplitude modulation from a wind turbine, and how people react to it. The proposed planning condition, though, needs a period of testing and validation before it can be considered to be good practice. The IOA understands that RenewableUK will shortly be making the analysis tool publicly available on their website so that all interested parties can test the proposed condition, and the IOA will review the results later in the year. Until that time, the IOA cautions the use of the proposed planning condition.*"

### **3.8 EAM Planning Condition and or a s106 Planning Obligation / Agreement**

Whilst the probability and frequency of EAM occurrence may be uncertain, due to the moderate to severe significance adverse impact that local residents may experience should it arise and the potential onerous requirements the investigation of EAM would place on SCDC, we wish to pursue a precautionary approach and wish to see the imposition of a EAM planning condition and or a s106 planning obligation agreement defining what would be considered EAM, requiring the applicant to investigate any justified complaints regarding EAM and mitigation if substantiated.

Following Renewable UK rent research publication it appears that the wind farm industry have endorsed the need the need of some form of planning condition to address AM noise.

Engena (the agent for the applicant) have confirmed that such an EAM condition approach is agreeable in principle subject to final wording that is acceptable to all parties. They have sent this service a draft EAM condition for consideration and it is hopeful that an agreement on a suitable worded condition can be reached.

### **3.9 Operational Noise Conclusions**

Whilst we have some concerns about the directional analysis of prevailing background noise levels that has been undertaken in filtering background noise measurements it is our view that the road traffic noise from the A505 to the South is not a dominant noise source at the majority of the monitoring locations noise.

A revised noise assessment has been carried out for the proposed Wind Farm in accordance with ETSU-R-97 taking into account the points of clarification raised this service. The design of the proposed Highfield Wind Farm is such that using a commercially available candidate turbine, the operational noise levels from the wind farm are likely to fall within the ETSU guidance noise limits derived from measurements taken at the surrounding receptors.

On balance we therefore conclude that the necessary noise assessment for the wind farm has been carried out in accordance with government / industry best practice including the requirements of ETSU-R-97, the "Prediction and assessment of wind turbine noise" IOA bulletin March/April 2009 and the May 2013 IOA Good Practice Guide.

It has been demonstrated following a robust analysis of the supporting baseline monitoring data and assessment approach that the proposed Wind Farm should not exceed the limits recommended by ETSU and therefore would result in no significant effects at the residential receptors identified in relation to noise.

The impact assessment predicts that collective operational turbine noise levels for all the closest residential receptor locations fall within the relevant levels of acceptability (meeting the ETSU guidance derived noise limits), at all wind speeds and directions.

Having reviewed the additional background noise monitoring undertaken and information provided by HMP, based on the ES submitted we have no objection in principle providing we can agree with the applicant / agent noise related conditions for and based on the following:

- **Construction Env Management Plan** or similar - covering hours of work/construction, noise predictions etc in accordance with BS 5228:2009,
- **Operational Noise:**
  - maximum permitted noise levels at specified properties having regard to ES and ETSU limit guidance / IOA Good Practice Guidance, May 2013;
  - provision of noise and met data as requested;
  - compliance checking if complaints received etc;
  - Other or Excess Amplitude / Aerodynamic Modulation (O/EAM) noise occurrence greater than that envisaged or inherent in ETSU should complaints arise ;
  - post commissioning noise compliance checking for a period of time

#### **4.0 Potential for Shadow Flicker Effects. - Chapter 9 - Paragraphs 9.284 to 9.316**

It should be noted that environmental health are not experts on shadow flicker and indeed have no additional duty or remit to investigate or deal with should complaints about the phenomenon arise when the wind farm is operational. It is therefore paramount that protection is provide by planning condition or similar. However we offer the following comments:

The potential for shadow flicker effects is considered in the ES Volume 2- Written Statement, Chapter 9- Landscape and Visual Impact Assessment under the section heading Potential for Shadow Flicker Effects, Paragraphs 9.284 to 9.316. Appendix 9.4 reports the Shadow Flicker Model Outputs for various turbines and potential for impact at certain receptors.

Under certain combinations of geographical position, time of day and year, the sun may pass behind the rotor of a wind turbine and cast a long shadow. When the sun is in a certain position in the sky at a specific time of day and alignment with an intervening turbine and the window of a neighbouring dwelling, as the blades rotate shadows can pass a narrow window. A person within that room may perceive that the shadow, effectively a drop in light levels

which comes and goes with each pass of a blade, appearing to flick on and off. This effect is known as shadow flicker. It can have health and amenity effects.

Planning Policy Statement (PPS) 22 states that shadow flicker only occurs within 10 rotor diameters of the turbines at 130 degrees either side of north relative to the turbines.

The Department of Energy and Climate Change (DECC) document "Update of UK Shadow Flicker Evidence Base - Final Report" published 2011 endorsed the use of 10 rotor diameters and 130 degrees either side of north from each turbine, as the areas where shadow flicker is most likely to occur.

However these conditions should not be viewed as an absolute and at distances beyond 10 rotor diameters there is a low risk that shadow flicker may occur.

The National Policy Statement for Renewable Energy Infrastructure (EN-3), DECC, July 2011 under the section "Onshore Wind Farm Impacts – Shadow Flicker", states:

*"Research and computer modelling on flicker effects has demonstrated that there is unlikely to be a significant impact at distances greater than ten rotor diameters from a turbine. Therefore if the turbine has 80m diameter blades, the potentially significant shadow flicker effect could be observed up to 800m from a turbine".*

A RESoft WindFarm computer software model has been used to model and calculate the time and extent of shadows / shadow flickers when the wind farm is operational. It considers the location of each of the turbine, the surrounding terrain, property locations, property orientation, window placement and the path and height of the sun as it rises, crosses the sky and sets at various times of the year. The model considers predictions as worst case scenario conducive for shadow flicker, such as a clear sky and visibility at all times every day, bare terrain (no intervening screening such as trees, buildings) and a specific wind direction that always results in turbine blades rotating in a plane perpendicular to a potential receptor dwelling.

This assessment methodology is acceptable and precise prediction is possible.

The assessment is comprehensive and the study area is well defined and it is possible to calculate the number of hours per year that shadow flicker may occur at a particular dwelling.

Seven dwellings with the potential to experience shadow flicker effects have been identified (eg with 10 rotor diameters-800metres and 130 degrees either side of north from each turbine) and table 3, below displays the results of the worst case shadow flicker assessment grouped by property and frequency of occurrence.

**Table 3 – Shadow Flicker data grouped by property**

Dwellings within 800m of proposed Turbines	Number of Potential Days Per Year		Max. events Per Day Per Turbine (Hours)		Mean Time Per Day an event Occurs (Hrs)	Total Theoretical Max. Time Per Year (Hrs)
	Per Year	Occur	Per Day	Per Turbine		
<b>Highfield House</b> Highfield Farm, Ryoston Rd, Lillington, SG8 9NJ	T3	61	0.57		0.48	29.4



<b>Highfield Farm Cottages ( semi-detached cottages, 1 &amp; 2)</b> Royston Rd, Litlington, SG8 9NJ	T3	52	0.46	0.36	18.9
<b>Highfield Farm</b> Royston Rd, Litlington, SG8 9NJ	T3	57	0.50	0.42	23.9
<b>Brick Cottages (also known as The Cottages or Morden Grange Farm Cottages),</b> (semi-detached cottages) Baldock Rd (Ashwell St), Steeple Morden, SG8 9NR	-	0	0.00	0.00	0.0
<b>Limlow</b> (Residential House) Royston Rd, Litlington, SB8 0RS	-	0	0.00	0.00	0.0
<b>White Cottages (No 3 &amp; 4</b> semi-detached cottages) Ashwell St, Steeple Morden, SG8 9NR	T2	53	0.53	0.41	22.0
<b>Morden Grange Farm House</b> Baldock Rd (Ashwell St), Steeple Morden, SG8 0NT	T2	80	0.51	0.41	36.1

It is concluded that theoretically that there 5 potential receptor properties within study area that could be exposed to shadow flicker although for very short periods.

Apart from Highfield House the worst affected property is Morden Grange Farm House which could experience 80 shadow days per annum for a maximum of up to 51 minutes on each day, a total of 36.1 shadow hours per annum.

**In response to a request for additional information Engena have provided some additional information by email on the 4<sup>th</sup> October 2012, "Subject: Highfield Wind Farm – 04/10/2012: Clarifications on Shadow Flicker". Some additional clarifications are provided and a draft planning condition is proposed.**

**We agree that such as a shadow flicker related mitigation condition is necessary and reasonable in the interests of the amenities of nearby residents subject to agreement on the final wording.**

## **5.0 Overall Conclusions**

The purpose of an ES is to provide all the necessary information in a readily understandable format for public scrutiny to allow an informed decision to be made on whether planning permission should be granted.

The following environmental health issues need to be considered and addressed effectively in order to minimise potential adverse impacts on existing residents, and which are paramount in facilitating sustainable development and safeguarding amenity and a healthy living environment:

- **Noise Impact**
  - Construction Noise & Vibration
  - Wind Farm Operational Noise
- **Shadow Flicker**

We have therefore considered the effect of the proposed development on living conditions at residential dwellings in the surrounding area, including its impact on quality of life / amenity in terms of operational noise including Other or Excess Amplitude / Aerodynamic Modulation (O/EAM) and shadow flicker impacts.

As far as the living conditions of the wind farm neighbours are concerned, having reviewed the additional background noise monitoring undertaken and information provided we conclude that robust noise and shadow flicker impact assessments have been undertaken and reported within the ES. The assessments have been undertaken in accordance with current government / industry standards and best practice guidance.

In particular, the necessary noise assessment for the wind farm has been carried out in accordance with government / industry best practice including the requirements of ETSU-R-97, the "Prediction and assessment of wind turbine noise" IOA bulletin March/April 2009 and the May 2013 IOA Good Practice Guide.

It has been demonstrated following a robust analysis of the supporting baseline monitoring data and assessment approach that the proposed Wind Farm should not exceed the limits recommended by ETSU and therefore would result in no significant effects at the residential receptors identified in relation to noise.

The impact assessment predicts that collective operational turbine noise levels for all the closest residential receptor locations fall within the relevant levels of acceptability (meeting the ETSU guidance derived noise limits), at all wind speeds and directions.

On balance we have no objection principle as it is our view that the proposals should not give rise to significant adverse impacts on health and quality of life as a result of noise and shadow flicker subject to mitigation control / regulation by appropriately worded conditions that provide an adequate level of protection.

The following conditions have been agreed in principle with the applicant / agent and their respective consultants but are subject to ongoing negotiations on final detailed precise wording (and subject to planning condition circular tests):

- **Construction Env Management Plan or similar** - covering hours of work/construction noise predictions etc in accordance with BS 5228:2009,
- **Operational Noise:**
  - maximum permitted noise levels at specified properties having regard to ES and ETSU limit guidance / IOA Good Practice Guidance, May 2013;
  - provision of noise and met data as requested;
  - compliance checking if complaints received etc;

- Other or Excess Amplitude / Aerodynamic Modulation (O/EAM) noise occurrence greater than that envisaged or inherent in ETSU should complaints arise ;
- post commissioning noise compliance checking for a period of time
- Shadow Flicker Complaint / Mitigation Protocol / Matt finish to blades (whilst not specifically Env Health Issues I assume planning will impose as an impact on living conditions)

We are confident that agreement can be reached on final detailed precise wording of these conditions and depending on the member's decision, if they were minded to approve the final wording of any conditions could be delegated to officers or brought back to committee for approval.

If you require any further advice or clarification please do not hesitate to contact me.

Regards

**Greg Kearney & Russell Watkins**  
**Environmental Health Officers**  
**Health & Environmental Services**

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# Highfield Wind Farm

Litlington

South Cambridgeshire

An Updated Objection by

Stop Litlington Wind Farm Action Group

Local Planning Authority Reference: S/0439/12/FL

June 2012 (Original submission)

March 2013 (Updated submission)

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## Foreword

This updated document is submitted by the Stop Litlington Wind Farm Action Group (SLWFAG) with the assistance of Mike Barnard, a wind turbine development consultant who has been involved in over 30 such development applications. As well as coordinating the overall objection he has provided the critique of the noise impact assessment within the Environmental Statement (ES).

This document sets out in detail why this application would impose wide-ranging and substantial harms on the quality of life, health and well being of the local community. These would significantly outweigh the very limited benefits the application offers and thus the application should be refused.

This document has been updated in response to a request for comments from South Cambs District Council on information made available since our original submission was made in March 2012. We have blacklined our original document to show where the additional information warrants updated commentary. In all other cases our views remain unchanged. We ask that our original views and our updated views are all given full and appropriate consideration.

In the case of any queries or need for further information please contact:

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## 1 Summary and Conclusions

The Stop Litlington Wind Farm Action Group (SLWFAG) opposes this application for the following reasons:

### *Policy*

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- 1.1 The application would have wide-ranging and significant adverse impacts and is in conflict with:
- National Policy (NPPF), by failing to meet the basic presumption in favour of sustainable development;
  - Regional Policy (East of England Plan), by failing to protect and enhance the diversity and local distinctiveness of the countryside character (ENV2), failing to protect biodiversity (ENV3) and failing to protect the historic environment (ENV6);
  - Local Policy (Local Development Framework), by being incompatible with the landscape scale, form, siting and proportion, by opposing the wishes of the local population (localism) and by failing to protect residents from disturbance and visual impact in accordance with the policy of South Cambs. District Council (SCDC).
- 1.2 The relationship between the National, Regional and Local policies was recently considered in the High Court:

*"...as a matter of law it is not correct to assert that the national policy promoting the use of renewable resources in PPS1 paragraph 22 negates the local landscape policies or must be given "primacy" over them."*

The developer variously suggests that selected planning policies are 'not relevant to the determination of this planning application', and in other places the same policies are 'still material to the determination of planning applications'. This demonstrates that the Developer's appraisal of planning policies relevant to this application cannot be relied upon.

### *Site Selection*

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- 1.3 The site selected is of a constrained size and shape and is in a low wind speed area that would impose disproportionately large adverse impacts for a proportionately small amount of electricity.
- 1.4 Alternative sites, which might offer a more equitable balance of harms and benefits, are not presented as required by planning regulations.



### *Landscape Character*

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- 1.5 The application acknowledges that the proposal would have significant adverse impacts on the character of the landscape, in conflict with the Local Development Framework.

We note that the developer acknowledges that mitigations '...would not materially change the extent and intensity of the significant effects predicted in this assessment.'

### *Visual Amenity*

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- 1.6 The application acknowledges that the proposal would have significant adverse impacts on the visual amenity of people who live, work, study, visit or travel through the surrounding area.
- 1.7 The turbines would be completely out of scale with and alien to all other natural or man-made vertical features present.
- 1.8 Therfield Heath, which overlooks the site, forms part of the nationally designated landscape of the Chilterns to which regional policy requires that the highest level of protection be afforded. The application acknowledges that visitors to Therfield Heath would experience significant effects on their visual amenity as a result of the proposed turbines.
- 1.9 The proposal is unnecessarily and inappropriately close to residential dwellings and, in the absence of a visual amenity assessment for all dwellings within 1km of the proposed site, the precautionary principle should be applied and the application should be refused.

### *Cultural Heritage*

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- 1.10 The application acknowledges that the effects upon cultural heritage assets would be significant, which conflicts with regional and local policy.

### *Noise*

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- 1.11 Prevailing legislation offers no guarantee that a noise nuisance will not occur and a thorough and rigorous noise assessment should be undertaken before determination.
- 1.12 Aspects of the noise assessment are flawed, do not meet the requirements of prevailing legislation and thus the conclusions drawn in the ES about the potential for noise nuisance cannot be relied upon.
- 1.13 Excessive amplitude modulation is likely, due to the insufficient separation of the turbines within the turbine array. Dwellings lie well within the normal separation distance and are likely to suffer unacceptable noise impacts.
- 1.14 The scheme should be required to meet the acceptance criteria at the EIA stage prior to determination rather than through planning conditions.

### *Construction/Traffic*

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- 1.15 The traffic movements predicted have been considerably under-estimated and hence the conclusions drawn about the significance of the potential impacts cannot be relied upon.
- 1.16 The application fails to address the implications for road safety during the 25-year operational period, in particular the increased risk of distraction for drivers crossing 2 lanes of a dual carriageway with oncoming traffic travelling at the national speed limit.

### *Ornithology/Ecology*

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- 1.17 The potential risk of significant adverse impacts on the richness and diversity of species within a comparatively small area conflicts with local policy. This states that planning permission will not be granted for a development that would have an unacceptable impact on biodiversity.

### *Benefits*

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- 1.18 The applicant does not offer any credible data to support the claim for the amount of electricity the site might produce.
- 1.19 The type of turbine proposed is unsuited to wind speeds at this site and has been included solely to inflate the 'headline' amount of electricity that the site might produce.
- 1.20 SLWFAG has identified and used 3 local, independent, verifiable sources of mean wind speed data to prepare a rigorous, 'real-world' forecast of the amount of energy that the site could produce which suggest that the amount of electricity that the site could produce is likely to be around *one third* of the amount claimed by the Applicant.

We note the continuing absence of actual wind speed data to support the claims of the developer for the amount of electricity that the site could produce.

The developer now suggests that estimates are merely 'indicative of the scale of development only'

The 'estimates' offered by the developer simply cannot be relied upon and should be discounted.

*Conclusion*

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- 1.21 This application would impose wide-ranging and substantial harms on the quality of life, health and well being of the local community. These would substantially outweigh the very limited benefits the application offers and thus the application should be refused.

The main body of this document sets out in detail why SLWFAG oppose this application in common with the Parish Councils and Members of Parliament for the surrounding area.

## 2 Policy

### *National Policy - National Policy Planning Framework (NPPF)*

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- 2.1 The introduction of the National Planning Policy Framework (NPPF) in March 2012 was one of the biggest overhauls of national planning policy in many years, replacing as it does a large number of policies, including PPS 22, the previous main national renewable energy policy. The Companion Guide to PPS 22 retains its status as guidance not policy.
- 2.2 The introduction of the NPPF at the end of March postdates this application and there is mention in the planning appraisal submitted by the applicant of the consultation draft of the NPPF. However, there were significant changes between the draft and the final policy and, thus, a planning appraisal against policies that have now been replaced and a draft NPPF that does not reflect the final document means that the planning appraisal does not take appropriate account of the planning policies that will be in place at the time of determination. It would be a material omission if no supplementary planning appraisal is submitted by the applicant assessing how the significant changes in planning policy have impacted on the conclusions drawn in the planning appraisal submitted with the application.

#### *Presumption in Favour of Sustainable Development*

- 2.3 The NPPF includes a presumption in favour of sustainable development but the policy makes clear that this does not give carte-blanche for all claimed 'sustainable developments' to be approved irrespective of any adverse impacts. The NPPF says<sup>1</sup>

*At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.*

#### *For plan-making this means that:*

- Local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:

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<sup>1</sup> NPPF - Para 14

<sup>2</sup> NPPF - Para 97

<sup>3</sup> PPS 22 - Para 20

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted.*

**For decision-taking this means:**

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
  - *specific policies in this Framework indicate development should be restricted.*

2.4 The key word here is demonstrably. By failing to quantify accurately the benefits the application would offer (see Section 10), namely the amount of electricity generated, the applicant cannot show that the wide-ranging and significant adverse impacts which the applicant acknowledges this application would impose on the local community could somehow be outweighed by the claimed benefits. This application, therefore, fails the basic presumption of sustainable development at the heart of the NPPF.

The NPPF makes clear that the benefits of the proposal must outweigh the adverse impacts. We note that the developer remains unwilling or unable to quantify the benefits the proposal might offer (see section 10). Our original view therefore remains unchanged: if the benefits of the proposal are not 'demonstrably' quantified, they cannot be considered to be 'significant' and no meaningful judgement can be made ("For decision-taking this means:") as to whether the benefits outweigh the adverse impacts. This application, therefore, fails the basic presumption of sustainable development at the heart of the NPPF.

2.5 On renewable energy<sup>2</sup> the NPPF requires local authorities to maximise renewable and low carbon energy development *while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts* (our highlight).

2.6 Any commercial scale wind turbine development will inevitably have significant adverse impacts that cannot be mitigated (as acknowledged in the

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<sup>2</sup> NPPF - Para 97

ES) purely as a result of their size and scale. Thus it is very clear that every renewable energy development must be determined by examining the balance between the harms and the benefits and refusing applications where the former outweigh the latter.

#### *Regional Policy - East of England Plan*

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2.7 The Regional Spatial Strategies still remain in force, notwithstanding the published intention of the Government to remove this layer of planning policy. As such the East of England Plan must be given significant weight in the determination of this application.

2.8 As identified within the Planning Appraisal accompanying the application there are key policies within this plan providing protection to different areas. It is not proposed to repeat these policies in detail but the key areas are:

- ENV2 - requires that diversity and local distinctiveness of the countryside character areas are protected and enhanced.

ENV2 also requires that, in accordance with statutory requirements, the highest level of protection should be afforded to the East of England's nationally designated landscapes. Therfield Heath (see Section 5.4), which overlooks the site, is a distinctive open, rolling landscape fronted by gentle, stepped escarpments that form part of the nationally designated landscape of the Chilterns. The highest level of protection should therefore be afforded to this landscape.

