

Application No: 13/2710N

Location: Ridley Bank Farm, WREXHAM ROAD, RIDLEY, CW6 9RZ

Proposal: Installation of wind turbine 32.5m to hub and associated ancillary works

Applicant: Mr R Latham

Expiry Date: 26-Aug-2013

**SUMMARY RECOMMENDATION:**

- **APPROVE with conditions**

**MAIN ISSUES:**

- **Principle**
- **Visual impact**
- **Highway safety,**
- **Amenity**
- **Nature conservation.**

**SITE DESCRIPTION**

Ridley Bank Farm is located approximately 3.2km east of Bulkeley and 7.8km west of Nantwich.

The application relates to an area of agricultural land, located c.375m to the north of the farmstead and c.425m from the nearest third party dwelling, south of the development site. The site is situated between two areas of woodland, Ridley Wood, 144m to the west and Chesterton Wood, located 178m southeast of the development site.

The site is alongside an existing stoned access track which also serves an adjacent reservoir, telecommunications mast installation and slurry lagoon. A public right of way, which forms part of a network of paths in the vicinity, runs past the site.

The site located on a hilltop at approximately, 124m Above Ordnance Datum (AOD) and close to a triangulation point. The topography of the surrounding area comprises gently rolling hills.

**DETAILS OF PROPOSAL.**

Planning permission is sought for the installation of a single "Norwin" wind turbine with a height to blade tip of 49m.

The application was deferred by Southern Planning Committee on the 19<sup>th</sup> November 2014, for further information with respect to the following:

- Planning guidance, as referred to in the representation from Stephen O'Brien, MP;
- Bats, Barn Owls and Newts;
- The impact on the telecoms mast and the television signal; and
- The health impact (with reference to BMJ 8 March 2012 and Royal Society of Medicine August 2014)

## **PREVIOUS RELEVANT DECISIONS**

There are no relevant previous decisions

## **PLANNING POLICIES**

### **National policy**

National Planning Policy Framework  
National Policy Statement for Renewable Energy  
Planning Practice Guidance for Renewable and Low Carbon Energy

### **Local Plan policy**

NE.2 (Open Countryside)  
NE.19 (Renewable Energy)  
BE.1 (Amenity)  
BE.2 (Design Standards)

## **OBSERVATIONS OF CONSULTEES**

### **Manchester Airport**

No objection

### **Ministry of Defence**

No objection

### **National Air Traffic Control Service**

The proposed development has been examined by technical and operational safeguarding teams. A technical impact is anticipated, however this has been deemed to be acceptable.

### **Environmental Health**

No objection subject to the following conditions:

- Prior to its installation details of the location, height, design, and luminance of any proposed lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall ensure the lighting is designed to minimise the potential loss of amenity caused by light spillage onto adjoining properties. The lighting shall thereafter be installed and operated in accordance with the approved details.
- The noise from the wind turbine shall be limited to an LA90,10min of 35dB(A), up to wind speeds of 10m/s at a height of 10 metres, to protect the amenity of local residents.

## **Cheshire Wildlife Trust**

Has the following comments in respect of the above application:

### *1. Bats*

- CWT notes that the applicant states (page 65 of the accompanying Environmental Report by VG Energy Limited in 2013) that, because the proposed turbine location is more than 50m from existing trees or woodland (in accordance with Natural England guidelines), a bat survey is not required. CWT considers that, although location of the turbine more than 50m from existing trees/woodland will minimise the risk of harm to existing bat populations, this does not preclude the need for bat surveys – refer to p4. of Natural England technical information Note TIN 051. Proposals should be based on up-to-date information.
- The edge of Ridley Wood (listed on the Cheshire Ancient Woodland Inventory) is c. 130m to the SW and the edge of Chesterton Wood is c. 230m to the SE of the proposed turbine position. Given the size and age (both date at least as far back as the mid-C19th) of each woodland block and their locations relative to one another, it is conceivable that there could be movement of bats between them, through the proposed turbine location. A bat activity survey would provide the necessary baseline information to establish whether or not the proposed turbine location could affect actively foraging bats.