- ENV3 - provides protection to biodiversity.
- ENV6 - provides protection to the historic environment

#### *Local Policy - Local development Framework (LDF)*

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2.9 Whilst the Core Strategy does not have any policies specific to renewable energy generation the Development Control Policy NE/2 states that planning permission will be granted for renewable energy schemes provided that they accord with the development principles set out in DP/1-3. These policies require development to, amongst others:

- preserve and enhance the character of the local area.
- be compatible with its location in terms of scale, mass, form, siting and proportion.

- not have unacceptable adverse effects on residential amenity, countryside and landscape character, noise, and wildlife, ecological and archaeological interests.

2.10 It is generally accepted that commercial scale wind turbines represent alien structures within a traditional, flat rural landscape and PPS 22<sup>3</sup> recognised that they are the most visually intrusive of all renewable energy development with the greatest impact on landscape character. In this submission we show that, at 100m high and located below the ridge to the south, turbines with rotating blades are incompatible with the landscape in scale, form, siting and proportion.

We note in item 16 of 'Highfield consultation clarification SLWFAG' that the developer suggests that PPS22 'no longer forms part of planning policy in England' and is '...not relevant to the determination of this planning application.' We separately note in 'Observations on the NPPF Highfield Wind Farm' that the developer states 'It is important to note that the Companion Guides to the PPS series have not yet been withdrawn and are still material to the determination of planning applications. This is relevant to both the Companion Guide to PPS22 and the PPS5 Practice Guide.' We suggest that the propensity of the developer to be selective about which policies are relevant in which circumstances demonstrates that his appraisal of planning policies relevant to this application cannot be relied upon.

#### *Localism*

2.11 The NPPF states that planning should empower local people to shape their surroundings. We show very clearly in Section 11 that there is overwhelming public opposition with all the local parishes and towns consulted, representing over 20,000 local residents, all recommending refusal of this application.

#### *Separation Distance*

2.12 The NPPF goes on to say that plans should be based on joint working and co-operation, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. There are no specific local plans dealing with the location of commercial renewable energy projects but SCDC has adopted<sup>4</sup> a policy that introduces a 2km separation distance from turbines to residential properties. This states:

*"It was resolved that this Council supports seeking energy from renewable resources. However, applications for wind farms (2 turbines or more) cause*

<sup>3</sup> PPS 22 - Para 20

<sup>4</sup> Adopted at full Council 24/02/2011

*deep concerns to our residents by nature of their size, scale and noise. This Council believes that a minimum distance of 2 kilometres between a dwelling and a turbine should be set to protect residents from disturbance and visual impact. If the applicant can prove that this is not the case a shorter distance would be considered. This will be addressed during the review of the Local Development Framework."*

- 2.13 This is a clear and succinct local policy that, according to the NPPF, should be given significant weight. There is no mention in the ES of this policy which is understandable as it post dates the application by one day but it is clearly relevant and again there should be a supplementary submission from the Applicants to demonstrate how, if at all possible, residents will be protected from disturbance and visual impact, as required by the Policy. In the absence of such proof then this application is clearly in breach of SCDC policy and should be refused.

The Developer states that "In the event that such an exclusion policy did exist, the ES demonstrates the acceptability of the shorter separation distance."

We note that the policy places the burden of responsibility on the developer to prove that the proposal will not harm residents. We therefore ask the planning department to determine whether the ES does indeed 'prove' that the proposal will 'protect residents from disturbance and visual impact', particularly in view of the wide range of adverse impacts the developer acknowledges in the ES.

#### ***Balance Between Harms and Benefits***

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- 2.14 The determination of an onshore wind farm planning application depends upon an assessment of the balance between two potentially conflicting sets of planning policies. On the one hand there are policies promoting renewable energy production, including onshore wind, and on the other there are numerous policies protecting the countryside, wildlife, the cultural heritage, the recreation and the general amenity of people living, working, studying, visiting and travelling in the vicinity. This is the situation here where the development plan exhibits precisely such conflicting policies. Thus a balancing exercise has to be undertaken to determine whether the adverse impacts of the turbines outweigh the benefits of the electricity produced. PPS22 recognised this in Key Principle (i), which clearly spelt out that renewable energy developments could only be accommodated where the environmental, economic and social impacts can be addressed satisfactorily. The role of the determining authority is to carry out this balancing exercise.
- 2.15 Any commercial scale wind turbine development will inevitably have significant adverse impacts that cannot be mitigated (as acknowledged in the ES) purely as a result of their size and scale. Thus it is very clear that every renewable energy development must be determined by examining the balance between the harms and the benefits and refusing applications where the former outweigh the latter.



- 2.16 SLWFAG supports the need to increase the amount of renewable energy generated but renewable energy developments are only of long-term value if the benefits outweigh the adverse impacts.
- 2.17 It is self-evident that in any balancing exercise an equal degree of thoroughness should be applied in quantifying both sides of the equation, namely the balance between adverse impacts and benefits. The ES spends some 1,600 pages assessing the adverse impacts in great detail but the primary benefit, the amount of electricity the site is likely to produce, is based on assumptions that are wholly unrepresentative of the site, and are set out on a single page of the ES.
- 2.18 This leaves a decision maker without any meaningful information to make a reasoned judgement about the extent of the benefits the application may offer. The lack of a substantiated statement of the benefits is all the more remarkable given that an anemometer has been in place on the site for over two years and has recorded the actual wind speed data that is fundamental to any quantification of the amount of electricity that the site could produce.
- 2.19 The analysis discussed in Section 10 suggests that the amount of electricity that the site could produce is likely to be around *one third* of the amount claimed by the Applicant.
- 2.20 This analysis suggests, and the almost total lack of any robust data included by the applicant seems to confirm, that the benefits of this site are so small that the balance between the benefits and harms of the scheme should be tilted heavily toward refusal of the application.

#### *Reconciling National, Regional and Local Policies*

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- 2.21 The relationship between the National, Regional and Local policies was recently considered in the High Court where Mrs Justice Lang dismissed claims that "primacy" should be given to national renewable energy targets over local conservation policies:

*"...as a matter of law it is not correct to assert that the national policy promoting the use of renewable resources in PPS1 paragraph 22 negates the local landscape policies or must be given "primacy" over them."*

- 2.22 We conclude that that the proposed scheme has significant adverse impacts and is in conflict with:
- The NPPF;
  - Policies ENV 2/6 of the East of England Plan;

- Policies DP/1-3 and NE/2 of the Local Development Framework.

2.23 Thus when considering the planning balance, the harms that the relevant national, regional and local planning policies aim to prevent significantly outweigh the very limited benefits that this application offers and thus the application should be refused.

### 3 Site Selection

- 3.1 We have already identified that renewable energy projects can only be accommodated where the environmental, social and economic impacts can be addressed satisfactorily. There is no carte blanche to approve wind farms anywhere and each decision will be based on the specifics of the individual site.
- 3.2 PPS 22 recognised that onshore wind farms have the greatest visual and landscape effects of all renewable technologies. Little can be done to mitigate the effect given their inherent scale compared to most other natural and man-made structures present in the landscape. However, PPS22 in Key Principle (viii) placed a requirement on the developer to demonstrate how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures.
- 3.3 One of the main opportunities for the mitigation of adverse impacts obviously relates to location. In this case no alternative locations were considered as the scheme was brought forward by the Parker family specifically to be situated on their landholding. If this proposal was for a small-scale turbine purely to service their farming business then the lack of any consideration of alternatives may be less significant. That is not the case here where the proposal is for five 100m high turbines the output of which even the ES suggests will be 900%<sup>5</sup> greater than the electricity requirements of the farm. The main purpose of the scheme will be to profit from the sale of the electricity to the national grid.
- 3.4 In such circumstances this wind farm could be located anywhere and the consideration of alternatives should have been included in the assessment of the site.
- 3.5 There is an overriding statutory requirement for alternatives to be presented as part of the ES for EIA developments under the Town and Country Planning (Environmental Impact Assessment) Regulations 1999, No.293. Schedule 4 of the EIA Regulations requires Environmental Statements to include an outline of the main alternatives studied by the applicant or appellant and an indication of the main reasons for his choice, taking into account the environmental effects. The EIA Good Practice Guide (DCLG 2006) at Para 139 confirms this and advises that in the event that none are considered the ES should explain why.
- 3.6 This is not an esoteric argument. The amount of electricity generated by a wind turbine is proportional to the cube of the wind speed. By way of example,

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<sup>5</sup> ES - Para 17.107

moving from a mean wind speed of 6m/s to 8m/s doubles the amount of electricity produced. Selecting a low wind area such as the proposed site means that, to generate the same amount of electricity, more or larger turbines have to be used. This will obviously increase the adverse effects and tilt the balance between positive and negative impacts of the scheme. Thus the initial site selection is crucial and wind speed is a fundamental part of the site selection criteria for wind farm developers.

- 3.7 The analysis in Section 10, using multiple, independent and correlated sources of local data, demonstrates that this is a uniquely low wind speed site.
- 3.8 The fact that this site is proposed at all is wholly due to the desire of the landowners to gain the financial benefit of having wind turbines on their land. However, this does not alter the fact that, by trying to harvest the energy from wind in a low wind speed area, this scheme will impose disproportionately large adverse impacts for a proportionally small amount of electricity.
- 3.9 The reason that this site is completely inappropriate can be traced back to the rationale for the initial site selection. This was purely based on a landowner wishing to make money from wind turbines. If the application was for the normal single 30/50m to blade tip turbine that would support the electricity consumption of the farm itself then the impacts could have been mitigated more readily. However, by going for initially 4 turbines of 126m there was a clear intent that this was purely a commercial money making operation. By not considering any alternatives but having to locate the turbines in an extremely low wind speed environment this has led inevitably to a situation where the benefits, in terms of electricity production, are so limited that they have become completely outweighed by the adverse impacts of the turbines.
- We note that none of the mitigations proposed by the developer overcome the limitation of the low wind speeds of this site and therefore no 'optimum balance' could be '...struck between electricity generation and potential landscape and visual impacts of the proposed development.'

## 4 Landscape

- 4.1 The landscape and visual impact assessment within the ES appears to have been carried out in a reasonably complete manner and in Table 9.1 it is accepted that moderate+ and moderate impacts may be significant or contribute to significant impacts. This is important as it is not just the immediately significant visual impacts that are important but also the wide range of moderate impacts that all add up to the highly significant visual impact of the five 100m high turbines.
- 4.2 In the ES<sup>6</sup> there is a claim that a comprehensive range of mitigation measures to limit the extent and intensity of the landscape and visual effects were incorporated into the design of the wind farm. There is absolutely no evidence to back up this claim. Any changes to the proposed layout as identified in Section 3 of the ES were as a result of issues concerning aviation, archaeology, telecommunications and track redesign. Mitigation of the visual impact is not mentioned and it must be concluded that it was not a reason for any of the changes in design.
- 4.3 The layout has been constrained by the limited extent of the land ownership available as already discussed. With the basically expansive nature of the landscape a linear arrangement of the turbines would have been a better fit rather than the asymmetrical situation of two lines (not parallel) that is proposed. The proposed layout will provide greater 'stacking' of turbines with the blades appearing behind one another as can be seen from viewpoint 8.
- 4.4 There is then an attempt in the ES<sup>7</sup> to include enhancement measures, proposed as part of the habitat management and enhancement plan, as some form of mitigation of visual impact. The introduction of nesting plots for stone curlew, grassland for cattle, a sugar beet exclusion zone and buffer strips has no relevance to the visual impact of 100m high wind turbines and the only conclusion that can be drawn is that concerns over the acknowledged significant visual impacts has led to a somewhat desperate attempt to find anything that can be put forward in mitigation.
- We note that the developer acknowledges that the enhancements proposed '...would not materially change the extent and intensity of the significant effects predicted in this assessment.'
- 4.5 The key issue is that the ES<sup>8</sup> itself has to admit that there will be a significant effect on the character of the south western part of LCA 2, the western part of

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<sup>6</sup> ES - Para 9.321

<sup>7</sup> ES - Paras 9.322/4

<sup>8</sup> ES - Para 9.326

LCA 227 and the north western part of LCA 228. This is in conflict with policies DP 2/3 of the Local Development Framework (see Section 0).

- 4.6 The ES uses two arguments to attempt to overcome the implications of this significant impact on landscape character:

*1. Significance of Public Opinion*

- 4.7 The first argues that because there are differences within public opinion on wind energy it is difficult to define significant changes in views as having a significant beneficial or adverse effect. This argument has been put forward by other wind farm developers and has been roundly rejected at a number of public inquiries. By way of example, at the Tedder Hill Inquiry, for three 111m high turbines, the Inspector said<sup>9</sup>:

*"In addressing the impact of the proposal on that landscape, it seems to me necessary to deal, first of all, with the concept of 'Valency'. In very simple terms, this suggests that because of the varying reactions people have to wind turbines in the landscape, ranging from the strongly positive to the strongly negative, it is wrong or misleading to conclude whether the impact of those turbines on the landscape is negative/harmful, positive/beneficial or neutral.*

*I have no reason to doubt that these varying reactions exist. However, it is incumbent upon me to address the landscape impact of this specific proposal in an objective manner. I could not possibly base my conclusion in terms of landscape impact on a predilection. On this basis the concept of 'valency' is one that offers little assistance to my deliberations."*

- 4.8 Any determination of a wind turbine development planning application cannot be based on a plebiscite and the approach adopted in the ES is not consistent with the methodology recommended in the Landscape Institute/Institute of Environmental Management and Assessment's publication Guidelines for Landscape and Visual Impact Assessment, Second Edition 2002. The advice given in the Guidelines is that as well as assessing the magnitude of the change the nature of the effects should also be assessed:

*'Effects can be negative (adverse) or positive (beneficial); direct, indirect, secondary or cumulative and could be either permanent or temporary (short, medium or long term).'*

- 4.9 The approach taken by the ES leaves the decision as to whether an impact is adverse, beneficial or neutral in the hands of public opinion. This is incorrect, because no assessment is made of the nature of the impacts as required by

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<sup>9</sup> Tedder Hill Inquiry - APP/E2001/A/09/2097720 - Paras 18/19

the guidance quoted above, and there can be no doubt that the introduction of industrial rotating wind turbines into a landscape will constitute an adverse impact on landscape character.

## *2. Relevance of Landscape Character Area (LCA) Size*

- 4.10 The second argument contends that because the significant effects on a landscape character area are limited to only a part of the LCA then the impact on the whole LCA will be less and hence not significant. The logical conclusion of this approach is that only small LCAs can be significantly affected by wind turbine development. The relative size of a LCA is determined by the level of Assessment (national/county/district) and cannot therefore be a key factor in judging the significance of the landscape impact of wind turbine development.

### *Conclusion*

- 4.11 The ES has concluded that there will be significant impacts on three LCAs and it must also be concluded that these will be significant adverse impacts, sufficient for planning permission to be refused. In the planning balance this very important harmful impact, which is the main reason why most wind turbine development planning applications are refused, carries significant weight and with the very limited benefits forthcoming from the scheme is sufficient in its own right to require refusal.

The developer suggests that '...the local authority whose jurisdiction encompasses Therfield Heath, considers there to be no significant or unacceptable landscape or visual impacts from within the North Hertfordshire District as a result of the proposed Highfield Wind Farm, as no such concerns have been raised.'

We note that North Herts District Council (NHDC) did not express any view about the significance or acceptability of the landscape or visual impacts, or indeed about any aspect of the application. We do note, however, that NHDC suggested that the nearest parishes be consulted, and those that lie closest within North Herts, namely Therfield and Royston, have both subsequently placed on record their opposition to the proposal.

## 5 Visual Amenity

### *Overall impacts*

- 5.1 The ES<sup>10</sup> admits that significant visual impacts for high sensitivity receptors, such as residents and users of public rights of way, will occur up to 7km of the development. These are summarised as follows:

*'Residents in properties with open views towards the wind farm within approximately 7 km of the development, although beyond approximately 4.5-5km from the proposed turbines the occurrence of significant effects on residential views is expected to be extremely limited; visitors to Therfield Heath; users of parts of the Icknield Way Path and the Hertfordshire Chain Walk within approximately 5km of the turbines; walkers, equestrians and cyclists on local public rights of way within approximately 5km of the development, including the immediate local footpaths and bridleways running between the Icknield Way Path and the railway line; and motorists on the minor road network within 2km of the development, in particular those using the roads adjacent to the site including the A505 towards Litlington, the Litlington to Steeple Morden road to the north and the Steeple Morden to A505 road to the west; and rail passengers travelling between Ashwell Station and the built up edge of Royston within 2 km of the development.'*

- 5.2 There can be no clearer indication of the enormous visual impact that these turbines will have on everyone who lives, works, studies, visits or travels through the surrounding area. They will be an ever-present source of visual distraction accentuated by the fact that the spinning rotor blades will be much more visually intrusive than a static object of the same size. However, the point to be made is that there are no objects of anything even approaching this vertical height within the area. The proposed turbines would be more than double the size of the chimney stack at the Johnson Matthey plant on the edge of Royston. The proposed turbines will be completely out of scale with and alien to all other natural or man-made vertical features.

### *Visualisations*

- 5.3 The photomontages show just how unspoilt by intrusive features this area is. The highest features in most of the montages are trees at a height of up to some 17m, 83% shorter than these turbines. There are no pylons and the countryside has retained its historic character with remarkably little intrusive development.

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<sup>10</sup> ES - Para 9.326



*Therfield Heath*

- 5.4 Therfield Heath, which overlooks the site, is one of the last surviving pieces of natural chalk and grass downland in the Chilterns, it is an important historic site, a designated Nature Reserve and a Site of Special Scientific Interest.
- 5.5 The Heath is also a hugely popular location for locals and people from further afield to come and enjoy the countryside. Its situation just outside the town of Royston increases its importance to urban dwellers who enjoy quick and easy access to the countryside. There are good facilities for parking on the Heath and with a sports club and a golf course as added attractions there are always people walking, riding, cycling and exercising on the ridge. The main attraction is the view to the North across the wide open plain that lies in front of you; there is no view to the South as it is blocked by the trees on the top of the ridge.
- 5.6 As well as being a major current asset, the Heath is an example of a very important historic landscape. The earliest evidence of life on the Heath dates back some 2/3 thousand years and there are a number of barrows, some scheduled ancient monuments. The reason for their existence is precisely the view overlooking the ancient Icknield Way across the flat countryside.
- 5.7 The introduction of turbines into this panorama will significantly degrade the visual experience as can be seen in viewpoint 4 (even though the applicant has tried to reduce the perceived impact by including a bush in the foreground). This view is one of the most attractive in Cambridgeshire, with Country Life going so far as to describe it as offering spectacular views and perfect picnic panoramas.
- 5.8 In 2003 North Hertfordshire District Council (NHDC) refused a planning application from The Trustees of Royston Town Football Club to build a football ground on land adjacent to the Little Chef, Baldock Road, Royston, SG8 9NT. This site is overlooked by Therfield Heath and one of the primary reasons cited for refusal was the adverse impact on the visual amenity of visitors to Therfield Heath.
- 5.9 In the Applicant's own words:
- "... visitors at Therfield Heath would experience a significant effect on their visual amenity as a result of the proposed turbines, due to the elevated and open nature of the public space..."

The adverse impact to the visual amenity of this landscape feature alone would be reasonable grounds to refuse the application.

*Public Rights of Way (PRoW)*

- 5.10 The local PRoW network is extensive and well used. It includes the national Icknield Way which passes within a few hundred metres of the site and which

will be significantly adversely affected. It is sometimes claimed by developers that people will have different views on how wind turbines will affect their ability to enjoy the countryside. This was considered by an Inspector in his decision<sup>11</sup> for a wind farm near Oundle:

*“Some would choose to view the turbines at close quarters and for them the public rights of way would have a considerable attraction. But that would not be so for local people who would be only too familiar with the turbines and would have lost the benefit of a rural tranquil network. Overall, the proposed wind farm would have an adverse impact on the users of nearby rights of way.”*

There can be no doubt that the ability of people to enjoy the attractive countryside and use the PRoWs would be significantly adversely affected by the introduction of 5 industrial scale wind turbines.

#### *Residential Amenity*

- 5.11 A further impact of the visual intrusion of these turbines will be on the residential amenity of people living in close proximity to the site. Whilst the planning system is not intended to safeguard a private view, a proposal could unacceptably affect amenities and the existing use of land and buildings, which ought to be protected in the public interest. At a Public Inquiry at Brent Knoll<sup>12</sup> the Inspector concluded that:

*“However, private and public interests may coincide where a proposal would have such a severe adverse impact on the outlook of a property that it would make it a significantly less attractive place to live, as perceived by a reasonable observer without strong views for or against the type of development in question. In such a situation protecting the amenities of a dwelling may be a legitimate and material planning consideration.”*

In other words the issue is not whether the properties become “unliveable” but whether they become significantly less attractive places to live.

This was reinforced in a recent Inquiry for the Wadlow<sup>13</sup> wind farm where the Inspector said:

*“Nonetheless, when turbines are present in such number, size and proximity that they represent an unpleasantly overwhelming and unavoidable presence*

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<sup>11</sup> APP/G2815/A/06/2019989

<sup>12</sup> APP/V3310/A/06/2031158

<sup>13</sup> APP/W0530/A/07/2059471

*in main views from a house or garden, or are likely to cause overshadowing (and particularly flicker effects), there is every likelihood that the property concerned would come to be widely regarded as an unattractive (rather than simply less attractive, but not necessarily uninhabitable) place in which to live. It is not in the public interest to create such living conditions where they did not exist before, and it is against that threshold that I have assessed the effects on outlook."*

- 5.12 The ES admits that local residents are high sensitivity receptors. As such, within 7km where they gain clear and relatively unobstructed views of the turbines they will experience a significant visual impact. There are thousands of people living within 7km, who might have significant impacts on their views, but there has been no attempt whatsoever to quantify what proportion will be so affected. All that appears in the ES is a general discussion relating to the nearest villages.

#### *Proximity of Dwellings*

- 5.13 One of the key features of this scheme is the closeness of the nearest dwellings to the turbines. The closest is only 500m away from the nearest turbine with another five lying within 650m. These are much closer separation distances than other wind farm developers would even consider as can be seen from the North Dover<sup>14</sup> Inquiry where the Inspector said:

*"ETSU-R-97 does not set a minimum separation distance. However, I note that other wind farm developers such as Powergen Renewables and Enertrag look for separation distances of at least 700m; and Scottish Power's windfarm Site Selection Policy requires an even greater separation of at least 1000m."*

- 5.14 It is common practice for a detailed evaluation to be undertaken for all houses within at least 1km and often at greater distances. Whether the residential amenity at a particular house meets the test above in terms of becoming an unattractive place to live will be dependant on the specific issues such as orientation, screening and main external areas for relaxation. This can only be determined by a detailed evaluation of each property that could be so affected.
- 5.15 In the absence of any such survey then the precautionary principle should be applied and permission should be refused. This is particularly pertinent when SCDC has a policy requiring developers to prove that if a turbine is less than 2km from a dwelling then residents will be protected from disturbance and visual impact (see Section 0). No such proof is provided and this scheme does not conform to Council policy and should therefore be refused.

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<sup>14</sup> APP/X2220/A/08/2071880 - Para 67

## 6 Cultural Heritage

### *Study Area*

- 6.1 It is interesting to note that whilst a 5km study area was used for Grade I & II\* listed buildings, Grade II listed buildings were only assessed up to 3km. Given that all listed buildings are nationally important and that significant visual effects on the settings of listed buildings may be present up to 7km then this is an unnecessary restriction in the scope of the assessment. It may well be that this has been imposed because of the large number of Grade II listed buildings within 7km but this merely serves to underline how many nationally important heritage assets could be affected by the proposal.

### *Number of Cultural Heritage Assets*

- 6.2 Indeed one of the most noticeable facts about this scheme is the sheer wealth of cultural heritage assets within the study area, numbering as follows:

Cultural Heritage Asset	Number
Scheduled Ancient Monument	26
Grade I Listed Building	6
Grade II* Listed Building	21
Grade II Listed Building (within 3km)	73
Conservation Area	8

### *Classification of Listed Buildings*

- 6.3 There is a basic flaw in the methodology employed by the ES in assessing cultural heritage. In Table 10.1 it classifies Grade II listed buildings as of only medium importance, purportedly of only county importance. This is incorrect as Grade II listed buildings are of national importance and should be classified as High importance. Such a misclassification must compromise the conclusions of the whole assessment particularly given the large number of such buildings within and beyond the abridged 3km study area.
- 6.4 There is another error in Table 10.3 where magnitude of impact is combined with site importance in a matrix to arrive at significance. Whilst a medium importance when combined with moderate impact correctly gives a moderate significance the rest of the diagonal should also provide a moderate significance. However, these squares have been downgraded to moderate/slight or even slight. This again will have the effect of underestimating the number of significant adverse impacts.

6.5 Notwithstanding these methodological errors the ES still concludes<sup>15</sup> that there will be significant impacts on eleven of the identified assets. These include the Parish Church of St. Peter and St. Paul in Steeple Morden and the Conservation Area of Litlington. These impacts will be adverse and if a more balanced classification is used then this number will increase further.

6.6 Taking cultural heritage as a whole into consideration, the Applicant states that:

*The effects upon eleven assets are predicted to be significant. The cause of the effects would be the presence of the turbine array in the landscape, and the magnitude of the change this array would have on the settings of these assets. The proximity of the proposed turbine array to these assets and the size of the turbines are significant factors in magnitude of the change and there is no way to avoid these adverse effects without changing the location or scale of the proposed wind farm. There is also no scope for reduction of the impact through design amendments.*

6.7 With significant adverse impacts on a number of cultural heritage assets then this application is in conflict with policy ENV 6 of the East of England Plan and policies CH1/4/5 of the Core Strategy of the Local Development Framework and must be refused.

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<sup>15</sup> ES - Para 10.91

## 7 Noise

### *Regulation*

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- 7.1 The assessment of noise from wind farms is a complicated technical subject. The Government realised early in the development of onshore wind that if the noise output was assessed under the existing methodology for industrial development (BS4142) of allowing 5dB above background then, because most sites were in rural locations with low background noise, it would mean that most wind farms would be refused. Therefore they introduced a specific methodology - ETSU-R-97 - for the assessment of noise from wind farms.
- 7.2 The compromise ETSU has adopted between not constraining onshore wind farm development and protecting the amenity of local residents means that it has adopted less stringent noise requirements than are in place for other industrial developments.
- 7.3 The assumptions and experience from which ETSU was drawn up, being based on turbines of much smaller height and blade diameter, have limited relevance to the size and scale of the turbines being proposed for this scheme. Yet there has been no attempt to update ETSU in the twelve years since its introduction.
- 7.4 There are a number of issues, such as excessive aerodynamic modulation and wind shear that are now recognised to be significant factors in wind turbine noise that are not taken into account by ETSU. Indeed an alternative methodology for dealing with wind shear has been proposed and used, even though it is in conflict with ETSU. This shows that although ETSU is the required methodology it is acceptable to modify its interpretation in the light of more recent information, provided there is adequate justification. The key issue is not whether the scheme will conform to ETSU but whether it will create unacceptable noise impacts on local residents, particularly with regard to sleep disturbance and resulting health problems.
- 7.5 Given we have shown above that even if a proposed wind farm scheme does comply with ETSU-R-97 there is no guarantee that a noise nuisance will not occur it is imperative that a thorough and rigorous noise assessment is carried out.

### *Measurement of Background Noise*

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- 7.6 Three measurement locations were used in March/April 2009. ETSU-R-97 is very clear that its methodology is based on measuring the specific noise environment of the nearest noise sensitive properties so that the noise output of the turbines can be related directly to that particular noise environment. The selection of the actual measurement locations is crucial to reflect the external noise environment where the residents spend the majority of their time when

enjoying the amenity of their garden as ETSU is predicated on external limits. The locations chosen here throw up a number of problems.

- 7.7 One of the issues with ETSU is that it uses averages to calculate the background noise levels. In particular it averages the background noise from all wind directions. This does not predict the worst case scenario because obviously this will be when the wind is blowing in a direction from the wind farm to the receptor. In normal circumstances where the background noise is not direction specific this is not a concern. However in this case with the A505 providing an abnormal noise source then background noise when the wind is either blowing towards or away from the A505 will vary significantly. With no analysis of the background noise by wind direction no worst case can be quantified. Another effect of averaging is that the night-time noise is averaged from 23:00 to 07:00 yet the A505 background noise will vary considerably over this period with the quietest period in the early morning. The low background noise in this period, when people most want quiet for sleep will be submerged in the overall higher average.
- 7.8 This is a very important point in this case because the presence of the A505 means that the background noise levels at all properties are higher than would be expected for a rural village location, particularly at night. For Highfield House and Morden Grange Farm when the wind is blowing from the turbines towards these properties then it will also be blowing the background noise from the A505 away from the houses. Thus there will be maximum noise from the turbines when the background noise will be at a minimum.
- 7.9 A similar situation arose in the Wadlow Farm wind farm application<sup>16</sup>, also in South Cambridgeshire, where the proposed wind farm was located close to the A11. The Inspector in his decision commented:
- "9.90 The Appellant Company rightly chose to exclude noise data from certain directions because it would have been unrepresentative of the background noise levels that would be experienced without the interference of A11(T) traffic noise."*
- If such an approach had been taken here then the background noise levels would have been lower and it is possible that the ETSU limits would be exceeded.*
- 7.10 With regard to the specific measurement locations, at Limlow the selected location was at least 30m from the property with a possible drive to the left. Morden Grange was between two properties so could be unrepresentative of

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<sup>16</sup> Wadlow Farm Wind Farm Appeal - APP/W0530/A/07/2059471

both. Highfield House, although some way from the house was a more suitable location.

#### *Wind Speed and Direction*

- 7.11 As has been mentioned above the specific noise environment at each measurement location is crucial. Given that the individual background noise characteristics of each dwelling will be unique and will vary differently by time of day, wind speed and wind direction it is vital that the survey period is sufficiently long to provide a complete spectrum of values for each variable.
- 7.12 This is defined in ETSU-R-97 (Pg.99 1.2 The Background Noise Survey) which states:

"The background survey should be taken over a sufficient period of time to enable a reliable assessment of the prevailing background noise levels at each property to be made. As a guideline, an appropriate survey period might be 1 week, although the actual duration will depend on the weather conditions, in particular the wind speed and direction during the survey. It **must** (our bold) be ensured that, during the survey period, wind speeds over the range zero to at least 12m/s and a range of wind directions that are typical of the site, are experienced."

- 7.13 There is no chart provided in the ES which shows that the range of wind directions appertaining during the measurement period was typical of the site. This is standard practice for wind farm ESs and its omission here is unusual and places a question mark over the representativeness of the background noise data.

#### *Unrepresentative Noise*

- 7.14 ETSU-R-97 makes it clear that atypical noises such as rainfall or seasonal activity should be excluded from the data. The ES in Section 13.62 says that any data obviously corrupted by rainfall was discarded. There appears to have been no removal of any other abnormal background noise, which again is standard practice. Plate 13.7 for the quiet daytime period at Limlow shows clearly atypical outlying data points at high levels which should have been removed.

#### *Background data*

- 7.15 At night there is a very wide spread of data points, up to 30db for a given wind speed, as can be seen in Plate 13.8 the night time chart for Highfield House and is repeated for all the other properties. This makes the calculation of a typical background noise level very difficult. There is no comment on this effect at all, it is just accepted. This is not acceptable, as the determination of the noise limits in any condition will come directly from these calculated background noise levels. Without any explanation there must be a high



degree of uncertainty surrounding the representativeness of the background noise calculations.

#### *Summary of Measurement of Background Noise*

- 7.16 We have shown that the background measurement regime has significant flaws that it is in contravention of ETSU-R-97 and does not provide an adequate representative background noise assessment.
- 7.17 If this scheme is approved any noise conditions to protect resident's residential amenity and quality of life will be derived from these background measurements. It would be intolerable to put residents' health at risk with no potential redress with concerns of the thoroughness of the work carried out by the applicant.
- 7.18 The flawed background noise assessment is in contravention of ETSU-R-97 and means that the conclusions drawn in the ES about the potential for noise nuisance cannot be relied upon.

#### *Predictions of Noise*

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- 7.19 Notwithstanding that no conclusions can be reached regarding background noise levels there are also concerns regarding the predicted noise output from the wind farm in a number of areas.
- 7.20 It is impossible to accurately predict what the actual noise output of any wind farm will be prior to commissioning. There are too many variables specific to each site. This is why a worst-case scenario must be used to provide some form of contingency.
- 7.21 There is no evidence within the ES, as required by PPS 22 Key Principle (viii), of how noise has been included in any mitigation through the iterative design process either by considering alternative turbines (including other manufacturers and other capacities) or different turbine locations. This is particularly important here where the nearest property is only 500m from the nearest turbine. Most developers use a 700/800m minimum separation distance and it appears that the limited land area available has forced the applicant to squeeze the turbines into too tight a space, leading to close separation distances from houses and to the turbines themselves being too close together.
- 7.22 The noise levels from the Nordex N80 turbine are shown in Table 13.4. There are two noise levels, normal operation and sound optimised mode, it is not clear within the text which level has been used in the modelling and as there is up to 2.2dB difference between them this needs to be clarified.
- 7.23 In 13.73 a ground effect value of  $G=0.5$  is used but in previous assessments Hayes MacKenzie have used a figure of  $G=0$  to provide a worst-case

scenario. By choosing  $G=0.5$  this will reduce the projected noise output by a few dB.

#### *Excess Aerodynamic Modulation*

- 7.24 Aerodynamic modulation (AM) is a phenomenon, which was the subject of a research paper for the DTI17 (The Measurement of Low Frequency Noise at Three UK Wind Farms). It concluded that the cause of the noise complaints at these three wind farms was the audible modulation of the aerodynamic noise, especially at night. Although the noise levels were not high enough to result in the awakening of a resident, once awoken the audibility of this noise could result in difficulties in returning to sleep. The authors also concluded that they did not know what caused aerodynamic modulation, that it could not be predicted if a wind farm would suffer from it and that its effects would cause the noise output of the wind farm to be higher than that predicted by the ETSU-R-97.
- 7.25 Indeed one of the sites affected by AM is at Deeping St Nicholas in Lincolnshire. Here the owners of a house 930m away have had to rent a house 5 miles away to assure themselves of a good night's sleep. Their quality of life has been completely destroyed. A case brought by the owners against the wind farm developers and landowner was settled out of court and it appears that the developers have bought their property.
- 7.26 This wind farm will have properties closer than 930m to the turbines, with the closest at 500m.
- 7.27 A further study by Salford University for BERR18 showed that 19% of existing wind farms had resulted in noise complaints to the local planning authority. This will be an underestimate of the actual noise problem, as many people do not complain, as they believe that nothing can be done. Also the universe of wind farms in the study included all the smaller original wind farms and the large number in Scotland with no houses within a few kilometres for whom there is no chance of any noise nuisance.
- 7.28 AM has been found to be present at distances in excess of 1km and can be exacerbated by turbines in linear arrays and/or insufficient distance between turbines. In this case Fig 3.1 shows that there are two rough lines of turbines pointing towards Morden Grange Farm. The unsuitable layout in terms of separation distances between the turbines is discussed below but the Companion Guide to PPS22 on page 162 shows a separation distance across the prevailing wind of four rotor diameters (320m for this scheme). Yet the

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<sup>17</sup> The Measurement of Low Frequency Noise at Three UK Wind Farms - URN 06/1412

<sup>18</sup> Research into Aerodynamic Modulation of Wind Turbine Noise - URN 07/1235

distance between turbines 2 and 1 is only 250m and 289m for turbines 3-4. Significant excess AM is expected as a result of the turbine layout.

*Turbine Separation Distances*

- 7.29 Guidance within the Companion Guide to PPS 22 requires turbines to be positioned so that there is a minimum distance between them of 3-10 rotor diameters. Industry guidelines tend to be 6 diameters in the prevailing wind direction and 4 diameters perpendicular to it. This is confirmed by a letter from Enertrag, a wind farm developer, (Appendix 1) objecting to another developer placing two turbines in close vicinity to their existing North Pickenham wind farm. The reasons for their objection were:

*"In summary, we object to this development on the following grounds:*

*The installation of the two turbines, irrespective of their position, would reduce output from the existing windfarm, and possibly cause damage due to turbulence if positioned as shown on the application.*

*The proposal does not accord with industry guidelines on separation of wind farms etc.*

*The close positioning of the new turbines to our turbines is against guidance and could give rise to major noise issues such as Amplitude Modulation. This has not been addressed sufficiently in the Environmental Statement."*

Earlier in the letter it clarified what the guidelines were as follows:

*"Guidelines recommend that in the predominant wind direction, turbines should be spaced some 6-7 rotor diameters apart and in the cross direction, 4 to 5 rotor diameters apart."*

- 7.30 The actual distance of the nearest turbine to Enertrag's existing turbines in this case was only 34m inside the guidance.
- 7.31 Assuming a minimum 6 rotor diameter separation in the prevailing downwind direction then for this scheme this equates to 480m. Yet the separation distances in this direction are:

Turbine	1-4	377m
	2-3	455m
	3-5	377m

All are well within the 480m guideline, by in the worst case 103m, and thus must be expected to give rise to major noise issues including amplitude modulation.

The crosswind separation has been discussed above.

- 7.32 The close spacing of the turbines will lead to excessive amplitude modulation and this noise issue will not be accounted for within the ETSU-R-97 methodology. Thus mere conformity with the ETSU-R-97 limits will not protect local residents from potential noise and health problems.

#### *Summary of Predictions of Noise*

- 7.33 Given the problems outlined above the conclusions contained within the ES about potential noise impacts can be given no weight at all in the determination of this planning application.
- 7.34 We have shown that the background measurement locations were unrepresentative of the main external amenity areas of the nearest dwellings as required by ETSU-R-97. There is insufficient evidence of what abnormal noise has been removed and the presence of the A505 requires a worst-case scenario to be considered.
- 7.35 Excessive amplitude modulation is likely due to the insufficient separation of the turbines within the turbine array. With dwellings well within the normal separation distance they are likely to suffer unacceptable noise impacts.
- 7.36 The noise impact assessment does not comply with ETSU-R-97 and does not provide a sufficiently solid foundation for determination to take place.

#### *Health*

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- 7.37 It is now accepted that the greatest noise and potential health problems from wind farms occur at night when the background noise levels will be at a minimum, turbines will be operating at maximum noise output if the wind is blowing, wind shear is highest and people are trying to sleep. The ETSU-R-97 indicative night-time limit of 43dB was based upon the internal 35dB guidance in PPG 24, which in turn was based upon WHO 1980 guidance.
- 7.38 This WHO guidance was reviewed in 1999 and the internal limit reduced by 5dB to 30dB but no corresponding change was made in ETSU-R-97.
- 7.39 Recently the World Health Organisation Regional Office for Europe has published a comprehensive review of the health effects of night noise and published night noise guidelines for Europe<sup>19</sup>. This reviewed all the epidemiological and other research regarding the cause and effects of sleep disturbance through noise. It provides a clear and authoritative link between noise and sleep disturbance, and between sleep disturbance and adverse health

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<sup>19</sup> World Health Organisation - Europe - Night Noise Guidelines for Europe (2009)

7.40 It states in the executive summary:

*"Based on the systematic review of evidence produced by epidemiological and experimental studies, the relationship between night noise exposure and health effects can be summarised as below.*

*Below the level of 30dB<sub>Lnight</sub>, outside, no effects on sleep outside are observed except for a slight increase in the frequency of body movements during sleep due to night noise. There is no sufficient evidence that the biological effects observed at the level below 40dB<sub>Lnight</sub>, outside are harmful to health. However, adverse health effects are observed at the level above 40dB<sub>Lnight</sub>, outside, such as self-reported sleep disturbance, environmental insomnia, and increased use of somnifacient drugs and sedatives."*

7.41 It goes on to conclude that an  $L_{night}$ , outside of 40dB (this is an  $L_{Aeq}$  figure and relates to a 38dB<sub>L90</sub> figure used in ETSU) should be the target of the night noise guideline to protect the public. Thus the most recent, comprehensive guidance from the WHO sets a clear 38dB night-time limit for the  $L_{A90}$  descriptor used by ETSU-R-97.

7.42 This figure of 38dB is also supported by Hayes McKenzie, the leading acoustical consultants into wind farms and members of the Noise Working Group who produced ETSU-R-97, who produced a report<sup>20</sup> for the DTI into amplitude modulation.

7.43 Draft versions of the report have recently come to light as a result of Freedom of Information requests. They show that HMP had recommended a reduction of the ETSU-R-97 permitted night time limits to 38 dB  $L_{A90}$  (40dB  $L_{Aeq}$ ) in the absence of AM with a further penalty of up to 5 dB in the presence of modulation. These recommendations were removed from the final version of the report at the behest of DECC. No scientific explanation for their removal seems to have been offered. An example of removed text is:

*"The analysis of the external and internal noise levels indicates that it may be appropriate to re-visit the issue of the absolute night-time noise criterion specified within ETSU-R-97. To provide protection to wind farm neighbours, it would seem appropriate to reduce the absolute noise criterion for periods when background noise levels are low. In the absence of high levels of modulation, then a level of 38 dB  $L_{A90}$  (40 dB  $L_{Aeq}$ ) will reduce levels to an internal noise level which lies around or below 30 dB  $L_{Aeq}$  with windows open for ventilation. In the presence of high levels of aerodynamic modulation of the incident noise, then a correction for the presence of the noise should be considered."*

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<sup>20</sup> The Measurement of Noise at Three UK Wind Farms - DTI 2006

Similarly, DECC required the removal of references to WHO guidance for the protection of sleep disturbance which supported HMP's recommendations for a reduction in ETSU-R-97 night time noise limits. The removed text follows:

*"If one takes the guidance within the WHO for the protection against sleep disturbance of 30 dB LAeq, and apply a 5 dB correction for the presence of high levels of [aerodynamic] modulation within the incident noise, then this gives rise to an internal noise criterion of 25dB LAeq. Based upon the measured building attenuation performances at Site 1 & 2, then an external level between 35 - 40dB LAeq (33-38 dB LA90) would provide sufficient protection to neighbouring occupants to minimise the risk of disturbance from the modulation of aerodynamic noise."*

7.44 We would argue that with the wind farm only 500m away from the nearest property there is a clear risk of health problems resulting. Indeed with the likelihood of excessive amplitude modulation, caused by the inappropriate layout and proximity to dwellings, Hayes McKenzie would recommend an external night-time limit of 33dB.