### *2. Great crested newts*

- The applicant claims that there are no 'water sources' within 50m of the proposed site. The OS map for the area shows at least one pond within 50m immediately to the north of the turbine. A further c. 11 ponds lie within 500m of the turbine. CWT considers that all of these ponds should, as a minimum requirement, be subjected to a habitat suitability index (HSI) assessment for great crested newts. The habitats surrounding the pond/s should also be assessed and any links between ponds identified. The results will help to provide the necessary information for the Planning Authority to determine that no harm will be caused by the proposal to a population of this European Protected Species.
- We trust these comments are constructive and will be taken into account when preparing your report.

## CPRE

- Wish to object strongly to the erection of a wind turbine in this location.
- The Government's planning practice guidance for renewable and low carbon energy, published in July 2013, is a 'material consideration in planning decisions and should generally be followed unless there are clear reasons not to' (para 2). There are therefore several clear points within this guidance that the CPRE believe gives Cheshire East Council strong material reasons to refuse this application.
- The guidance refers to how local planning authorities can identify suitable areas for renewable energy, clearly stating that the impact on the local environment needs to be taken into account and that the views of the local communities likely to be affected should be listened to (paragraph 8). The impact on both the local landscape and local amenity from a wind turbine being located here outweighs the very limited benefit from the energy that this turbine would generate. This is further supported in paragraph 15 which states that when considering planning applications, it is important to be clear that protecting local amenity is an important consideration which should be given proper weight in planning decisions. The CPRE believe that if the local amenity of this area is given proper weight by the Council, this application will be refused.
- The new government guidance also encourages local planning authorities to use the Local Plan process to identify areas which are suitable for renewable energy such as wind turbines. The CPRE would encourage the Council to adopt this approach as the Local Plan is progressed as there may be other more appropriate locations within the Council area where wind turbines may be appropriate. This site on Ridley Bank Farm is however, not an appropriate site. Assessing possible locations through the Local Plan would give Cheshire East Council further robust justification for refusing future speculative applications on clearly inappropriate sites such as this.
- *This is within a beautiful area of Cheshire Countryside - and on high ground. Its within an ASCV (Area of Special County Value) so it warrants a formal LCA (Landscape Character Assessment). The CPRE note that the Landscape Officer for Cheshire East is one of the consultees - and look forward to seeing his report to the planning committee. In the CPRE's opinion the impact on landscape in this sensitive location is not acceptable.*

## VIEWS OF THE PARISH / TOWN COUNCIL:

### Bulkeley and Ridley Parish Council

Strongly object to this application for a wind turbine on the following grounds.

1. This is an area of Special Scenic Value. On the proposed site the turbine will be visible from the Bickerton and Bulkeley Hills which are well used by the public for walking, both locally and on the Sandstone Trail. The applicant says this turbine is for monetary gain not personal use and therefore should be classed as industrial. It is Cheshire East policy that industrial turbines should not be placed in areas of Special Scenic Value.
2. The turbine will be sited in Ridley, a hamlet of some 50 homes, yet none of the literature and maps accompanying the application even mention the existence of Ridley. The view points of the turbine are shown from miles away, where of course it

will appear small. From the 26 homes within half a mile of the site it will be enormous and the noise will be intrusive.

3. The height of the proposed turbine is given as 32.5 metres to the hub with a rotor diameter of 33 metres and height to blade tip of 49 metres, meaning that each blade will be 16.5 metres long. However the technical and acoustic figures relate to blades measuring 13.4 metres in length and a hub height of 30.8 metres. The difference in size means that the data is totally irrelevant to this application.
4. Two main trunk roads, the A49 and A534 intersect at three points in Ridley. All three intersections have been the sites of many accidents due to poor visibility and the speed of traffic. A wind turbine will be seen from all three intersections and will add to the danger as drivers are distracted by the turbine.
5. The ancillary works will need heavy machinery which in turn will require a wider track through the woodland. The entrance to the wood is on a long double bend where visibility is severely restricted. Motorists will not be able to see large slow vehicles manoeuvring on and off the site until they are almost on top of them.
6. The applicant states that he wants to diversify his agricultural holding. There are many ways in which he can diversify which will not impinge in any way on his neighbours or on the landscape. He has already started building a very large double bay steel agricultural shed which faces south. This would be an ideal site for a large number of solar panels and/or photovoltaic tiles which could potentially give him a good income without ruining the landscape or the lives and property values of his neighbours.

## **Spurstow Parish Council**

Objects to the above planning application on the grounds set out below.