7.45 In this context it is worth referring to the Inspector's decision at the Shipdham<sup>21</sup> (Daffy Green) wind farm Inquiry. He said:

"67. So far as I am aware, it is unprecedented in flat and quiet rural locations to have such large turbines within 700m of 9 dwellings, 2 of which would only be about 500m away and one of which would be only 432m away. ETSU-R-97 does not set a minimum separation distance. However, I note that other wind farm developers such as Powergen Renewables and Enertrag look for separation distances of at least 700m; and Scottish Power's windfarm Site Selection Policy requires an even greater separation of at least 1000m.  
68. In my view, the separation distances have not been chosen to minimise increases in ambient noise levels; a requirement of paragraph 22 of PPS22"

7.46 SLWFAG has shown that the noise impact assessment included as section 13 in the ES is inadequate and deficient in many areas. It does not comply with requirements of Environmental Impact Assessments and does not provide SCDC with the necessary data and analysis to determine this application.

7.47 The application does not meet the requirements of ETSU-R-97 and hence is in conflict with National Planning Policy Statement EN-3 and must be refused.

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<sup>21</sup> Shipdham Wind Farm Inquiry - APP/F2605/A/08/2089810

### Conditions

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- 7.48 Any protection would be via a planning condition that would be based on the inaccurate background noise measurements and the ETSU-R-97 methodology. The implications of this were shown in the Shipdham Inquiry<sup>22</sup> mentioned earlier where the Inspector concluded:

*"I consider that the suggested conditions could not control noise effectively. They fail the Circular 11/95 tests of precision and enforceability, and they are too cumbersome for frequent use."*

- 7.49 In other words if the scheme were built it is extremely difficult for residents to get any protection if a noise nuisance occurs. Any complaint post-determination against the operator is likely to lead to lengthy arguments as to the factual validity of the complaint, opportunities for remediation and, possibly, as to the validity of the Condition itself. In this process, much of the burden of proof will be on the complainant, who may be hampered by a number of practical limitations as to how he can substantiate his claim - one such limitation being the problem of differentiating between wind farm emissions and background noise when the scheme is operating. In practice, SCDC resources available to investigate and pursue a possible breach of noise limits are limited. It is therefore highly desirable that this point is not reached. This is also further complicated by the potential presence of wind shear and excessive amplitude modulation, which are not covered by the ETSU-R-97 methodology.
- 7.50 This point is discussed at length and with great lucidity by the Inspector for the appeal to Long Bennington wind farm:

"It is therefore important both for the operator and those potentially affected by noise to have confidence that turbines capable of meeting the "permitted" levels at any particular site, and addressing AM should it occur, are installed at the outset..."

"...Enforceable noise limit conditions form the basis of PPG24 and PPS22 advice and represent an important safeguard, often of last resort, to local residents. I have considered the approach outlined in the Appellant's noise evidence (document 14, paragraph 6.7) but in the interests of public confidence in the decision-making and enforcement process, it is in my view necessary for the noise limits and choice of turbine to be founded upon data which has, and can be seen to have been, carefully and accurately compiled before full permission has been granted, rather than afterwards. That is, after all, a purpose of statutory Environmental Assessment, and the judgement in

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<sup>22</sup> Shipdham - APP/F2605/A/08/2089810

Newport County Borough Council-v-The Secretary of State for Wales and Browning Ferris Environmental Services Ltd (1998) Env LR 174 reinforces the point.”

- 7.51 For this reason, and those expressed above, we submit that it is of fundamental importance that the scheme can be seen to meet acceptance criteria at the EIA stage prior to determination, and that use of Conditions should be seen only as a final line of defence.



## 8 Construction/Traffic

### *Vehicle Movements*

- 8.1 The ES suggests that the construction of a wind farm is a simple operation. Whilst this may be true in terms of the work actually on the site, the main impact on the people living in the area will result from the traffic movements conveying materials and workers to the site. The ES undertakes an analysis of the traffic movements and concludes that there will be no significant impacts. The accuracy of such a conclusion obviously relies on an accurate forecast of the number of vehicular movements.
- 8.2 The detail of this calculation is provided in Appendix 8.3 and concludes that there will be 2,366 movements (incl. return journeys). Given that the construction of wind farms is very standard, with the same processes being used, one way of verifying the accuracy of the assumptions used is to compare them with another scheme of comparable size.
- 8.3 The ES for the Jacks Lane<sup>23</sup> wind farm (6x125m turbines) identifies 10,398 movements and the detail is shown in Appendix 2. This is over 400% greater than the figures put forward in this scheme. Whilst there is one more turbine and the length of the onsite tracks is greater there is no way that this can account for more than a maximum of 2,000 additional movements.
- 8.4 The conclusion that must be drawn from this analysis is that the number of trips used in this assessment has been considerably under-estimated and hence the conclusions drawn about the significance of the potential impacts cannot be relied upon.

### *Junction of A505 and Royston Road*

- 8.5 Within the ES the assessment on traffic and transport has been limited to the construction process with no account taken of the implications on road safety during the twenty-five year operational period. For drivers navigating the junction turning right from the A505 onto Royston Road, this will increase the risk of distraction and resulting high-speed accidents as drivers attempt this already challenging manoeuvre.
- 8.6 Royston Road, which connects the A505 to the site, is also not without risk with a fatal accident on this stretch occurring in recent years.

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<sup>23</sup> <http://www.jackslanewindfarm.co.uk/about-the-project/environmental-impacts.aspx>

- 8.7 Without a full assessment there is no indication as to the level of risk this development may pose to drivers on these roads and what mitigation measures could be implemented.

## 9 Ornithology/Ecology

9.1 There seems little dispute that the site is an important ornithological asset. The fact that the 2008 surveys had to be aborted because of the discovery of a nesting site for stone curlew - a very important bird that has declined significantly in Cambridgeshire to such an extent that a single pair were found nesting only in 1999 and 2007 - shows the uniqueness of the site. The fact that a sighting was made again in 2009 reinforces the importance of the area and the fact that no further sightings were made should not reduce this importance. This species is listed under Annex 1 of European Directive 2009/147/EC on the Conservation of Wild Birds and this directive requires member states to take special conservation measures affording these birds additional protection. It is also listed in Schedule I of the Wildlife and Countryside Act 1981.

Wind farms can be located in many places and to locate one in such a sensitive location makes no sense.

9.2 The ES admits that the following raptors were observed during the assessment:

- Hobby
- Marsh Harrier
- Sparrowhawk
- Buzzard
- Kestrel
- Merlin
- Peregrine
- Montagu's Harrier
- Red Kite

This assemblage of breeding raptor species within a comparatively small area is probably unique in the UK.

9.3 Raptors in general are at high risk from wind turbines. Firstly because they spend time at blade height circling when searching for prey and secondly once prey is sighted they dive at great speed entirely focused on their prey and oblivious to the rotating turbine blades.

9.4 There is a potential risk of a significant adverse impact on raptors, particularly on Montagu's Harrier where even one death would be disastrous. With protected bird species of regional/district and county level of importance

- present on the site then clearly this scheme should be sited in a less important location.
- 9.5 In addition there were a large number of red/amber listed birds also present including:
- Corn Bunting
  - Grey Partridge
  - Linnet
  - Skylark
  - Yellow Hammer
  - Yellow Wagtail
  - Dunnock
  - Whitethroat
  - Nightjar
- 9.6 In addition two bats of district-level importance were found on site, namely *Nathusius pipistrelle* and *Noctule*.
- 9.7 We note that in the consultation response by Litlington Parish Council they identify that a local ornithologist has recorded barn owls in the area as recently as 2010 but no sighting was made in the surveys undertaken by the Applicant. It is self-evident that simply because a species was not observed does not mean it is not present and this calls into doubt the validity of the surveys carried out.
- 9.8 Development Control Policy NE/6 states that planning permission will not be granted for development that would have an unacceptable impact on biodiversity and it seems reasonable to conclude that this application proposal will be in conflict with this policy.

## 10 Benefits

- 10.1 The amount of electricity the site could produce is a material consideration in assessing the balance between the 'benefits' the application offer and the 'harms' that it will cause.
- 10.2 The ES acknowledges that there will be no significant socioeconomic effects apart from the electricity produced. The turbines will be produced overseas and there will be limited local input into the construction work given the specialised nature of the erection of wind turbines.
- 10.3 The potential for electricity generation has already been compromised by the reduction in height of the turbines from 126m to 100m driven solely by the fact that the site selected was in direct line of sight to the radar at Debden. A further reason why this is an inappropriate site.
- 10.4 The output of electricity from a wind turbine is proportional to the cube of the wind speed and variations in the available wind speed at any site due to topography, vegetation and built structures will therefore make a large difference in electrical output and hence the benefits that can be claimed. The specific wind profile of a site determines the amount of the installed capacity of the wind farm that can be "harvested".
- 10.5 A graphic example of just what difference topography can make is shown by the performance of two similar sized schemes a few kilometres apart near Workington. In 2006 the Siddick wind farm had a capacity factor of 19.6% whilst the Lowca wind farm achieved 33.9%. The reason was that the Lowca site is on top of a ridge whilst the Siddick wind farm was on the coastal plain. For this application the turbines would be sheltered by the ridge to the South and thus output will be compromised.
- 10.6 The only way of obtaining the actual wind profile, and hence an accurate calculation of power generated, is to erect an anemometer mast on the site and collect wind data for at least 12 months. There has been such a mast on the site for two years and the data collected will give the most accurate estimate of the capacity factor (% of the installed capacity that will be generated) that the proposed site could generate.
- 10.7 Yet, extraordinarily, the developer does not offer this data to support the claim for the amount of energy the site might produce. Instead, the ES uses an 'average' capacity factor (25%) of all the wind farms, of whatever size or location, across the East of England for the years 1998 - 2009. This is a wholly unrepresentative measure with no basis in the realities of the actual site, and therefore cannot be relied upon in the balancing exercise.
- 10.8 It seems reasonable to assume that if the actual wind speed data does support the applicant's claims, this data would have been used. In the absence of this data it seems reasonable to conclude that the actual wind

speed data does not support the applicant's prediction for the amount of electricity that the site might produce.

We note the continuing absence of actual wind speed data to support the claims of the developer for the amount of electricity that the site could produce.

We note that the developer suggests that estimates are merely 'indicative of the scale of development only'

We note that 'Estimates are not projected forward based on the wind speed data collected on-site...until the exact turbine model is selected' and yet an estimate is offered using average wind speed data for the area that assumes an exact turbine model. We suggest that if the Developer cannot offer an estimate based on real world data because an exact model is not known, then equally he cannot offer an estimate based on average data that assumes an exact model is known. This reaffirms our view that the 'estimates' offered by the developer simply cannot be relied upon and should be discounted.

10.9 In order to try and arrive at a more credible figure for the potential capacity factor, SLWFAG has identified and used 3 local, independent, verifiable, corroborated sources of mean wind speed data to prepare a rigorous, 'real-world' forecast of the amount of energy that the site could produce.

10.10 The claim made by the Applicant and the analysis completed by SLWFAG can be summarised as follows:

Category	Applicant Claim	SLWFAG Analysis
Forecast wind speed	8m/s	2.9m/s <sup>1</sup> 3.3m/s <sup>2</sup> 3-4m/s <sup>3</sup>
Source of data	Average Capacity Factor figure for the <i>East of England</i> taken from the DECC Digest of UK Energy Statistics	<sup>1</sup> Iceni Weather Station at Royston –2001-2010 <sup>2</sup> Cambridge University Digital Weather Station. <sup>3</sup> Met. Office Annual Wind Speed Map 1971-2000
Load factor	25%	8.4%
Energy forecast	27,400Mwhrs/annum	9,400Mwhrs/annum

10.11 This analysis suggests that the amount of electricity that the site could produce is likely to be around *one third* of the amount claimed by the Applicant.

10.12 We consider that our analysis has been optimistic in the amount of electricity the site might produce and the actual amount of electricity the site may produce may be less still than we forecast.

10.13 This is not just an esoteric argument about which numbers are correct in terms of the amount of electricity produced. PPS22 Key Principle (viii) states that:

*Development proposals should demonstrate how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures."*

10.14 By choosing a demonstrably low wind speed site the Applicant is in conflict with this key policy because by selecting a site with higher wind speeds they could mitigate the environmental and social impacts by using fewer or smaller turbines to produce the same amount of electricity.

10.15 The amount of electricity produced is also impacted by the separation distances between the turbines as can be seen in an E.ON application at Syderstone (Chiplow Wind Farm). In the ES in 4.1.2 one of the constraints quoted as important to the design of a wind farm was:

*"To minimise the turbulent interaction between wind turbines (wake effect), which is a key factor in maximising the overall power generating capacity of a site, turbines were also separated by set distances both in line with the prevailing wind direction and perpendicular to it (in the case of Chipflow, this being 5 x 4 rotor diameters)."*

10.16 We have already shown in the noise section that the turbines in this scheme do not meet this separation guidance and hence there will be a reduction in capacity factor, and thus the amount of electricity the site could produce, due to array losses.

10.17 Further loss would arise because of the selection of the Nordex N80 2.5MW wind turbine. This is because wind turbines are designed specifically for a particular range of wind speeds. The IEC categorises turbines into different classes as shown below:

Class	Specified average wind speed
IEC I (high wind)	10m/s
IEC II (medium wind)	8.5m/s
IEC III (low wind)	7.5m/s

10.18 The Nordex N80 is Class IA aimed specifically at high wind areas. Indeed in its promotional brochure it says that it suits perfectly for high wind regions. The reason that it has an installed capacity of 2.5MW with blades of only 40m is because such a generator requires high torque to power it. Placing it in a low wind speed area such as this will mean that its capacity factor will be dramatically impaired.

- 10.19 It is interesting that the Nordex N90 with 45m blades but only a capacity of 2.3MW is designed for lower wind speed areas. It is clear that by being constrained to a maximum height of 100m the maximum installed capacity of a suitable turbine will be 2MW. This will impact the installed capacity.
- 10.20 This calls into question why the Applicant has proposed a turbine that they must know is completely unsuitable for the location of the site. It seems reasonable to conclude that the Applicant has cited this turbine solely to claim the highest installed capacity possible. When combined with the unrealistic illustrative capacity factor discussed previously, which we have demonstrated has little realistic prospect of ever being achieved, the applicant can claim the maximum 'headline' amount of electricity that the site might produce.
- 10.21 This highly selective and wholly unrepresentative approach is disingenuous at best and calls into question the overall credibility of the other assumptions and conclusions contained in the ES.
- 10.22 The SLWFAF group analysis suggests, and the almost total lack of any robust data included by the applicant seems to confirm, that the benefits of this site are so small that the balance between the benefits and harms of the scheme are tilted heavily toward refusal of the application.
- 10.23 The weight given to the 'benefits' of the application should be reduced to one third or less of the weight that would otherwise be applied if the claims of the Applicant could be properly substantiated.



## 11 Public Attitudes

11.1 Chapter 17. Socio-Economics of the ES cites a limited number of surveys that purport to demonstrate that there is widespread support for wind farms. We note that many of these surveys were commissioned by organisations with an interest in the development of the onshore wind industry and it is common for poll results to reflect the views of the poll sponsors.

11.2 Chapter 17 also suggests that there is a significant difference in views between the population at large and those who live close to a planned or actual development. The Appeal Decision for Chiplow and Jack's Lane considers this point:

*54. The Appellants have provided survey evidence of increased support for all wind farms from those who live further away. That is not unexpected, as they would receive the benefits of renewable energy without experiencing any adverse visual or other impacts on such a frequent basis. Little weight is therefore accorded to that evidence.*

11.3 Each planning application has its own balance of specific benefits and harms and its acceptability can only be determined by a careful consideration of the relevant local issues. The people who are in the best position to fully assess the overall balance of a scheme are those who live in the area and fully appreciate the values attached to the local amenity. As we have demonstrated, the benefits of this application are limited and the harms are considerable and thus it is reasonable to conclude that the greatest weight should be afforded to those who will suffer the harms as well as receiving the benefits.

11.4 Seven local parishes in the vicinity of the site consulted, representing over 21,000 residents, all oppose this application:

Parish	Population
Royston	14,570
Bassingbourn cum Kneesworth	4,005
Steeple Morden	963
Litlington	813
Therfield	539
Kelshall	149
Abington Pigotts	143
<b>Total</b>	<b>21,182</b>

- 11.5 Members of Parliament for the constituencies closest to the site, and representing a population of over 204,000, both oppose this application:

Constituency	MP	Electorate	Population
South Cambridgeshire	Andrew Lansley	80,001	109,104
North East Hertfordshire	Oliver Heald	72,658	95,235
		<b>152,659</b>	<b>204,339</b>

- 11.6 It seems beyond question that the local community, having due regard for the weight of the benefits and harms of the application, and the balance between these, is overwhelmingly opposed to this application.

The developer suggests that the overwhelming opposition expressed by locally elected representatives somehow does not reflect the views of the communities they represent. We would suggest that local communities elect representatives for the express purpose of representing their interests, and the views expressed by these representatives are the product of wide-ranging consultation, including public meetings convened for the sole purpose of inviting views on this application. We would suggest that it is entirely reasonable to assume that the views expressed by democratically elected representatives reflect the views of the communities they serve, and it is fanciful for the developer to suggest otherwise.

# Agenda Item 5

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

5 February 2014

**AUTHOR/S:** Planning and New Communities Director

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<b>Application Number:</b>	S/2607/12/VC
<b>Parish:</b>	Meldreth
<b>Proposal:</b>	Variation of Condition 9 of planning permission S/2607/12/VC to allow an increase in the number of plots from 11 to 21
<b>Site address:</b>	Showman's Site, Biddalls Boulevard, Kneesworth Road
<b>Applicant:</b>	Mr John Biddall
<b>Recommendation:</b>	Delegated Approval
<b>Key material considerations:</b>	Principle, residential amenity, character of area, highway safety and drainage
<b>Committee Site Visit:</b>	No
<b>Departure Application:</b>	No
<b>Presenting Officer:</b>	Paul Sexton
<b>Application brought to Committee because:</b>	The officer recommendation of delegated approval is contrary to the recommendation of refusal from Meldreth Parish Council
<b>Date by which decision due:</b>	15 February 2013

### Planning History

1. S/0177/03/F – Change of use of land to travelling showpeople's quarters – Approved
2. Condition 9 of the consent restricted the number of plots to 11, unless prior written approval was obtained from the Local Planning Authority for any increase in numbers.
3. In August 2010 Members refused a written request under Condition 9 for an increase in the number of plots on the site from 11 to 17, on the grounds that the proposal was premature in the context of the emerging Gypsy and Traveller DPD, and would prejudice consideration of that document, and the lack of a safe pedestrian route from the site to the village of Meldreth.

4. The Council offered no formal decision in respect of request for written approval for an increase from 11 to 13 plots, which was submitted in August 2009, on the basis that limit of 11 plots permitted under Condition 9 had already been breached and it was therefore not possible to obtain the prior approval of the Local Planning Authority for any increase in numbers, other than through a new planning application.
5. A public enquiry was held in November 2010 in respect of the Councils' rejection of the request for 17 plots, and its non-determination of the request for 13 plots. The Inspector concluded that neither request had been made in a valid format and therefore offered no comments on the planning merits of either request. However, he advised that the correct format for application should either be by way of a submission under Section 73 or 73(a) (Variation of Condition) of the Town and Country Planning Act 1990.

### **Planning Policies**

6. *National Planning Policy Framework*
7. Circular 04/2007 Planning for Travelling Showpeople advises that issues of sustainability should be considered when assessing the suitability of site for the provision of accommodation for showpeople. In assessing the suitability of sites, local planning authorities should be realistic about the availability or likely availability of alternative to the cars in accessing local services.
8. *Local Development Framework*
  - DP/1 – Sustainable Development
  - DP/3 – Development Criteria
  - DP/4 – Infrastructure and New Developments
  - DP/7 – Development Frameworks
  - SF/10 – Outdoor Playspace, Informal Open Space and New Developments
  - SF/11 – Open Space Standards
  - TR/1 – Planning for More Sustainable Travel
9. *Draft Local Plan*
  - S/3 – Presumption in Favour of Sustainable Development
  - S/7 – Development Frameworks
  - CC/8 – Sustainable Drainage Systems
  - HQ/1 – Design Principles
  - H/19 – Provision for Gypsies and Travellers and Travelling Showpeople
  - H/21 – Proposals for Gypsies, Travellers and Travelling Showpeople Sites on Unallocated Land Outside Development Frameworks
  - H/22 – Design of Gypsy and Traveller Sites and Travelling Showpeople Sites
  - SC/7 – Outdoor Play Space, Informal Open Space and New Developments
  - SC/8 – Open Space Standards
  - TI/2 – Planning for Sustainable Travel
10. *Supplementary Planning Documents*
  - Open Space in New Developments SPD
  - District Design Guide SPD

## Consultations

11. **Meldreth Parish Council** recommends refusal in respect of the application, as amended, stating that the application does not substantially differ from the previous and that its comments stand from that application. The application still requires clarification and the New Local Plan suggests a requirement for only 4 new yards/plots in South Cambs. A full copy of its comments is included at Appendix 1.
12. The **Local Highway Authority** requests that a condition is included in any consent requiring the applicant to provide a suitable footway, with a bound surface, from the site access nearest the footway in Meldreth itself, to enable pedestrians to access Meldreth without having to walk along significant length (approx. 115m) of live carriageway, that is subject to the national speed limit.
13. The **Environmental Health Officer** initially raised potential concerns in respect of site design and layout, noise, artificial light impact, operational residential waste/recycling provision. Having had regard to the additional information he states that, being mindful that Showman's site are exempt from licensing under The Caravan and Control of Development Act 1960, and that the actual size of the site itself is not increasing, no objections are raised. The applicant should be made aware of the model standard package produced by the Showmen's Guild of Great Britain for such sites.
14. The **Planning Policy Team** comments that the Gypsy and Traveller DPD Issues and Options Report 2009 identified the site as an option for six additional plots. The site was tested using criteria created to assess potential site options. Representations received by the New Communities Portfolio Holder in 2012. The report concluded that the representations did not raise site development issues sufficient to recommend rejection at that stage. However, the site would need to be reconsidered in light of the approach to the Gypsy and Traveller DPD following the draft Localism Bill and new Government Guidance, and also the result of the planning appeal that the site was subject to at that time.
15. Issues regarding travelling Showpeople sites are now being addressed through the Local Plan review, as opposed to a standalone plan.
16. The Government's 'Planning Policy for Travellers Sites' requires that local planning authorities set pitch targets for gypsies and travellers and plot targets for travelling showpeople, which address the likely permanent and transit site accommodation needs of travellers in their area, working in collaboration with neighbouring local planning authorities. It also requires Councils to maintain a five year land supply of sites, in a similar fashion to bricks and mortar dwellings.
17. The Cambridge Sub Region Gypsy and Traveller Accommodation Needs Assessment 2011 identified a low level of need for additional Travelling Showpeople Plots in the District, similar to previous findings of the Showmen's Guild evidence to the East of England Plan. Reflecting this, the Local Plan Issues and Options Report 2012 proposed that target could be 4 plots up to 2016, and an additional 3 to 6 plots to 2031. It noted it was unclear whether this would generate a need for a new site in the plan period, and proposed instead to rely on windfall sites. This could therefore contribute to meeting needs, and assist the demonstration of a suitable land supply, although the scale exceeds the level of local identified need, and could reduce land available to meet future need. Could a phased development be possible?

18. The site remains an option for allocation. However, it is not considered premature to determine the application.
19. The **Environment Agency** has no objection provided that any infrastructure has sufficient residual capacity to accept any additional discharge from the proposal. Anglian Water should be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution or flooding. If there is not capacity in either of the sewers the Agency must be re-consulted with alternative methods of disposal.
20. **Anglian Water** has no objection subject to a condition requiring the submission for approval of a surface water management strategy.

### **Representations**

21. One letter has been received from the occupiers of Plots 15 and 25 The Boulevard expressing the following concerns:
22. The existing road is too narrow. Yards opposite would make it very difficult to enter exiting properties with a vehicle bigger than a transit van. The road needs to be widened.
23. The sewage pumping system is often problematic and would not cope with any extra usage.
24. The play area would be better sited at the far end of the site, as this is where most of the children are, and an area there is already used for football etc.
25. Will a footpath be provided to West Way?
26. The road through the site is in a very poor state. In the conditions of sale the applicant is responsible for the area in front of the plots he still owns and there have been numerous requests made for this to be improved.
27. When plots were purchased one of the factors which appealed was that there were only 11 plots. Whilst it is recognised that there is a need for more showmen's yards throughout the country, but it is not certain that The Boulevard can cope with many more. Permission should first be given above the 11 permitted for those currently living in The Boulevard, and then consider any further increase.
28. The properties still have no postcode.

### **Applicants Representations**

29. The application is accompanied by letters of support from the Norwich and Eastern Counties Section of the Showmen's Guild, and two families looking for yards.
30. The agents submission sets out the need identified for additional plots. It states that there is no intention to occupy any of the other vacant areas of land within the next 3 to 5 years.
31. Site drainage is considered adequate. The existing access road has been used for eight and a half years had has been shown to be suitable.

32. The applicant has requested that some flexibility is allowed for in terms of the timescale for the provision of the new footpath. It is suggested that a period of one year from first occupation of any new yards would be reasonable in order to allow funds to be raised from the sale of the new yards; to allow time for the required legal agreement with Cambridgeshire County Council to be completed; and for contracts for the work to be let following a tendering process.
33. A reciprocal undertaking is sought from the District Council that any new development on Kneesworth Road, granted planning permission within that one year time period, and that has the potential to generate pedestrian or cyclists, should be asked to contribute to the costs of the footway.

### **Planning Comments**

34. Biddalls Boulevard is a 2.11 hectare showpersons site to the north west of Kneesworth Road, Meldreth. Immediately to the south west of the site is Five Acres, a similar size showpersons site.
35. To the north east and north west is agricultural land. There is existing planting on the south east, north east and north west boundaries of the site. Opposite the site is agricultural land and the former Cambridgeshire County Council Travellers site.
36. The application, as amended by details received 31 July 2013, seeks to increase the permitted number of plots within the permitted site from 11 to 21. Of this increase only 4 of the proposed plots (Plots 1, 12, 13 and 14) will be on areas of land within the site which are not currently used for showpersons plots. The other 6 plots are the result of a regularisation of existing plot subdivision within the site, or to recognise the claims of occupiers that areas within the site which are currently occupied as larger single plots, were purchased as more than one plot.

### *Principle of development*

37. The application is submitted as a variation of condition application under Section 73, and therefore complies with the advice given by the Planning Inspector in that respect.
38. The site is in the countryside, but the use of the land as a site for showpeople is established. The provision of a footpath from the site to link with the existing footpath, which currently ends at West Way to the north east, will give allow greater potential for pedestrian access to the village and improve the sustainability of the site.
39. The Proposed Submission Draft Local Plan 2013 submission recognises the need to increase provision of plots for showpeople in South Cambridgeshire. Policy H/19 suggests that provision should be made for at least 4 plots for travelling showpeople between 2011 and 2016. Although that plan is at the draft stage no objections have been raised to that particular provision of Policy H/19, and officers are therefore of the view that Members can give weight to this policy in the determination of the application.
40. This application proposes 10 additional plots, above the 11 previously approved, however only 4 of these plots represent new plots that are not currently in use.
41. The submitted plan shows a range of plot sizes within the site as some showpeople will require smaller sites than others depending on the particular size of the equipment with which they work.

42. Although the Draft Local Plan does not specify sites for showpeople, officers are of the view that if this site is considered suitable for additional plots, in terms of location, visual impact, environmental impact and highway safety, then it should be considered as way of meeting the identified need, rather than the use of a greenfield site.
43. Any application for further plots at the front of the site in the future will need to be considered on its merits at the time, however the applicant has indicated that this is unlikely to happen in the next 3-5 years.

*Character of the area*

44. The site is well contained with effective planting on three site boundaries. The other boundary is with the showpersons site to the south west. Plots are divided within the site by close-boarded fencing. In my view the increase in the number of plots within the site will not materially affect the visual impact of the site on the surrounding countryside given existing boundary planting, which the applicant has agreed to supplement. An area of open space is to be provided within the site for use by the occupiers of the plots.

*Residential amenity*

45. Although the proposed increase in plots will result in additional subdivision of the site, and an intensification of use, officers are of the view that any impact on existing residential amenity is acceptable.
46. The Environmental Health Officer has indicated that the model standard package produced by the Showmen's Guild of Great Britain for such sites should be used.
47. Policy H/22 of the Draft Local Plan supports the provision of play space on sites for 10 or more pitches, and the size of area proposed is appropriate for the proposed development. Officers have however advised the applicant that the open space should be set further back in the site, in order to be better integrated within the development, as required by the Open Space and New Developments SPD. The applicant is of the view that the site will be sufficiently supervised in the location proposed at the front of the site. At the present time however there will be no approved or occupied plots between it and Kneesworth Road, and officers maintain the view that it should be relocated to a position where one of the new plots is proposed. That plot could then be brought to the front of the site.
48. In this case officers do not consider that an agreement to hand over the open space to the Parish Council would be appropriate, as the use of the space will be for the benefit of occupiers of the site only, however details for the provision and maintenance of the area will need to be agreed.

*Highway safety*

49. The applicant has been in discussions with the Local Highway Authority regarding the provision of a footpath link from the site, along the north side of Kneesworth Road, to link with the existing footpath at West Way, and has agreed to this provision in principle. As the land required for the footpath is within the public highway it can be secured by condition.
50. The applicants request that the condition be worded to allow for the provision of the footpath within one year of the occupation of the new plots in order to allow for funds



to be raised and necessary agreements with the County Council to be obtained. The condition suggested below allows for a timetable to be agreed, but officers are of the view this should not be later than one year from occupation of the first 'new' plot.

51. The letter of representation suggests that the existing internal road should be widened so that access to existing plots is not compromised. At the present time there are yards opposite one another along the roadway and officers do not consider that the relationship of plots now proposed differs to such an extent as to require an increase in width of the roadway. The roadway is not adopted and its state of repair is a matter to be resolved with those responsible for its upkeep.

#### *Drainage*

52. Anglian Water has not objected to the application. The applicant's agent states that the existing system has capacity to cope with the increase in plots proposed.
53. A condition can be imposed ensuring appropriate surface water drainage.

#### **Recommendation**

54. Delegated approval subject to the proposed area of open space being relocated further within the site:

#### **Conditions**

- a) Time limit – 3 years
- b) Approved plan
- c) Landscaping
- d) Implementation of landscaping
- e) Surface water drainage
- f) Provision of footpath – timetable to be agreed but within one year of first occupation of either Plots 1, 12, 13 or 14 on the approved plan
- g) Open space
- h) No more than 21 plots and no more than 3 caravans on each plot
- i) No storage over 4.5m high (as existing consent)
- j) Occupation by Members of Showmen's Guild of Great Britain only

#### **Background Papers**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

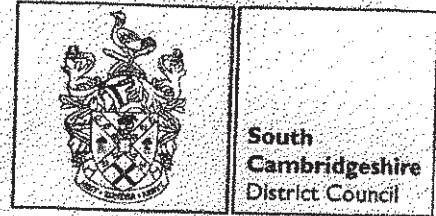
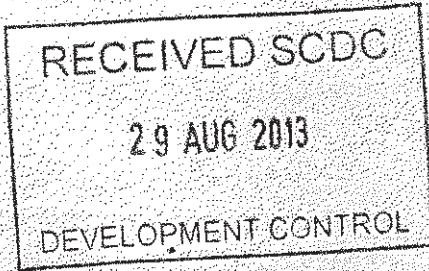
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Plan Proposed Submission July 2013
- South Cambridgeshire Supplementary Planning Documents
- National Planning Policy Framework 2012
- Planning File References: S/2607/12/FL and S/0177/03/F.

**Report Author:** Paul Sexton – Principal Planning Officer  
Telephone: (01954) 713255

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Mrs Judy Damant,  
Meldreth Parish Council  
Meldreth Sheltered Housing Scheme  
Elin Way  
Meldreth  
SG8 6LX

Planning and New Communities  
Contact: Paul Sexton  
Team Contact: 01954 713255  
Fax: 01954 713152  
Team Email: paul.sexton@scambs.gov.uk  
Our Ref: 01 December 2607  
Date: 31-Jul-2013

Dear Sir/Madam

**Proposal** Variation of Condition 9 of planning permission S/0177/03/F to allow an increase in the number of plots from 11 to 23.

**Location** Showman's Site, Biddall's Boulevard, KNEESWORTH ROAD, MELDRETH

**Applicant:** Mr John Biddall

The above planning application has been amended. A copy of the revised plans is attached.

- Revised layout plan.
- Revised supporting statement.
- Response to comments raised by Meldreth Parish Council.

Any comments that your Parish Council wishes to make should be made **on this form** and returned to the above address **not later than 21 days from the date of this letter**. (You should note that at the expiry of this period the District Council may determine the application.)

**Comments of the Parish Council:**

Meldreth Parish Council recommend refusal with comments:- This application does not substantially differ from the previous and our comments stand from that application (attached). The application still requires clarification and the New Local Plan suggests a requirement for only 4 new yards/plots in south cambs.

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

Approve	Refuse	<input checked="" type="checkbox"/>	No Recommendation
---------	--------	-------------------------------------	-------------------

Signature: [Redacted] Date: 15/AUG/2013  
Clerk of the Parish Council or Chairman of the Parish Meeting

**EXPLANATION OF APPLICATION SUFFIX**

- |    |                           |    |  |
|----|---------------------------|----|--|
| DC | Discharge of Condition    | VC | Variation or Removal of Condition                    |
| OL | Outline                   | LD | Lawful Development Certificate                       |
| FL | Full                      | PA | Prior Notification of Agricultural Development       |
| RM | Reserved Matters          | PD | Prior Notification of Demolition Works               |
| LB | Listed Building Consent   | PT | Prior Notification of Telecommunications Development |
| CA | Conservation Area Consent | HZ | Hazardous Substance Consent                          |
| AD | Advertisement Consent     |    |  |

## Attachment 1

Meldreth Parish Council's response to Planning Application No. S/2607/12/VC for "Variation of Condition 9 of planning permission S/0177/03/F to allow an increase in the number of plots from 11 to 23" at The Boulevard, Kneesworth Road, Meldreth by Mr John Biddall

Meldreth Parish Council resolved at their Planning Committee meeting on Thursday 17<sup>th</sup> January 2013 to recommend:

### REFUSAL with comments

#### Comments

Meldreth Parish Council asks if the application above meets the proposal by the Inspector who turned down an appeal by Mr Biddall after refusal of permission for more plots in 2009. In his response (APP/W0530/A/09/2116344) the inspector said "In my view the correct mechanism for the consideration of an increase in the number of plots, and associated mobile homes/caravans, on the appeal site is by way of fresh applications or applications under s.73 or 73A of the 1990 Act (as amended)". It is our understanding that this application is just a request to vary the number of plots under Condition 9 and that this is not "a fresh application".

Notwithstanding the above we have further concerns on the application and its potential impact on Meldreth and all its residents.

(Within this document the term Plot refers to one of 40 parcels of land on the site into which the site was originally divided for sale and the term Yard refers to a unit for planning purposes allowing 3 residential vans/mobile homes and associated rides/equipment )

Meldreth Parish Council has stated on a number of occasions, including in addressing the SCDC Planning Committee and by letter to Mr Paul Sexton (18th September 2009), that a full planning application should be made so:

- 1 1. It would make clear which land is owned by Mr Biddall as opposed to that already sold to others.
- 2
- 3 2. The process would have full transparency, particularly to those affected on site, who would presumably all be "carded".
- 4
- 5 3. At the conclusion of the process it would be clear which plots have planning permission and which do not, making planning enforcement possible.
- 6

This application did include a Certificate B list of 17 co-owners of the land in question but there was no plan showing, as we have requested several times, the current layout of the site and who owned which plots and which land is owned by Mr Biddall. However in November 2012 Mr Biddall's agent, Mr Thurlow, attended the public questions section of one of our planning meetings, at his request, and showed us a plan of their proposed increase in plots. While we made no comment on our position we took the opportunity to remind him of our requests above. At a site visit on Wednesday 16<sup>th</sup> January 2013 Mr Thurlow handed our chairman a table (attached) showing ownership of the land using the plot numbers of the original layout of 40 "plots" and the numbers of the 23 "yards" now proposed (composite plan attached).

*NB Each time Mr Biddall makes an application he renumbers the yards. This makes the process of understanding the layout and associated planning permission for each plot difficult and opaque but also gives the residents the problem that they have not been allocated postcodes.*

While the plot ownership details are not part of the planning application, they have helped us in understanding the problems for the residents of the Boulevard (who attended our meeting on 17<sup>th</sup> January) and in addressing the new yards proposed.

There are currently, we believe, 17 occupied yards on site. We say "believe" because it was not clear for yards that had caravans whether they were stored or occupied.

The situation at present is:

1. The site was originally divided by Mr Biddall into 40 plots (50' frontages; 100' deep) for sale and numbered from the front of the site – 1-20 on the left and 21-40 on the right.
2. These were bought by families in various multiples and all were sold with planning permission and title deeds. There is confusion amongst freeholders as to whether planning consent for yards was per plot or per transaction.

3. However the various plans in the past have not reflected the separate transactions and this application in part seeks to regularise that by splitting yards that were bought separately. Using the numbering in the 12<sup>th</sup> August 2009 drawing (shows 11 existing yards and 2 extra required by that planning application) it is proposed to split yard 5 into new yards 6 & 7, yard 8 into new yards 10 & 11 and yard 11 into new yards 22 & 23. 4. Meldreth Parish Council would support these 3 extra yards, as this would regularise the current situation with no major impact.

4. We are however concerned at the application for new yards 1, 12, 13, 14, 15, 16 & 17 on so far undeveloped land owned by Mr Biddall and another non-resident and the sub-division by the new owner of yard 10 into new yards 19-21. These are small plots in the main and although they could be joined together by new owners, each plot could (if given planning permission as yards) be occupied by 3 caravans or mobile homes.

To summarise our reasons for recommending refusal:

1. The proposed site of 23 plots taken with the adjoining 10 plot showmen's site at "Five Acres" would, with 33 plots and, potentially 99 caravans or mobile homes, dominate the nearest settled community of West Way (28 houses) and Burtons (24 houses) in contravention of government guidelines.<sup>1</sup>

2. It is said in the application that the vacant plots at A and B in the latest plan will not be submitted for planning permission in the next 3-5 years. We are concerned at the piecemeal approach for planning on this site which could lead to a very large site indeed. This application, if allowed by SCDC, or any future application to regularise the situation should be a complete and final application with a clear limit on the number of yards that can be supported. Houses in the countryside are controlled by tight policies where only replacement houses are allowed and this site is in the countryside and should similarly be subject to controls on the number of yards allowed.

3. Travelling showpeople are defined<sup>1</sup> as "Members of a group organised for the purposes of holding fairs, circuses or shows.....". However this site, unlike its neighbour at "Five Acres", seems to be a commercial venture to provide accommodation for members of the Showmen's Guild but without strong family or business bonds.

4. The letters of support added to the application, which we assumed were to indicate the need for extra showmen's accommodation in Meldreth, seemed to be for accommodation for transit or short term accommodation, although we were assured by Mr Biddall's agent that the occupancy would be permanent. Transit use would we assume need to be applied for separately.

5. The Gypsy and Traveller Issue and Options DPD identified the capacity for 6 plots (yards) on this site for a part of the identified local need for showmen's plots. We believe that those 6 plots are already taken but without planning permission.

We would be happy to meet with officers and to help to find a way forward.

Meldreth Parish Council  
20<sup>th</sup> January 2013

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Government

"Planning policy for traveller sites", March 2012, Department for Communities and local





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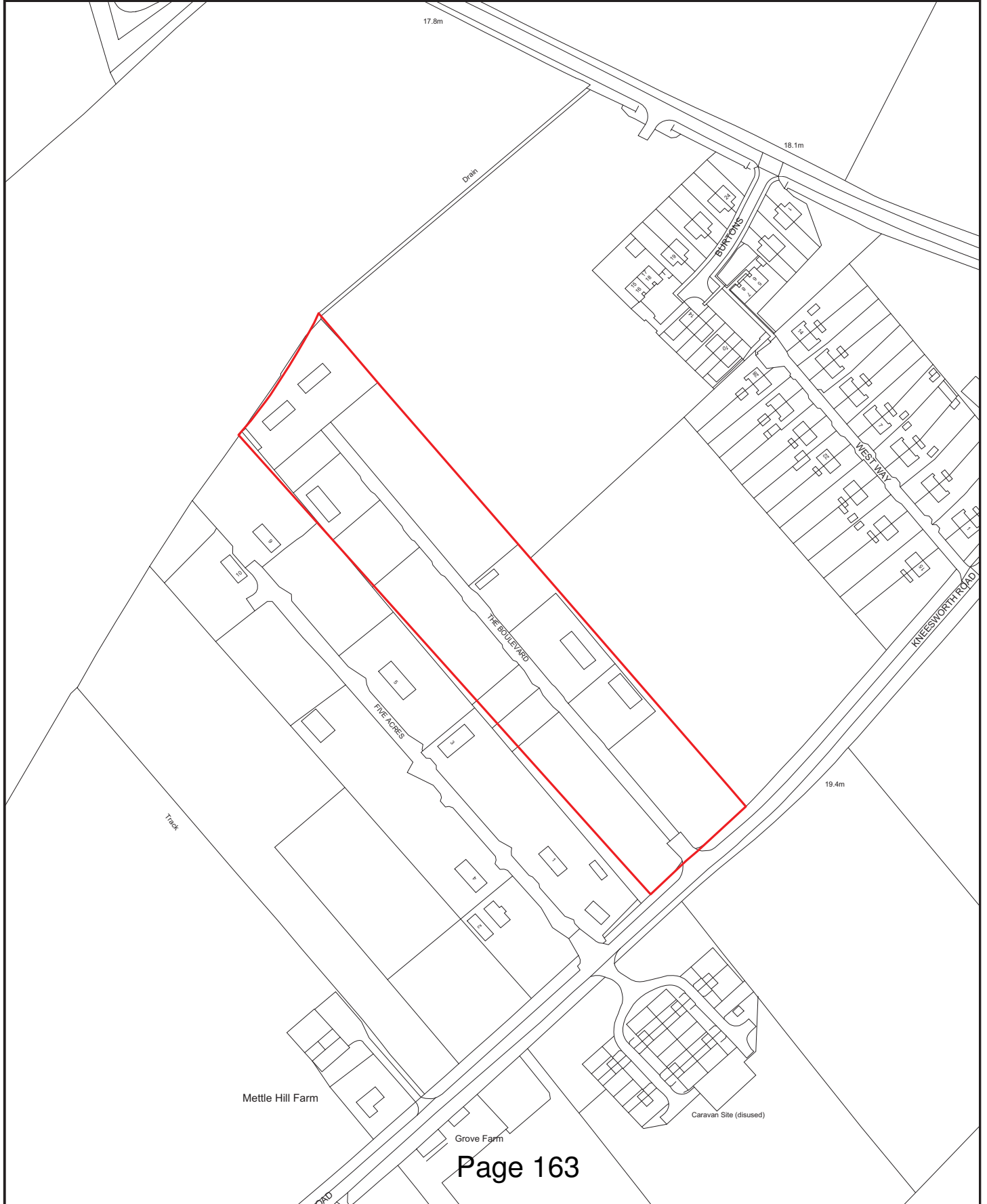
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Date of plot: 15/01/2014



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# Agenda Item 6

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

5 February 2014

**AUTHOR/S:** Planning and New Communities Director

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<b>Application Number:</b>	S/2526/13/FL
<b>Parish(es):</b>	Great Shelford
<b>Proposal:</b>	Change of Use from Wardens House to B1 Office Use
<b>Site address:</b>	10 Chaston Road
<b>Applicant(s):</b>	South Cambridgeshire District Council
<b>Recommendation:</b>	Approval
<b>Key material considerations:</b>	Principle of Development Highway Safety Neighbour Amenity
<b>Committee Site Visit:</b>	None
<b>Departure Application:</b>	No
<b>Presenting Officer:</b>	Karen Pell-Coggins
<b>Application brought to Committee because:</b>	The Council is the applicant
<b>Date by which decision due:</b>	20 January 2014

### Executive Summary

1. The proposal seeks the change of use of warden's accommodation in connection with a sheltered housing scheme to an office for wardens of sheltered housing schemes in the area who do not reside on site. The development is considered acceptable in principle and is not considered to be detrimental to highway safety or adversely affect the amenities of neighbours.