1. The surrounding area to the proposed wind turbine site is of Special Scenic Value with mainly agricultural application and some long established scattered residential buildings.
2. The selected site chosen is a high point in the area confirmed by its prior selection as a trig point, water relay reservoir and mobile telephone mast location.
3. The proposal seeks to exploit the location in order to generate additional income for the owner at the expense of the harm to the visual amenity to local residents and visitors to the many nearby attractions, e.g., from the Bickerton and Bulkeley Hills and Beeston Castle which are well used by the public for walking, both locally and on the Sandstone Trail.
4. The Parish Councillors are disappointed that, as a Parish less than a kilometre from the proposal, they have not been consulted or asked to comment, which is specifically at odds with recent Government policy.
5. The report outlines three Grade Two listed buildings to the north of the proposed development, but down plays the impact of them by quoting "Low Impact" in the summary despite the narrative stating it as Medium to Low. The report is also factually incorrect when it states that the view from Lower Hall Cottage is partially blocked by Lower Hall Farm. It is not, as they are on an east - west grid.

6. The two adjacent A roads (A49 and A534) are accident black spots and distractions caused by views of the turbine are clearly not welcome.
7. The owner has already started building a very large double bay steel agricultural shed which faces south. This would be an ideal site for a large number of solar panels and/or photovoltaic tiles, which could potentially give him a good income without ruining the landscape or the lives and property values of his neighbours.
8. Spurstow Parish Council understands from local residents that a large thriving population of bats and great crested newts is adjacent to the proposed turbine site in woods and pools. The danger to these is obvious.
9. The views expressed to the Council by residents are almost unanimous in their objection.
10. The Parish Council believes across the country that the time has come to move away from inshore wind turbines.
11. The Parish Council asks Cheshire East Borough Council to reject the application at the planning meeting.

## **Haughton Parish Council**

Haughton Parish Council carried out a questionnaire survey of the Parish as part of its Parish plan and 70% of replies under the environmental section objected to wind turbines in or around the Parish.

## **OTHER REPRESENTATIONS:**

### **Objection**

Letters of objection have been received making the following points:

### ***Visual Impact***

- Proposed turbine, sited adjacent to a trig. point at 125m, will be circa 550ft above sea level and not significantly below the level of the Sandstone trail.
- It will be clearly seen from the Peckforton Hills and the castles at Beeston and Peckforton. The visual impact of the turbine will be extremely detrimental to these popular tourist attractions.
- A wind turbine is an alien structure in open countryside and is completely inappropriate in this location.
- The proposal also contravenes a key principle of Government Policy PPS7 which is *“to protect the countryside for the sake of its’ intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife”*. There cannot be many areas in England where these criteria are more important!
- Will be a blight on the landscape,
- moving blades will have a devastating impact on the local landscape
- Environmental impact has not been adequately assessed.
- Massive structure, well over 150ft high

- Will produce only a trickle of intermittent electrical energy. Although the capacity is 225kw, the average output will be approximately 55kw.
- Noise (amplitude modulation) from the blades operating at tip speeds up to 70 miles per hour will have a negative impact on residential amenity and health.
- Some of the very best countryside in the UK is becoming despoiled by the plethora of wind turbines being erected in inappropriate places
- Approximately 50,000 people visit Cheshire each year to enjoy and appreciate the landscape and tranquillity.
- The proposed site is a 124 meter high point. Adding a turbine which is 49meters in height which will clearly dominate the vista and detract from this stunning landscape whilst,
- Turbine adds no aesthetic value what so ever.
- To state that the woodland will act as a barrier to this and minimize the impact is simply false as the turbine will clearly stand well above the tallest trees that make up the wooded area.
- The chosen site is the highest in this part of Cheshire East. The moving blades will have a devastating impact on the local landscape, particularly when viewed from the extensive network of local footpaths, one of which is only a very short distance from the proposed site.
- A brief survey of the area suggests that within only 1000 metres of the proposed site there are footpaths whose total length is approximately 10,000 metres (6 miles). The proposed wind turbine would be visible to walkers from most of these public rights of way.
- If you extend the area surrounding the proposed site to a circle of 1500 metres (a mile) radius, the total length of the public rights of way affected is close to 10 miles. This is quite unacceptable in my view.
- The nearest public right of way is about 55 metres from the proposed site so walkers in the vicinity are possibly vulnerable to large pieces of ice thrown from the turbine blades or debris in the event that there is a fire in the hub as sometimes happens.
- It is difficult to imagine the size and visual impact of industrial wind turbines when viewed from such a footpath, however, comparing the height of the proposed wind turbine with St Boniface's Church in Bunbury (this is the nearest man made structure to the proposed wind turbine site) the proposed wind turbine is more than twice the height of the church tower!
- Some of the very best countryside in the UK is becoming despoiled by the plethora of wind turbines being erected in inappropriate places.
- The claim of natural screening by the woodland is also erroneous. The only residence screened from view is the applicants own home! Trees that are less than one third of the height of the turbine cannot provide screening, either visual or noise
- The whole countryside will be subject to this eyesore for many miles around for 25 years!
- This proposed monstrosity will dominate this glorious part of the Cheshire countryside and will be visible for miles around. Incidentally, there seem to be some discrepancies over the heights given throughout the back-up documentation. Whatever the eventual height, it will despoil the area. The damage to wildlife, especially birds, is well-reported and totally unacceptable.