### Site and Proposal

2. The site is located within the Great Shelford village framework. No. 10 Chaston Road is a two-storey, mid-terrace, brick and tile dwelling that previously provided wardens accommodation in connection with the adjacent Acacia Court sheltered housing scheme managed by the Council. It is currently vacant. Access is by pedestrian means only via the existing entrance to the sheltered housing scheme. There is a Council owned parking area that provides 10 parking spaces on the opposite side of Chaston Road.

3. This full planning application, received on 25 November 2013, proposes the change of use of the dwelling to an office. It would provide 97 square metres of accommodation for sheltered housing wardens that cover the immediate area but no longer reside on the sites. There would be a maximum of 8 staff at any one time. Staff are likely to be at the office for short periods of time over the working day. The hours of operation would be 09.00 hours until 17.00 hours Monday to Friday. 4 of the 10 parking spaces on the opposite side of Chaston Road would be designated for this use.

#### **Planning History**

4. S/0835/74/D - Erection of Old Persons Residence Wardens Accommodation and 7 Blocks of Houses and Flats - Approved

#### **Planning Policies**

5. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007**  
ST/4 Rural Centres
6. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007**  
DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/7 Development Frameworks  
ET/1 Limitations on the Occupancy of New Premises in South Cambridgeshire  
ET/4 New Employment Development in Villages  
TR/1 Planning for More Sustainable Travel  
TR/2 Car and Cycle Parking Standards
7. **South Cambridgeshire Local Development Framework Supplementary Planning Documents**  
District Design Guide- Adopted March 2010
8. **South Cambridgeshire Local Plan Proposed Submission (July 2013)**  
S/7 Development Frameworks  
S/8 Rural Centres  
HQ/1 Design Principles  
E/12 New Employment Development in Villages  
TI/2 Planning for Sustainable Travel  
TI/3 Parking Provision

#### **Consultation**

9. **Great Shelford Parish Council** – Recommends approval.
10. **Local Highways Authority** – Comments that the proposal would have no significant adverse effect upon the public highway.
11. **Environmental Health Officer** – No reply (out of time).

#### **Representations from members of the public**

12. The occupiers of No. 5 Chaston Road comment that Chaston Road is a residential road which is the main cycle route to Addenbrookes. There are already a large

number of vehicles parked in the road who park opposite their driveway and make it difficult to get in and out. It is a perfectly good house that could be used by a desperate family or converted to flats for the elderly. There is no point having offices in an old peoples housing area.

### **Planning Comments**

13. The key issues to consider in the determination of this application relate to the principle of the development and the impacts of the development upon highway safety and the amenities of neighbours.

### ***Principle of Development***

14. The site is located within the village framework of a 'Rural Centre'. It is in a sustainable location in close proximity to the railway station and bus routes and within walking and cycling distance of the centre of the village. The proposal would provide an office under use class B1a that would provide an essential service for Cambridge as a local or sub-regional centre and contribute to a greater range of local employment opportunities. It is therefore considered acceptable in policy terms.

### **Highway Safety and Parking**

15. Whilst it is noted that the proposal would result in an increase in traffic generation, it is not considered to be detrimental to highway safety given that Chaston Road already serves a significant number of properties.
16. The Council's parking standards require one vehicle parking space per 25 square metres of floor area. The office measures 97 square metres in floor area. Four parking spaces are therefore required for the development. Four parking spaces would be provided for the proposed office use. Whilst it is acknowledged that these are not on-site, there are opposite the site and easily accessible. Although Chaston Road is a main cycleway, it is not a main vehicular throughfare and has unrestricted parking within the public highway where existing vehicles park on-street. Should any on-street parking occur as a result of the development, it is not considered to represent a significant hazard that would adversely affect the free flow of traffic along Chaston Road.

### **Neighbour Amenity**

17. The proposed office use is not considered to harm the amenities of neighbours through a significant rise in the level of noise and disturbance given the low scale nature and type of use.

### **Other Matters**

18. The Council has to determine the application submitted and cannot consider any alternative uses for the site.

### **Recommendation**

19. Approve (as amended by 1:500 block plan date stamped 16 January 2014) subject to the following conditions: -
  - i) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

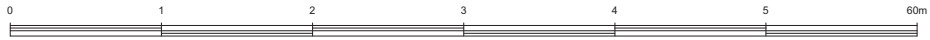
- ii) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers CR/GS/2 and CR/GS/3 (location plan only), and 1:500 block plan (date stamped 16 January 2014).  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- iii) Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), the premises shall be used for Offices under use class B1a or a Dwellinghouse under use Class C3 and for no other purpose (including any other purposes in Classes A or B of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification or a state funded school).  
(Reason -To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- iv) The office use hereby permitted shall not be carried out other than between 08.00 hours and 18.00 hours Mondays to Fridays and at no time on weekends or Bank Holidays.  
(Reason -To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- v) The permanent space to be reserved on the site for parking as shown on the 1:500 block plan (date stamped 16 January 2014) shall be provided before the use commences and thereafter maintained for such purposes.  
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

## **Background Papers**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- South Cambridgeshire Local Plan Proposed Submission (July 2013)
- Planning File refs. S/2526/13/FL and S/0835/74/D

**Report Author:** Karen Pell-Coggins – Senior Planning Officer  
Telephone: (01954) 713230



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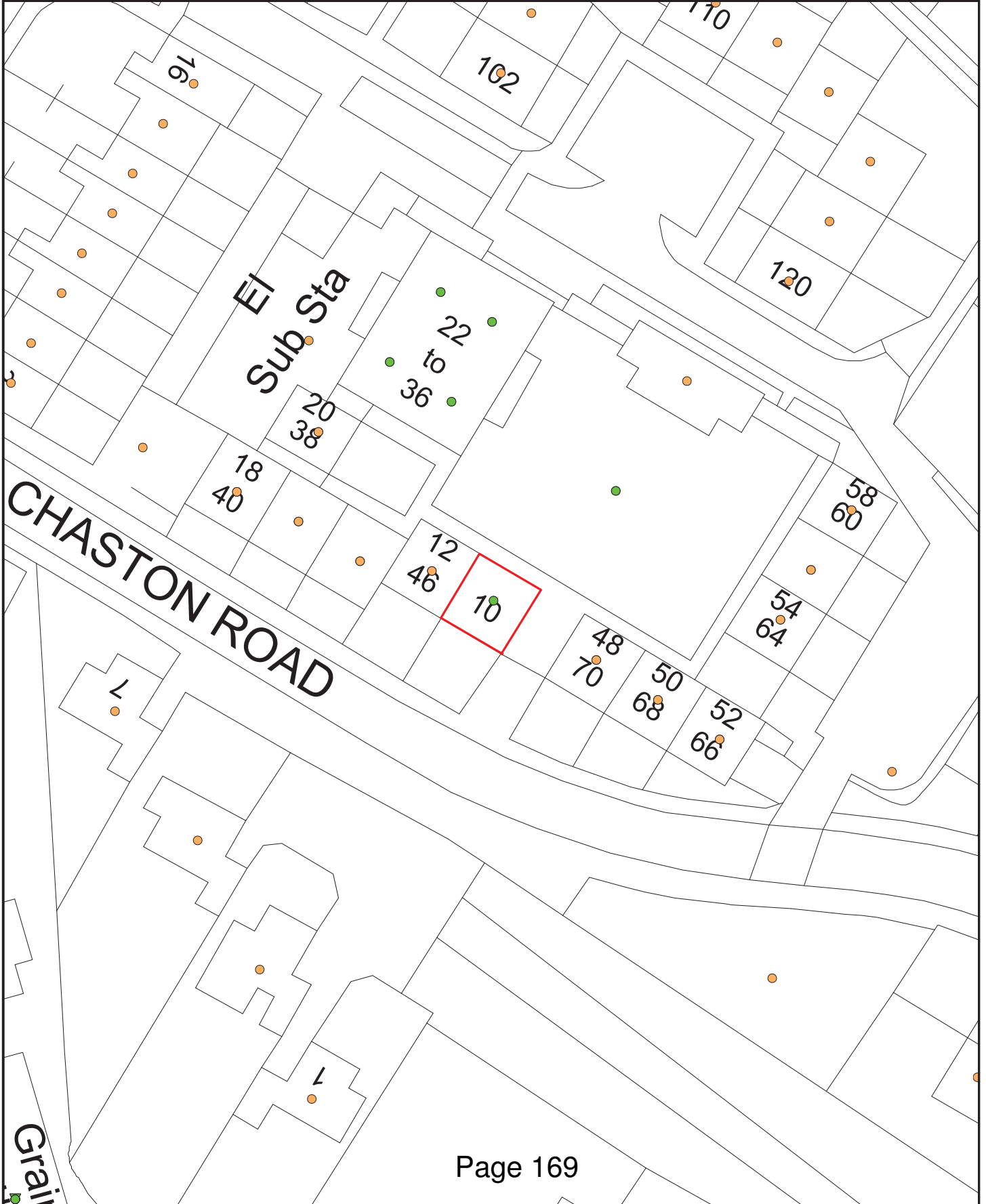
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Date of plot: 22/01/2014



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District Council

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# Agenda Item 7

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

5 February 2014

**AUTHOR/S:** Planning and New Communities Director

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<b>Application Number:</b>	S/2330/13/FL
<b>Parish:</b>	Papworth Everard
<b>Proposal:</b>	Removal of Condition 3 of Planning Approval S/0173/11 to seek permanent consent for garages
<b>Site address:</b>	Bernard Sunley Centre, Papworth Everard
<b>Applicant(s):</b>	Mr Mark Miller (Papworth Trust)
<b>Recommendation:</b>	Approval
<b>Key material considerations:</b>	Principle of Development Visual Impact
<b>Committee Site Visit:</b>	None
<b>Departure Application:</b>	No
<b>Presenting Officer:</b>	Andrew Winter
<b>Application brought to Committee because:</b>	The recommendation of the Parish Council conflicts with that of Planning Officers
<b>Date by which decision due:</b>	5 February 2014

### Planning History

1. **S/2286/07/F** – Relocation of existing car park at land rear of The Bernard Sunley Centre was approved and granted an extension of time under application **S/2480/11**.  
**S/0173/11** – Temporary planning permission was granted for two garages until 1 April 2014.  
**S/2173/12/VC** – Variation of condition 9 of planning permission S/2480/11 was granted to vary the approved drawings in relation to a new car park and driveway for the Bernard Sunley Centre.

### Planning Policies

2. *National Planning Policy Framework*  
Paragraph 14 and Chapter 12 (Conserving and enhancing the historic environment)

### *Local Development Framework*

DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/7 Development Frameworks  
CH/5 Conservation Areas

District Design Guide SPD – adopted March 2010  
Development Affecting Conservation Areas SPD – adopted January 2009  
Papworth Everard Conservation Area Appraisal – adopted July 2011

### *Draft Local Plan*

NH/14 Heritage Assets  
S/7 Development Frameworks

### **Consultations**

3. Parish Council – recommends refusal “The Parish Council objects to the removal of condition 3 unless the garages are properly constructed with foundations and brick walls. This is in a publicly accessible area so should be presented as a permanent building.”

### **Representations**

4. None

### **Planning Comments**

5. The existing site comprises an office building, associated car park and two garages all located within the village framework of Papworth Everard and near to the conservation area boundary, which is to the north of the garages.

### **Principle of Development**

6. The applicant, the Papworth Trust, is a charity organisation and requires the garages for secure storage of pool vehicles and occasional storage of mobility scooters and accessories. The development therefore represents an ancillary storage use to the offices and does not cause any loss in the amount of parking spaces available to the Bernard Sunley Centre. The garages are located within the village framework and no objection is raised to the principle of this development.

### **Visual Impact**

7. The planning assessment in application S/0173/11 concluded that the design of the garages had no material impact upon the visual quality of the area, due to the approximate 90m distance to the public highway (Ermine Street) and the earth mound to the west. However, due to the temporary nature of the structures a temporary permission was granted in order to re-assess their condition and impact upon on the surrounding area and the final adopted conservation area for Papworth Everard.
8. The Parish Council wish to see the building constructed of proper foundations and brick walls and it would seem that the main issue is not so much the scale or form of



the building but its material construction and appearance. The applicant has responded to this concern with the following considerations:

“If we were to install a brick or breeze block finish the garage base currently 6.37m would have to be increased to allow the safe storage of a vehicle. The current access to our development Southbrook fields has an access path of 2.2m this would shrink to nearer 1.0m and therefore would not be suitable for disabled access on the right hand side of the garages. On the left we would lose another space.

Additional costs to the charity would be in the region of £10k on an already tight budget. This is unfair to accept when the current garages are suitable for our means. Costs would be the decommissioning of the current structure, relaying of foundations, a survey to ensure weight loading, new lighting due to the high risk nature of brick work, and installation of new specially built garages.”

9. The garages show little sign of physical deterioration, as shown in the photographs in Appendix A, and their low height and simple form is considered to have limited impact upon the conservation area and surrounding area. Their steel construction is viewed in close relationship to the modern, metallic roof of the Bernard Sunley Centre and therefore their appearance is considered to preserve the character of the site.
10. Consequently, in the absence of adverse visual harm, the permanent siting of the garages is found to accord with Policies DP/2 and CH/5 of the Local Development Framework.

#### **Recommendation**

11. Approval of the removal of condition 3 allowing permanent planning consent for the garages.

#### **Background Papers**

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council’s website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

The following list contains links to the documents on the Council’s website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- Planning Application File Reference: S/0173/11 and S/2173/12/VC
- Documents referred to in the report including appendices on the website only and reports to previous meetings

**Report Author:** Andrew Winter – Senior Planning Officer  
Telephone: (01954) 713082

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APPENDIX 1 – Photographs of Garages



Front of Garages



Rear of Garages



North side of Garages



South Side of Garages



Eastern View of Garages Within Car Park

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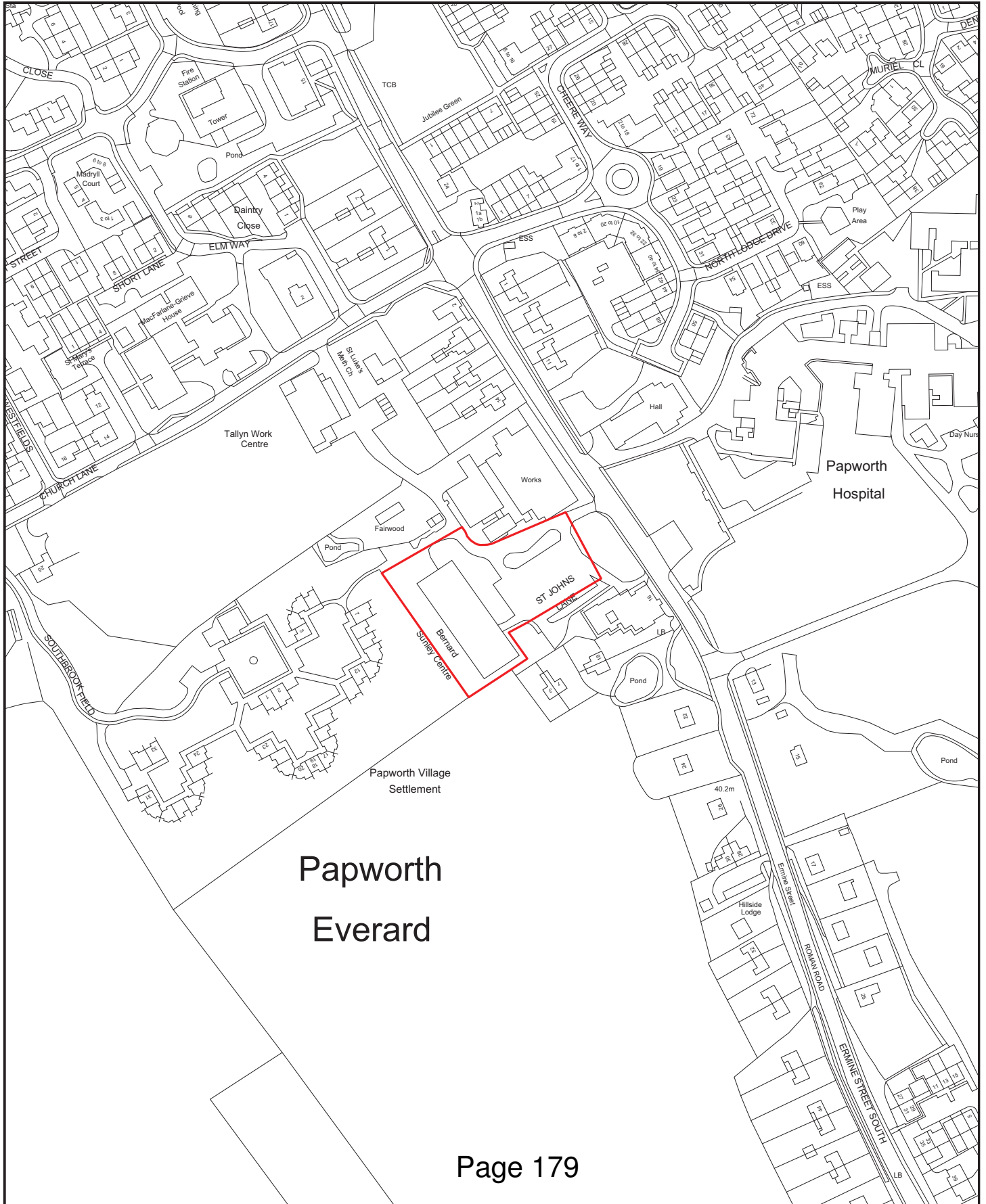
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**Papworth  
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# Agenda Item 8

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

5 February 2014

**AUTHOR/S:** Planning and New Communities Director

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<b>Application Number:</b>	S/1808/13/OL
<b>Parish(es):</b>	Harston
<b>Proposal:</b>	Outline application (with all matters reserved except for means of access) for residential development following the demolition of Nos. 98, 100 and 102 High Street
<b>Site address:</b>	98-102 High Street, Harston
<b>Applicant(s):</b>	Brigadier William Hurrell
<b>Recommendation:</b>	Delegated Approval
<b>Key material considerations:</b>	Principle of development, visual impact, highway safety, impact on trees, ecology, affordable housing and infrastructure requirements
<b>Committee Site Visit:</b>	None
<b>Departure Application:</b>	No
<b>Presenting Officer:</b>	Dylan Jones
<b>Application brought to Committee because:</b>	The Officer recommendation is contrary to the recommendation of Harston Parish Council
<b>Date by which decision due:</b>	27 August 2013

### Executive Summary

1. The application is an outline proposal (with all matters other than the means of access reserved) for residential development following the demolition of the two existing dwellings/structures on the site. The existing site has three access points onto the High Street. The proposal seeks to close all three existing accesses and to provide a single access point at the southern end of the site. Following the submission of an amended plan demonstrating that appropriate vehicle visibility splays can be achieved onto the High Street, the Local Highways Authority has raised no objections to the proposal. In a number of responses, including from the Parish Council, a preference has been expressed for access to the site being obtained from High Meadow instead of from the High Street. The applicant's agent has explored this

option but has established this is not feasible for land ownership reasons. The application must be assessed as submitted and there is no highway safety objection to the proposed access from the High Street.

2. Issues relating to the number of dwellings, the design and impact on the character of the area, and effect on the amenities of neighbours are detailed issues that would be the subject of any subsequent reserved matters application.
3. The recommendation is one of approval subject to the prior signing of a Section 106 Agreement.

### **Site and Proposal**

4. The application site lies within the Harston village framework on the east side of the High Street and on the south side of High Meadow. It is occupied by a pair of two-storey cottages (Nos. 100 & 102), a redundant telephone exchange building (No.98) and an electricity sub-station. These buildings are served by three existing accesses – one serving the cottages, one to the front of the telephone exchange, and one to the south-west corner. The site is generally overgrown in appearance and comprises a number of mature trees. The site frontage is bounded by a drainage ditch.
5. The application is an outline proposal (with all matters other than the means of access reserved) for residential development following the demolition of the two existing dwellings/structures on the site. Approval is only sought for the means of access at this stage, so the exact layout, number and type of dwellings would be the subject of a reserved matters application. Whilst the application does not specify the number of proposed dwellings, illustrative drawings have been submitted showing an indicative capacity of five dwellings. The proposed means of access to the site would be obtained at the south-west boundary of the site.

### **Planning History**

6. S/1230/10 – Demolition of Nos. 98, 100 and 102 High Street and the erection of 5 dwellings with associated infrastructure (extension to time limit for implementation of planning application S/1147/08/O) – approved.
7. S/1147/08/O – Outline planning permission, with all matters other than access reserved, granted for the demolition of Nos. 98, 100 and 102 High Street and the erection of five dwellings (two replacement and three additional).
8. S/2059/07/O – Outline application for five dwellings following the demolition of the existing buildings was withdrawn. An objection was received from the Ecology Officer on the grounds of insufficient investigation into bat issues.

### **Planning Policies**

9. *National Planning Policy Framework 2012*
10. *Local Development Framework 2007*

ST/6: Group Villages  
DP/1: Sustainable Development  
DP/2: Design of New Development  
DP/3: Development Criteria  
DP/4: Infrastructure and New Developments

HG/1: Housing Density  
HG/2: Housing Mix  
HG/3: Affordable Housing  
NE/1: Energy Efficiency  
NE/6: Biodiversity  
NE/15: Noise Pollution  
CH/2: Archaeological Sites  
SF/10: Outdoor Playspace, Informal Open Space and New Developments  
SF/11: Open Space Standards  
TR/1: Planning for More Sustainable Travel  
TR/2: Car and Cycle Parking Standards  
Open Space in New Developments SPD  
Trees and Development Sites SPD  
Biodiversity SPD  
District Design Guide SPD  
Landscape in New Developments SPD  
Affordable Housing SPD

11. *Draft Local Plan 2013*

S/1: Vision  
S/2: Objectives of the Local Plan  
S/3: Presumption in Favour of Sustainable Development  
S/5: Provision of New Jobs and Homes  
S/7: Development Frameworks  
S/10: Group Villages  
H/7: Housing Density  
H/8: Housing Mix  
H/9: Affordable Housing  
HQ/1: Design Principles  
NH/4: Biodiversity  
SC/6: Indoor Community Facilities  
SC/7: Outdoor Play space, Informal Open Space and New Developments  
SC/8: Open Space Standards  
SC/11: Noise Pollution  
TI/2: Planning for Sustainable Travel  
TI/3: Parking Provision

**Consultations**

12. *Harston Parish Council* – “The application is recommended as approved but subject to the following caveats:

- The main vehicle access is from the High Meadows side street and not from Harston High Street [A10]. Harston Parish Council wishes to have an on-site meeting with Highways to discuss safety aspects of this caveat.
- The existing access to the paddock at the rear of the development site must remain for agricultural use only.”

In response to further information provided by the applicant’s agent, which explains that High Meadow cannot be used to access the site for ownership reasons, the Parish Council has re-confirmed its position that it is not in favour of the site being accessed from the High Street. This is on the basis that the traffic conditions make this a potentially more hazardous entrance and exit for the residential development.

The Parish has requested that the landowner considers acquiring the strip of land between the proposed site and High Meadow so that an entrance can be made onto High Meadow. If entrance were to be provided exclusively off High Meadow, the Parish Council would be in favour of the development.

13. *The Trees Officer* – States that a TPO was served on the site in 2007 in response to neighbour concerns regarding development of the site and the fact there was no protection afforded to trees on the boundaries. Considering the arboricultural report submitted in respect of the current application, whilst in previous applications the retention of the walnut and other trees was considered desirable, the trees on the site are of poor quality and their condition will be an issue for the development. Providing a well-designed and robust landscaping scheme is submitted that provides screening and trees along the rear boundary, and a feature tree provided in the street scene, it is considered that a better quality of development could be achieved on the site.
14. *The Landscape Design Officer* – Raises no in-principle objections but comments on the illustrative layout are:
  - The buildings should be set further back from the High Street to reflect the character of other dwellings in the High Street.
  - The willow tree has a high visual value within the street. It should either be protected or a replacement tree provided.
  - The existing open ditch should be retained.
  - Hedge and tree planting should be required to the rear boundary.
15. *The Ecology Officer* – Accepts the findings of the bat report, namely that no bats are believed to be roosting at the property. However, a number of bat species were recorded flying over and around the site. As such, it is considered that the site has some value for bats either for feeding or commuting. The report sets out a number of recommendations that are relevant to bat conservation at the site. A condition requiring development to take place in accordance with the report should be added to any permission. The survey was conducted in September 2012. If a lengthy period passes, there is a chance bats will colonise the buildings and a condition to require further survey work if the development does not commence before August 2015 should be added to any permission.
16. *Affordable Homes* – States that, based on 5 dwellings, there would be a net gain of 2 dwellings of which one property should be affordable. It is noted that the developer would be happy to discuss the size and type of dwellings with the affordable housing team. The developer first needs to establish whether a Registered Provider would be interested in acquiring one unit from them on either an affordable rented or shared ownership basis. As a last resort, the Council would be prepared to negotiate a commuted sum in lieu of on-site provision.
17. *The Environmental Health Officer* – Raises no objections subject to conditions of the previous decision being reapplied, namely to control hours of power-operated machinery during the construction period, and to require details of any external lighting.
18. *The Drainage Manager* – No comments received. No objections were raised in respect of previous applications on this site subject to conditions requiring foul and surface water drainage details being added to any permission.
19. *The Local Highways Authority* – Requests the provision of 2.4m x 43m visibility splays and that the access be taken from High Meadow rather than the High Street. The

LHA would not seek to adopt the development due to the proposed narrowing of the footway from 1.8m to 1.5m at the entrance. The access road should be narrowed to a width of 5m for a distance of 10m back and then reduced to 4.2m.

The LHA has since clarified that it would not object to the creation of an access off the High Street but, given the low numbers involved, it would still be preferable to use High Meadow.

Following the submission of further information demonstrating that access cannot be achieved from High Meadow due to land ownership issues, the LHA has re-confirmed its stance, namely that there would be no highway safety objections to access being taken directly from the High Street as proposed.

20. *County Education* – States that the proposed development is within the catchment area of Harston and Newton Primary School for which there is no existing capacity. Based on an assumed net gain of 3 dwellings, the development would result in a demand for 1.05 extra primary school places for which an overall contribution of £8,820 would be required. A contribution of £190 per net additional dwelling would also be required in respect of waste provision.
21. *County Archaeology* – Raises no objections subject to an archaeological investigation condition being added to any consent.

### **Representations**

22. Representations have been received from four local residents – Nos. 92, 94 and 106 High Street, as well as one representation with no address supplied. The main concerns raised are:
  - The site does not appear to comfortably support the number of dwellings proposed. The proposal has changed substantially since the previous submission and should be reviewed in light of the new indicative layout. The dwelling immediately to the side of High Meadow appears cramped and sits directly under one of the few trees to be retained.
  - The access road appears insufficient to accommodate the number of potential vehicles for the site and to allow sufficient space for two vehicles to pass on entry/exit. This would present a hazard particularly during peak hours. A traffic analysis and safety study should be completed.
  - The proposed means of access onto the A10 would be dangerous. A High Meadow access point would give improved visibility and wider access onto the A10 itself.
  - There should be pavements on both sides of the access into the site.
  - The mature trees on the site act as a noise barrier against the very busy High Street.
  - Council should ensure construction methods that would avoid damage to the walnut, ash and sycamore trees. Willow tree contributes significantly to the street scene – any replacement should be of comparable stature – eg - substantial native species such as oak, hornbeam, beech, alder etc should be planted in this location, and should be of a substantial size (5m+) at the time of planting.

- As much land as possible should be landscaped rather than tarmaced.
- Loss of privacy to No.92 High Street. Property no. 5 on the indicative drawings would have a direct view into the living and bedroom windows and the garden.
- Demolition and construction could result in disturbance to surrounding residents in the form of noise and vibration. What restrictions would be imposed during the construction period?
- The bat survey is almost a year out of date. Up to 5 species use the area as a commuting path and there is a likely bat roost nearby. The darkness of the site contributes to this and the removal of tree cover could seriously impact this by allowing higher light pollution. The recommendations in the bat survey, that perimeter trees be replaced with native species, should be a specific requirement of any consent.

## **Planning Comments**

### ***Principle of development***

23. The site lies inside the defined village framework. Harston is identified as a Group Village where development of up to 8 dwellings is acceptable in principle.
24. In 2008, outline planning permission was granted for the erection of five dwellings on the site following the demolition of the existing structures. This permission was renewed in 2010, and this later consent expired in September 2013. Whilst the previous permission has now lapsed, there has been no material change in circumstances in the intervening period to suggest that a different view should now be taken to the principle of developing the site.
25. The previously approved schemes proposed the erection of five dwellings on the site. The current application does not specify the number of dwellings although does give an indicative number of five properties. The supporting information supplied by the applicant's agent explains that the indicative layout submitted in respect of the previously approved application was considered to be overly prescriptive, as it included details on scale, layout and landscaping which it is felt would be more appropriately dealt with through a separate application. The maximum number of dwellings that could be erected on the site would, in any case, be restricted by the terms of the settlement policy (ie – no more than 8).
26. In accordance with Policy HG/3 of the Local Development Framework, any proposal involving a net gain of two or more dwellings would result in the requirement to bring forward affordable housing on the site at a ratio of 40% of the net gain. A scheme proposing 5 houses would need to provide 1 affordable dwelling, whilst any development of 6-8 houses would result in a need for 2 affordable houses on site. This requirement would need to be secured by way of a Section 106 legal agreement.

### ***Highway safety***

27. The application only seeks approval for the means of access to the site. The proposal involves closing off the three existing accesses to the site and forming a single enlarged access at the southern end adjacent to No.94 High Street. A preference has been expressed in responses from the Parish Council, local residents and initially

from the Local Highways Authority, for the access to be obtained via High Meadow rather than from the High Street.

28. In response to these concerns, the applicant's agent has met with, and written to, the Parish Council. The agent's letter explains that there are concerns about bringing the access onto High Meadow due to restricted visibility in both directions arising from the proximity to the bend in the road and the High Street junction. The letter also explains that, in addition to safety concerns, it would not be within the applicant's control to provide such access as a third party owns land between the site and highway. Additionally, No.10 High Meadow has a legal right of way across the site.
29. The Parish Council has considered this information but has maintained its in-principle objection to access being obtained from the High Street, stating that attempts should be made to acquire this land. The Local Highways Authority has advised, following the submission of an amended plan to demonstrate that the required visibility splays of 2.4m x 43m can be achieved, that it has no highway safety objections to the proposed High Street access.

### ***Visual impact***

30. Concerns have been raised in respect of the impact of any development upon the character of the area. The site lies in the centre of the village, and the principle of redeveloping the land at a higher density has previously been established. As the current application is only seeking approval for the access at this stage, detailed consideration of the impact of the number and design of dwellings on the character of the area would need to be considered as part of any reserved matters application.
31. There are a number of mature trees on the site that were previously protected. The Trees Officer has advised, after considering the arboricultural report, that the trees are not of sufficient quality to require their retention. There would therefore be no objections to their removal providing a robust landscaping scheme is submitted that provides a good level of screening along the rear boundary as well as an appropriate replacement tree for the willow in the event this is proposed for removal. These are detailed matters that would be considered further as part of any reserved matters application.

### ***Residential amenity***

32. Concerns have been raised regarding the impact of any development on the amenities of nearby residents. This is also a detailed matter that would be considered as part of any further application.

### ***Ecology issues***

33. The application has been accompanied by a bat report which concludes that no bats are believed to be roosting in the existing properties. This is consistent with previous surveys that have been carried out on the site. However, the site is considered to be of some value to bats using the site for feeding or commuting and the report sets out a number of recommendations to ensure the impact on bats would be minimised. The Ecology Officer has raised no objections to the proposal subject to the imposition of conditions to ensure compliance with the findings of the report and also a resurvey in the event the consent is not implemented by the end of August 2015.

## **S106 / affordable housing/infrastructure requirements**

34. All residential developments are required to contribute to the off-site provision and maintenance of open space, to the off-site provision of indoor community facilities, and towards the provision of household waste receptacles. In this instance, the level of contributions would be based on the net impact, so the number of bedrooms in the existing dwellings to be demolished would be deducted from the total.
35. Cambridgeshire County Council has advised that contributions would also be required towards primary school education provision as well as towards County waste requirements. The education contributions would also be based on the net impact. As the number of dwellings is not known at this stage and, unlike the open space and community facilities contributions, there is no set amount based on the number of bedrooms, a formula will need to be incorporated into the S106 that would enable the precise amount to be calculated as part of any reserved matters application.

### **Recommendation**

36. Delegated Approval

### **S106 requirements**

- Affordable housing – 40% of the net gain in the number of dwellings
- Contributions towards education, open space, community facilities, household waste receptacles, S106 monitoring (all based on the net gain)

### **Conditions**

1. Approval of the details of the layout of the site, the scale and appearance of buildings, and landscaping (hereinafter called “the reserved matters”) shall be obtained from the Local Planning Authority in writing before any development is commenced. (Reason – The application is in outline only)
2. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
(Reason - The application is in outline only.)
3. The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.  
(Reason - The application is in outline only.)
4. The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 site location plan, and drawing number TR008 date stamped 15 November 2013.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or



destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

6. Visibility splays shall be provided on either side of the junction of the proposed access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4 metres measured along the centre line of the proposed access road from its junction with the channel line of the public highway, and 43 metres measured along the nearside edge of the carriageway from the centre line of the proposed access road, as shown on drawing number TR008.  
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007)
7. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary.  
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007)
8. The existing accesses to the site shall be permanently and effectively closed, in accordance with details that shall have been previously submitted to and approved in writing by the Local Planning Authority, prior to bringing into use of the new access, hereby permitted.  
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007)
9. The access road shall be a minimum width of 5 metres for a distance of 10 metres from the highway boundary.  
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007)
10. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme that shall be submitted to and approved in writing by the Local Planning Authority.  
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
11. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.  
(Reason – To avoid displacement of loose material onto the highway in the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
12. No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:
  - i) Contractors' access arrangements for vehicles, plant and personnel;
  - ii) Contractors' site storage area(s) and compounds(s);
  - iii) Parking for contractors' vehicles and contractors' personnel vehicles;Development shall not be carried out other than in accordance with the approved details.

(Reason - In the interests of residential amenity in accordance with Policies DP/3 and DP/6 of the adopted Local Development Framework 2007.)

13. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.

(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)

14. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

15. The development shall be carried out in accordance with the recommendations contained within the 'Nocturnal bat survey report by MKA Ecology Ltd dated September 2012'. If development does not commence prior to 31 August 2015, a further assessment of the buildings and trees for roosting bats shall be undertaken and submitted to and agreed in writing with the Local Planning Authority, and the development implemented in accordance with the revised approved details.

(Reason – To ensure bat conservation measures are incorporated within the development in accordance with Policy NE/6 of the adopted Local Development Framework 2007.)

16. No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.

(Reason – To minimise the effects of light pollution on the surrounding area and to minimise disturbance to bats in accordance with Policies NE/6 and NE/14 of the adopted Local Development Framework 2007)

17. No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)

### **Informatives**

1. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank

Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

2. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
3. During demolition and construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.
4. Before the existing property is demolished, a Demolition Notice will be required from the Building Control section of the council's planning department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation.
5. The granting of planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and a separate permission must be sought from the Highway Authority for such works.

### **Background Papers**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- Planning File Ref: S/1808/13/OL
- Documents referred to in the report including appendices on the website only and reports to previous meetings

**Report Author:** Lorraine Casey – Senior Planning Officer  
Telephone: (01954) 713251

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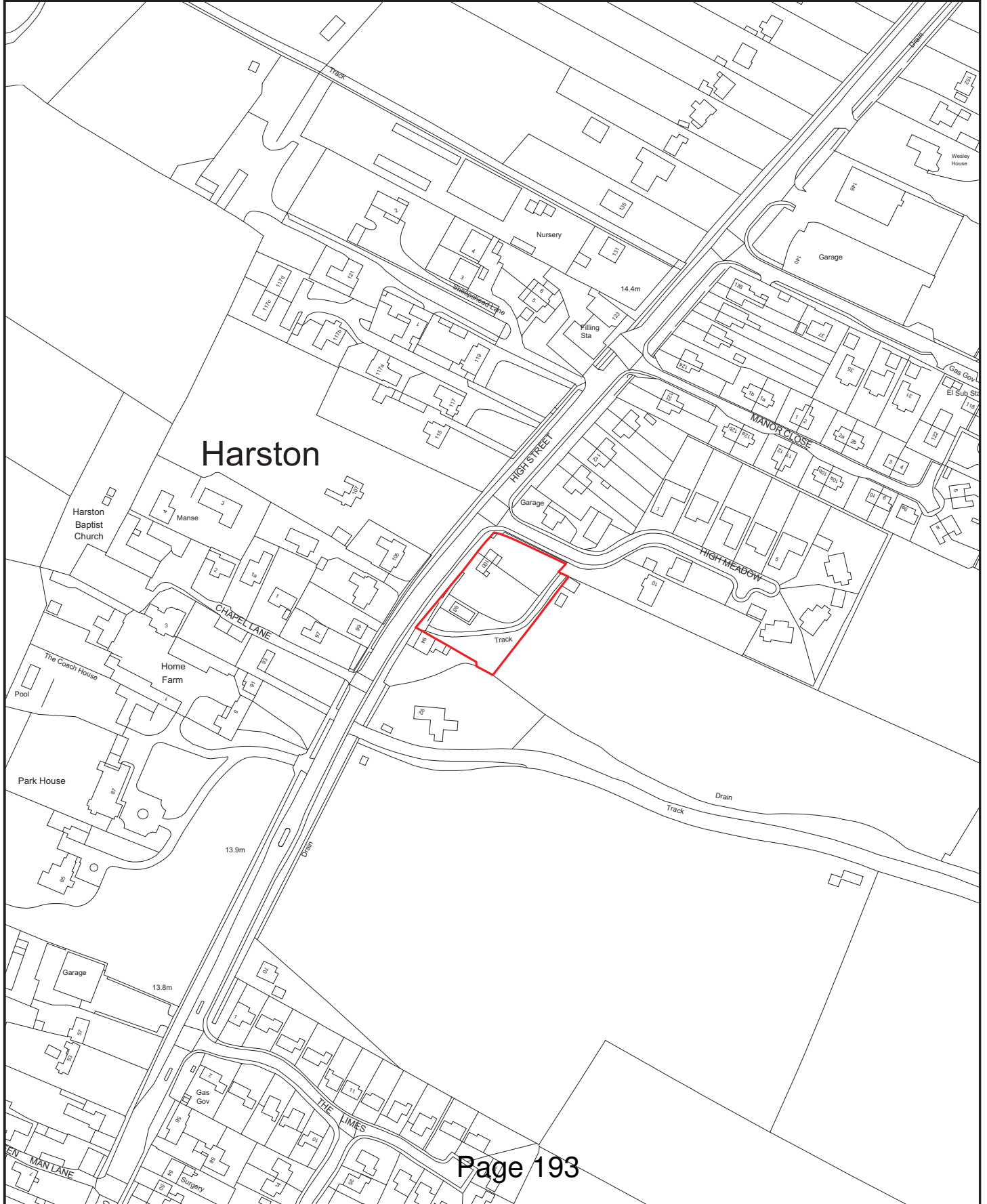
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# Agenda Item 9

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

5 February 2014

**AUTHOR/S:** Planning and New Communities Director

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<b>Application Number:</b>	S/1980/13/OL
<b>Parish(es):</b>	Hauxton
<b>Proposal:</b>	Outline application for the erection of up to 5 dwellings following the demolition of redundant agricultural buildings
<b>Site address:</b>	Land adj Desmonds Close
<b>Applicant(s):</b>	Mr William Bradford
<b>Recommendation:</b>	Delegated Approval
<b>Key material considerations:</b>	Principle of Development Impact upon historic environment Green Belt impact
<b>Committee Site Visit:</b>	04/02/2014
<b>Departure Application:</b>	Yes
<b>Presenting Officer:</b>	Katie Christodoulides
<b>Application brought to Committee because:</b>	The recommendation of Hauxton Parish Council differs to that of officers.
<b>Date by which decision due:</b>	04/11/2013

### Executive Summary

1. The proposal is for outline consent with all matters reserved for the erection of up to 5 dwellings (2 affordable) following demolition of the existing redundant agricultural buildings which lie on the site. The application site comprises of green field land located outside of the village development framework and within the open countryside. The site contains various agricultural buildings which have a derelict appearance and is sandwiched between an established development fronting the High Street to the west and a recently completed affordable housing rural exception site to the east. The site abuts the Conservation Area to the west and is partly within the setting of a Grade II Listed Building (The Old House, No.31 High Street). Land to the northeast of the site is Green Belt and within the ownership of the applicant and comprises open agricultural fields abutting the River Cam.