- Cheshire is already blighted by motorways, railways, heavy industry and overspill from Manchester, Chester, Liverpool and the potteries. Another blight on the countryside is unforgivable.
- Residents hate seeing the wind turbines in the Welsh Mountains and think they spoil the beauty of the area.
- Bath House, Dob Lane, Spurstow is over 400 years old and Listed Grade 2 \*.
- The outlook from this house is over unspoilt Cheshire countryside with historic Bath Wood to the left hand side, famous for its' ancient spa. To the right hand side is beautiful arable farm land rising to the mound where the wind turbine will be situated, and which will be directly visible.
- Recently some telegraph cables were set underground to enhance the beauty of the area which has now left a completely unspoilt and natural outlook for everyone to enjoy including the many walkers who benefit from this beautiful part of our country.
- The construction is equivalent to a 16 storey building which totally dwarfs every building within 15 miles and is almost higher than the Bickerton Hills.
- The Council is supposed to protect its citizens from loss of its green belt.
- It is also stated in the application that if the turbine is removed in 25 years time that only the above ground facility will be removed and that any underground infrastructure such as cables would be left buried. This can only be considered as industrial pollution.

### ***Questionable Benefits***

- There will be no economic or ongoing benefit to the local community.
- The owner and energy suppliers are the sole beneficiaries even when taking into account the energy feed into the national grid.
- A decision by the developers of the Bickerton wind farm to cease that development determined that, after evaluating the energy generation from a test mast, there was insufficient generation from the available wind resource.
- Although this was on a larger scale, the fact remains that a commercial farm was not deemed to be viable so why would 1 turbine be considered any more viable? Has a test in conjunction with the Met Office actually been undertaken to evaluate? It is of interest that the report states the site is only "likely to have good wind resource."
- This massive structure, well over 150ft high will produce only a trickle of intermittent electrical energy. Although the capacity is 225 kw, the average output will be approximately 55kw.
- Do not produce what is claimed by those who have interests in obtaining cash subsidies from the Government.
- According to Ofgen the average household electricity consumption is 3300kWh. The proposed 225kW turbine could generate this amount in nine hours (or 2.4 minutes per day per year). Therefore the proposed wind turbine would seem to be far in excess of the requirements for a domestic generator.
- These turbines do not provide an adequate and reliable source of power for the environmental damage caused by them and their need to have additional generating plant on stand-by for when they are unable to generate power due to either no wind or relatively high winds.
- The Prime Minister has said that any new schemes must benefit the local community



- Ridley is, in any event, sheltered from the prevailing wind by the Beeston and Peckforton Hills. On this ground alone, a windmill at this location is singularly unsuitable.
- Wind power is not carbon neutral as emergency diesel generated electricity has to be available for when there is no wind or the wind is too strong.
- "Likely to be a good wind resource" is hardly conclusive proof that the turbine will perform efficiently. An independent, year long test, should be performed to monitor wind speeds with the results published
- The economic justification is invalid; de-commissioning earnings in 25 years have nil present value, and the cost of generation is more than the value of electricity earned - otherwise substantial subsidy through tariff support would not be needed.
- Other objectors have quoted respected professors and specialists who have reported that the building of wind turbines in this country is environmentally bankrupt
- The farm's need for electricity profit to fund investment is slight - they are currently building a substantial new farm unit without the support of electricity income. They could use the money needed to build the windmill to invest in the farm instead.
- Many eminent scientists have examined the marketing claims supporting wind turbines and found them wanting. For example, Professor Jack Steinberger, Director of the CERN particle physics laboratory in Geneva and a Nobel prize-winner, said "... wind represents an illusory technology — a cul-de-sac that will prove uneconomic and a waste of resources in the battle against climate change."
- To be acceptable the turbine should contribute to the affected community in cash, jobs and a benefit to the power supply that is in excess of the damage that it will cause. If there is no appreciable benefit then it should not be allowed. With a potential output of only 55kw coming from the turbine this will contribute nothing to the local or even national community and will serve as a burden for no purpose.
- for a turbine that is rated as having a maximum output of 225kw, the average output is likely to be only 55kw
- Ridley Bank farm could employ many other truly "green" strategies such as water collection and heat pumps that have no negative impact. Indeed, even as a commercial enterprise there are no benefits to the local economy as the farm is family run with little employment opportunity for others ( see plan app 12/1235N). It is also unclear from the application as to whether this turbine is to be connected to the National Grid.

### ***Environmental Report***

- The energy company benefitting have submitted the report to the council re impact - there is no independent report.
- Report has a pro installation bias and a lack of balance.
- Unsubstantiated and uncommitted reference to local benefits (jobs and economic) whilst down playing local concerns around visual impact.
- The proposal, which seems to have been written in subjective terms by a company with a vested financial interest in the project going ahead
- Application should only be considered when independent surveys have been completed.
- There seem to be some discrepancies over the heights given throughout the back-up documentation.

- The photographs taken in the application by the agent/applicant to support that it would not damage the vista have quite conveniently been taken from behind trees and in dips. There needs to be a bigger assessment into the visual impact on the surrounding area before any decision is made.
- The Application does not show what the turbine will look like from the A49 or the nearest dwelling. Most of the visuals are from far away and not from the perspective of local homes or local infrastructure.
- The application refers to a 32.5m to hub wind turbine. The actual height is 49m when the propeller is taken into account. The plan does not show a 40m x 40m x 6m deep (approximates) slurry storage pit that has been created adjacent to this site and close to the public footpaths. This has already impacted on the green belt area in this vicinity and does not seem to have been subject to a planning application
- The Environmental Report and the supporting Technical Analysis prepared by VG Energy to be full of errors and misleading statements that undermine its credibility and render the submission invalid. The details of my objection are given below in comments relating directly to pages and paragraph numbers of the Environmental Report:
  - **Page 5 para1. i.** The height of the turbine to blade tip is shown as 47.6 m. This figure indicates a blade length of 14.6 m. However, at Page 7 para 2. iv the tip height is given as 49 m and the blade length 16 m. With a rotation rate of 36.71 revolutions per minute, the increase in diameter of the blades raises the tip speed significantly to well over 100 mph (calculated to be 145 mph) with associated increases in noise and damage to wild life.
  - **Page 5 para 1. ii.** The rationale for the installation of the wind turbine is purely financial. There would be no increase in employees nor in employment scope, merely an increase in revenue from subsidies. The laudable objective of decreased carbon footprint could be achieved much less obtrusively by the installation of photovoltaic (PV) panels on the south-facing roofs of the two large warehouse structures that are in the process of construction on the farm.
  - **Page 6 para 2. i.** The Site Description states that the turbine would be situated at an elevation of 124 m AOD. It adds that the turbine “is likely to have a good wind resource”. For a purportedly authoritative document, this is a staggering admission that there has been no research into wind speeds at this location and therefore no evidence is forthcoming. The whole argument is consequently based on speculation without substantiation. The elevation of the proposed turbine location, added to the height of the structure itself, makes the tip almost equivalent to the highest point in the Sandstone Hills. And yet the proposed Bickerton wind turbine was eventually abandoned by Banks Developments because there was insufficient wind to make it viable. Furthermore, the proposed site is a mere 453 m from the nearest third party dwelling. Research has shown that a separation distance of 2 kilometres is needed to avoid serious health issues affecting the inhabitants of dwellings nearer than this distance owing to the non-modulated, low-frequency noise emanating from wind turbines. The British Medical Journal Editorial of 8 March 2012 states categorically that there is epidemiological evidence of a strong link between wind turbine noise, ill health and disruption of sleep. For this reason a 2 kilometre separation has been declared mandatory in Scotland.
  - **Page 6 para 2. iii.** Topography – There is no evidence produced to support the statement that the turbine is “well placed to receive good wind resource”.