## **Planning History**

2. Planning Application **S/2170/11** for an outline proposal for the erection of 8 dwellings (including 3 affordable units) following demolition of redundant agricultural buildings and structures with all matters reserved was refused. This application was refused on the grounds of encroachment into the Green Belt and open countryside, and harm to the setting of the adjacent listed building and surrounding Conservation Area.

Planning Application **S/2503/87/O** for residential developed was refused. This application was refused on the grounds that the site was not part of the established development framework for the village and would represent an undesirable extension of the built up area of the village into the countryside and no very special circumstances were put forward to justify the development. This decision was dismissed at appeal.

Planning Application **S/1887/86/O** for residential development was refused. This application was refused on the grounds that the site was not part of the established development framework of the village and would represent an undesirable extension of the built up area of the village into the countryside.

## **Planning Policies**

3. National Planning Policy

National Planning Policy Framework-March 2012

### **South Cambridgeshire Local Development Framework (LDF) Core Strategy, DPD, 2007**

ST/6 Group Villages

### **South Cambridgeshire District Council, Local Development Framework, Development Control Policies, Adopted July 2007**

Policy DP/1 Sustainable Development  
Policy DP/2 Design of New Development  
Policy DP/3 Development Criteria  
Policy DP/4 Infrastructure in New Developments  
Policy DP/7 Development Frameworks  
Policy GB/3 Mitigating the Impact of Development Adjoining the Green Belt  
Policy HG/1 Housing Density  
Policy HG/2 Housing Mix  
Policy HG/3 Affordable Housing  
Policy CH/5 Conservation Areas  
Policy CH/4 Development within the Curtilage or Setting of a Listed Building  
Policy SF/10 Outdoor Play space, Informal Open Space, and New Developments  
Policy SF/11 Open Space Standards  
Policy NE/1 Energy Efficiency  
Policy NE/6 Biodiversity  
Policy NE/15 Noise Pollution  
Policy TR/1 Planning for More Sustainable Travel  
Policy TR/2 Car and Cycle Parking Standards

**South Cambridgeshire LDF Supplementary Planning Documents (SPD):**  
District Design Guide SPD - Adopted March 2010



Open Space in New Developments-Adopted January 2009  
Trees & Development Sites SPD - Adopted January 2009  
Landscape in New Developments SPD - Adopted March 2010  
Biodiversity SPD- Adopted July 2009  
Listed Buildings SPD- Adopted July 2009

### **Draft Local Plan**

S/10 Group Villages  
S/2 Objectives of the Local Plan  
S/3 Presumption in Favour of Sustainable Development  
SC/7 Outdoor Play Space, Informal Open Space and New Developments  
SC/8 Open Space Standards  
SC/11 Noise Pollution  
HQ/1 Design Principles  
NH/8 Mitigating the Impact of Development in and adjoining the Green Belt  
NH/4 Biodiversity  
NH/14 Heritage Assets  
H/7 Housing Density  
H/8 Housing Mix  
H/9 Affordable Housing  
H/10 Rural Exception Site Affordable Housing  
CC/1 Mitigation and Adaption to Climate Change  
TI/3 Parking Provision

### **Consultations**

4. **Hauxton Parish Council**-Recommend refusal. Concerns raised regarding parking, overlooking and an existing watercourse in the grounds of No.31 High Street. Following reconsultation of the Drainage Strategy submitted on 23/11/13, the Parish Council has provided no recommendation but comments that the emerging Parish Plan suggests the village does not want more housing in addition to the 280 houses to be built on the former Bayer Site.

**Environmental Health Officer**- No objections. Requests that conditions in relation to the hours of work and a method statement if driven pile foundations are used. Requests two informatives in relation to no bonfires or burning of waste and a Demolition Notice should be sought from the District Council's Building Control.

**Affordable Housing**- There is a requirement to provide 40% or more affordable housing on a development of 2 dwellings or more as stated in the Affordable Housing SPD. Two affordable dwellings should be provided by the applicant. The tenure mix would be 70/30 which would mean that 1 dwelling should be rented and another should be provided as shared ownership. The applicant will need to approach registered providers operating in South Cambridgeshire to see if they would be interested in the affordable units.

**Ecology Officer**-Advises the stream within the site is enhanced through management of the vegetation. Requests off site planting as the proposal would impact upon the field to the rear, and landscaping to the rear should match the adjacent boundary treatment to Desmonds Close.

**Land Drainage Officer**-The site is bounded by an award drain and the District Council's 5 metre byelaw strip limitation will apply which prevents development on this land and allows the Council to access the site to carry out any necessary work

without the need for the consent of the landowner. Requests that a surface water strategy is submitted.

**Local Highways Authority-** The development site would not be adopted by the Local Highway Authority, if it benefited from planning permission, as would serve no highway function. Notwithstanding this, the development should install a 5m-carriageway width, 1.8m footway and confirm that the applicant would not present formal adoption.

**Cambridgeshire County Council Education-** The development would generate County Council requirements of £6,720 for Primary Education Contribution and £950 for Strategic Waste Infrastructure Contribution. There would be no contributions required for early year's provision, secondary education and libraries and lifelong learning.

### **Representations**

5. **Cllr Lockwood-**Comments that the proposed scheme is an improvement on the previous application for the site. Concerns raised regarding the damage to the rural nature and removal of trees within the site and impact upon the setting of the adjacent Grade II listed building.

### **Planning Comments**

6. The key issues to consider in this instance are the principle of the development, density, housing mix, impact upon the countryside, impact upon the Green Belt, the historic environment and public realm, highway safety, parking, environmental protection, biodiversity, trees and landscaping, infrastructure provision and neighbour amenity.
7. **Principle of Development**  
Hauxton is defined as a Group Village under Policy ST/6 of the Core Strategy. This policy states that residential development and redevelopment up to an indicative maximum scheme size of 8 dwellings will be permitted within the village frameworks of Group Villages, as defined on the Proposals Map.
8. **Density**  
The site measures 0.27 hectares in area. The erection of 5 dwellings would equate to a density of 18 dwellings per hectare. Such a density would be clearly below the density requirement of at least 30 dwellings per hectare as outlined under Policy HG/1 of the LDF. However the lower density is considered appropriate in this case given the character of the area and sensitive location of the site close to the adjacent listed building and neighbour constraints.
9. **Housing Mix**  
The erection of a maximum of three two, three and four 4 bedroom dwellings and two affordable dwellings would comply with the requirements of Policy HG/2 of the LDF that seeks at least 40% or more of the development shall comprise of affordable housing. The proposed housing mix is therefore considered appropriate, but this may change at Reserved Matters stage as this application is in outline form.
10. **Countryside impact**  
The site lies outside of the village framework and within the open countryside. Policy DP/7 'Development Frameworks' states that outside of urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other

uses, which need to be located in the countryside will be permitted. This is necessary to ensure that the countryside is protected from gradual encroachment on the edges of villages and to help guard against incremental growth in unsustainable locations. Therefore the proposal is deemed unacceptable in principle.

The site as it stands is visually unattractive, with derelict agricultural buildings which are in a poor condition. The proposal would result in the environmental upgrading of the site and help to contribute towards the districts housing and affordable housing need. On balance, it is considered that this material consideration carries significant weight consideration to support the proposal.

#### **11. Green Belt impact**

The previous application (S/2170/11) was refused on the grounds of the development encroaching into the Green Belt which would constitute inappropriate development by definition. As a result the proposal was considered to result in the loss of openness and rural character of the Green Belt, which is contrary to Green Belt policy. This revised application has overcome these concerns by the development not encroaching into the Green Belt, but adjacent to its boundary. Subject to appropriate landscaping along the boundary with the Green Belt, which can be agreed in the reserved matters application, the proposal is not considered to have a significant adverse effect on the rural character and openness of the Green Belt.

#### **12. Historic Environment & Public Realm**

The site lies adjacent to the Hauxton Conservation Area & the Old House, a Grade II Listed Building (No.31 High Street). The site is considered to be significant due to its open rural character and trees forming a backdrop and rural setting to the listed building, along with the agricultural layout and evidence of the village's agricultural roots.

From the indicative information submitted, the proposed dwellings, with the two dwellings to the front of the site would follow the linear character of the village, in which dwellings are of single depth and line the public highway. The proposed three larger dwellings to the rear of the site, with the courtyard layout would replicate the existing layout of the agricultural buildings, retaining the farmstead courtyard character that exists.

The reduced scale of the proposed number of dwellings (which could be less than 5 at Reserved Matter stage) is considered to be more appropriate to the rural character of the site and the low-key level of development within this edge of the village location. The proposed form and design of the indicative dwellings are considered to be simple and appropriate to the character of the nearby dwellings. Specific details on the design and appearance of the dwellings will be considered at reserved matters stage. As a result, the proposed development is considered to be more appropriate in terms of its impact on the setting on the surrounding Conservation Area and adjacent listed building.

#### **13. Environmental Protection/Biodiversity Enhancement**

To the west of the site lies an award drain. The District Council's 5 metre bylaw strip limitation therefore applies, which would allow access to maintain this watercourse. This application is in outline form and the plans are only indicative at this stage. Details of the site layout would need to be agreed in relation to the drain when a reserved matter application is submitted.

**14. Trees and Landscaping**

Landscaping and boundary treatment conditions would be attached to any consent to retain the existing character of the site and enhance the quality of the development.

**15. Infrastructure Provision**

The new development would put extra demand on outdoor playspace and indoor community infrastructure and the applicant has submitted a 'heads of terms' document to confirm the required financial contributions towards these elements, as well as waste receptacles and S106 monitoring fees. The development therefore addresses the requirements of Policies DP/4 and SF10.

**16. Highway Safety**

The proposed development is outline only with all matters reserved. However, the indicative layout suggests that access will be secured through the adjacent residential development of Desmonds Close. The Local Highway Authority raise no objection from a highway safety point of view to the proposal but do state that the proposed development would not be sought for formal adoption by the Local Highway Authority as it serves no highway function. As a consequence the development would have to form a private road.

**17. Parking**

The proposal provides 17 off road parking spaces. The District Council's Parking Standards require an average of 1.5 spaces per dwelling across the district, with up to a maximum of 2 per 3 bedrooms in poorly accessible areas. Garages are counted as parking spaces. The proposal is therefore considered to provide sufficient off street car parking.

**18. Neighbour Amenity**

The application is for outline consent only, with all matters reserved. The District Council's minimum distance between properties requires a minimum of 12 metres where a window serving a habitable room faces a blank gable wall to a neighbouring property. The application as submitted is in outline form and the layout of the site and the style/design of the dwellings will have to be designed and sited at Reserved Matters stage so that they do not have a negative impact on the living conditions of neighbouring occupiers.

The proposed design, siting and positioning of the proposed dwellings will be assessed against the Council's minimum distance requirements and in relation to residential amenity when a reserved matters application is received.

**19. Recommendation**

Approval subject to the following conditions -

**20. Conditions**

(1) Approval of the details of the layout of the site, the scale and appearance of buildings, the means of access and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(Reason - The application is in outline only.)

(2) Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

(Reason - The application is in outline only.)

(3) The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.

(Reason - The application is in outline only.)

(4) The development hereby permitted shall be carried out in accordance with the following approved plans:CB21172-13-01.

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

(5) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

(6) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment [for each dwelling] shall be completed before that/the dwelling is occupied in accordance with the approved details and shall thereafter be retained.

(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

(7) During the period of construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

### **Informatives**

(1) This permission is subject to an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) date to be inserted.

(2) Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations should be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

(3) During demolition and construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

- (4) Before the existing dwelling is demolished, a Demolition Notice will be required from the Building Control Department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation. This should be brought to the attention of the application to ensure the protection of the residential environment of the area.

### **Background Papers**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy (Adopted January 2007).
- South Cambridgeshire Local Development Framework, Development Control Policies, DPD 2007.
- South Cambridgeshire Local Development Framework, Supplementary Planning Documents: District Design Guide SPD, Open Space in New Developments SPD, Trees & Development Sites SPD, Landscape in New Developments SPD, Biodiversity SPD & Listed Buildings SPD.
- Planning File Reference S/2170/11
- National Planning Policy Framework (NPPF), published March 2012.
- Local Plan 2011-2031: Issues and Options Report (July –September 2012)

**Report Author:** Katie Christodoulides – Planning Officer  
Telephone: (01954) 713314



**FOR INTERNAL USE ONLY**

Scale - 1:2500

Time of plot: 20:09

Date of plot: 22/01/2014



**South  
Cambridgeshire  
District Council**

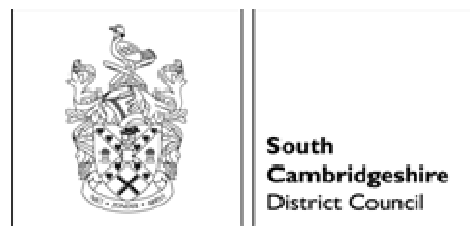
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# Agenda Item 10



**REPORT TO:** Planning Committee  
**LEAD OFFICER:** Planning and New Communities Director

5 February 2014

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## Enforcement Report

### Purpose

1. To inform Members about planning enforcement cases, as at 17<sup>th</sup> January 2014. Summaries of recent enforcement notices are also reported, for information.

### Enforcement Cases Received and Closed

2.

Period	Cases Received	Cases Closed
1 <sup>st</sup> Qtr. (Jan – March) 2013	109	133
2 <sup>nd</sup> Qtr. (April – June) 2013	147	157
3 <sup>rd</sup> Qtr. (July – Sept) 2013	145	155
4 <sup>th</sup> Qtr. (Oct – Dec) 2013	110	127
October 2013	49	44
November 2013	36	38
December 2013	25	45
<b>2013 YTD</b>	<b>511</b>	<b>572</b>
1st Qtr. (Jan – March) 2013	127	107
2nd Qtr. (April – June) 2013	107	96
3rd Qtr. (July – Sept) 2013	98	148
4 <sup>th</sup> Qtr. (Oct – Dec) 2012	125	110
<b>2012 YTD</b>	<b>457</b>	<b>461</b>

**Enforcement Cases on hand:**

3. Target 150
4. Actual 71

**Notices Served**

5.

Type of Notice	Period	Year to date
	December 2013	2013
Enforcement	0	6
Stop Notice	0	0
Temporary Stop Notice	0	0
Breach of Condition	0	1
S215 – Amenity Notice	0	4
Planning Contravention Notice	0	19
Injunctions	0	0
High Hedge Remedial Notice	0	0

**Notices issued since the last Committee Report**

6.

Ref. no.	Village	Address	Notice issued
None Issued			

7. Details of all enforcement investigations are sent electronically to members on a weekly basis identifying opened and closed cases in their respective areas along with case reference numbers, location, case officer and nature of problem reported.
8. Full details of enforcement cases can be found on the Councils Web-site

**Updates on items that are of particular note**

9. Updates are as follows:
  - a. **Stapleford: Breach of Enforcement Notice on land adjacent to Hill Trees, Babraham Road.**  
 Work still in progress regarding legal action relating to the current breach of enforcement. Additional concern noted since the March report regarding the stationing of a mobile home on the nursery land section and the importation of brick rubble to form a track to link the upper field to the main residence. Assessment to the Planning Contravention response and the site inspection 10<sup>th</sup> May 2013 has confirmed the breach of planning control relating to the engineering operation to the new track, and breaches relating to the planning

enforcement notices. A report to the planning committee was prepared and submitted. The Committee authorised officers to apply to the Court for an Injunction under Section 187B of the Town and Country Planning Act 1990. Members agreed the reasons for the application as being the desire to protect and enhance the character and amenity of the immediate countryside and the setting of Cambridge, Stapleford and Great Shelford in view of the site's prominent location, and the need to address highway safety issues arising from access to the site directly from the A1307

The Injunction statement has been prepared and is currently being considered by Counsel.

**b. Q8, Foxton**

Planning application in preparation - No further update available at this time

**c. 1-6 Pine Lane – Smithy Fen**

Previously the subject of a planning consent resulting from an appeal decision 14<sup>th</sup> October 2003 under reference APP/W0530/C/03/1113679 The planning permission is no longer valid as the owners have failed to comply with their planning permission relating to conditions. Additionally a further permission granted at appeal for plots 4 & 5 Pine Lane 30<sup>th</sup> August 2012 under reference APP/W0530/A/12/2170121 has also lapsed due to planning conditions contained in the appeal decision not being complied with/met. A planning application for plots 4/5 has been submitted but not validated. An application for the remaining plots in Pine Lane, 1, 2, 3 & 6 is in the process of being submitted.

Valid planning applications relating to plots 1-6 inclusive have not been received as requested therefore a file has been submitted to legal requesting the issue of a planning enforcement notice.

**d. Portelet High Street, Croydon**

Complaint received regarding a statutory noise nuisance following a change of use at the property to a dog breeding business. Investigations so far have revealed that there is a change of use at Portelet but a statutory noise nuisance has not been substantiated. Retrospective planning application for the change of use has been submitted – Awaiting validation.

**e. Buckingham Business Park, Swavesey**

Complaint received regarding the stationing of buses belonging to Sun Fun Travel on land adjacent to the business park without the benefit of planning. Retrospective planning application submitted - Awaiting validation.

**f. Co-Op School lane Cambourne**

Erection of two signs contrary to the Town & Country Planning (Control of Advertisements) (England) Regulations 2007. One of the signs erected had been the subject of a planning application but was refused prior to installation. Negotiations continue with the agent acting for the Co-Op for the signs to be removed. Negotiations concluded. The entrance sign is to be removed on safety grounds. The totem sign to remain under permitted development but not illuminated.

## **Summary**

10. Year to date 2013 revealed that the overall number of cases investigated by the team totalled 511 cases. The total number of cases investigated during the 2013 period showed an 11.8% increase when compared to the same period in 2012.
11. The number of enforcement officer posts within the team remains at two members of staff following the end of a fixed term position. Situation continues to be monitored.
12. In addition to the above work officers are also involved in the Tasking and Coordination group which deals with cases that affect more than one department within the organisation, including Environment Health, Planning, Housing, Anti-Social behaviour Officers, Vulnerable Adults and Safeguarding Children Teams.

## **Effect on Strategic Aims**

13. This report is helping the Council to deliver an effective enforcement service for Members, Parishes and members of the Public including businesses

Aim 1 - We will listen to and engage with residents, parishes and businesses to ensure we deliver first class services and value for money

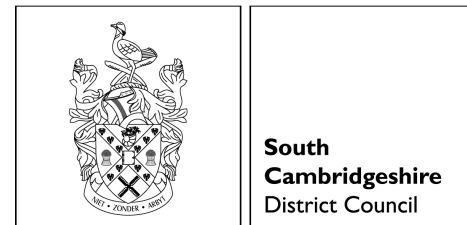
Aim 3 - We will make sure that South Cambridgeshire continues to offer an outstanding quality of life for our residents

## **Background Papers:**

The following background papers were used in the preparation of this report:       None

**Report Author:**       Charles Swain – Principal Planning Enforcement Officer  
Telephone:       (01954) 713206

# Agenda Item 11



**REPORT TO:** Planning Committee  
**LEAD OFFICER:** Planning and new Communities Director

5 February 2014

## Appeals against Planning Decisions and Enforcement Action

### Purpose

1. To inform Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as 27 January 2014. Summaries of recent decisions of importance are also reported, for information.

### Decisions Notified By The Secretary of State

Ref.no	Details	Decision	Decision Date
S/0827/13/FL	Mrs D Asplin The Bungalow High Street Horningsea Introduction of dropped kerb	Allowed	19/12/13
S/1493/13/FL	Mr S England 45 South End Bassingbourn Rear first floor extension	Dismissed	19/12/13
S/1513/13/FL	Mrs A Heywood 9 Coles Lane Oakington 2 Storey Extension	Allowed	02/01/14
S/0988/13/FL	Mr C Sharp 11 Merton Road Histon Extension	Dismissed	21/01/14

### Appeals received

Ref. no.	Details	Decision	Decision Date
S/1797/13/FL	Mr B Moore Rectory Farm Brewery Road Pampisford Cambridge	Refused	18/12/13
S/2159/13/FL	Dr C Kent 26 Maris Green Great Shelford Two storey rear extension	Refused	13/01/14
S/1440/13/FL	Mr D Pickering	Refused	20/01/14

	Land at 97A North End Meldreth Single Dwelling		
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Local Inquiry and Informal Hearing dates offered or confirmed in the next few months.

4.

Ref. no.	Name	Address	Hearing
S/0494/12/VC Plaenf.4866	Mr J Page	Travellers Rest Caravan Park Waterbeach	Hearing-Confirmed 4 February 2014
S/0041/12/FL	Mrs K O'Brien	Water Lane Smithy Fen, Cottenham	Inquiry-Confirmed 18-20 March 2014
Plaenf.592	Mr J Calladine	4 Scotland Drove Park Rose & Crown Road Swavesey	Hearing-Confirmed
S/0645/13/FL	Manor Oak Homes	Cody Road Waterbeach	Inquiry
S/1359/13/OL	Persimmon Homes East Midlands	Bannold Road Waterbeach	Inquiry

#### Summaries of Appeals

5. None

**Background Papers: the following background papers were used in the preparation of this report:** None

**Contact Officer:** Nigel Blazeby – Development Control Manager

**Report Author:** Sara James- Appeals Admin  
Telephone: (01954) 713201