- Nearby structures – The turbine would not be a safe distance from dwellings.
- Landscape and visual impacts – No information is given on relative heights and the turbine would totally dominate the surrounding area.
- Noise – As stated above, a distance a just 453 m is far too close for the health and wellbeing of the inhabitants of the nearest dwelling and could cause irreparable physical and mental damage to the inhabitants.
- Page 7 para 2. iv. As stated above, the same outcomes could be achieved by PV panels and the proposed tip height has increased without explanation from 47.6 m on Page 5 to 49 m.
- Page 8 para 2. vii. I treat with scepticism the assertion that, after 25 years have elapsed, 81 cubic metres of concrete would be removed and the area reinstated.
- **Page 9 para 3. i.** There is no indication of the quality or characteristics of the small sample of 1009 adults and the assertions lack authenticity and credibility. For instance, what proportion of those questioned were town dwellers and what proportion rural dwellers? It is also interesting that the survey ignored solar power as an alternative source of energy.
- **Page 10 para 3. iv.** The arguments are both speculative and spurious. The borrow from Prince Charles, we may get used to seeing a carbuncle but it remains a carbuncle and remains no less offensive regardless of the passing of time.
- **Page 10 para 3. iv.** This paragraph reads like a cut and paste exercise taken from a standard manual. It is certainly not specific to this particular case.
- **Pages 11-12.** The arguments do not resonate locally but again appear to have been copied from a manual. There is absolutely no evidence that there will be an improvement in employment when only the owner of the turbine would benefit. The concluding statements are spurious and without foundation.
- **Pages 13 – 23.** These pages are largely irrelevant and repetitive. They are a generic series of generalisations that contribute nothing except a vain attempt at justification for the project.
- **Page 24** is another waste of print as it is a direct, word-for-word repeat of Page 6. Page 25 similarly repeats Page 7 until the final small paragraph and adds nothing to the submission. Page 29 is interesting solely for the fact that all the photomontages exclude the most affected area – namely Ridley and its inhabitants. Pages 30 to 36 continue in this vein, with lots of justification for methodology but no specific mention of the most affected area. These omissions of any reference to the most affected area are an indictment of the whole report. There is a large amount of spurious justification from sources that are not affected by the proposals but none from the areas directly affected.
- **Page 37 para 6. iv. d.** Wind turbines are clearly completely out of character with all the various descriptions of the countryside's characteristics and no attempted justification for the turbine can alter this fact.
- **Page 39 final line.** The proposed positioning of the turbine at an elevation of 124 m AOD and with its own tip height of 39 m would create a "pronounced and intrusive addition to the landscape" and for this reason alone the proposal should be rejected.
- **Page 41 line 1.** The use throughout the report of modifying adjectives and adverbs such as "slight", "somewhat", "transient" and "moderate" suggests a

lack of conviction in the arguments and certainly weakens the case being presented.

- **Page 42 para g.** The impact will, as stated, be “more greatly” felt at a localised level. This localised level is Ridley. But there is no mention at all of Ridley in this report. For this reason, I find it a complete sham and totally unacceptable.
- **Page 43 para g. ii.** It is beyond belief that the so-called Zone of Theoretical Visibility excludes Ridley and its 120 inhabitants, many of whom live 400 m to the west of the proposed site. I am led to the conclusion that Ridley has been excluded because its inclusion would contradict all the spurious conclusions drawn from the report. In a similar fashion, the roads quoted (A49, A51 and A54) might seem to produce a convincing argument to anyone unfamiliar with the area, but the conspicuous omission is the A534, which runs past the site. The turbine would be a massive item on the horizon even from west of the A49/A534 junctions and any vehicle turning east into Wrexham Road (A534) from the A49 (Whitchurch Road) would have full view of the turbine until nearly in Faddily. The A534 is statistically one of the most dangerous roads in Britain. The proposed construction, being so near to the A534, would create a major distraction to drivers and can only exacerbate the dangerous nature of the road.
- **Page 44 Viewpoint 1.** The existing power line that is used to mitigate the effects of the proposed turbine is insignificant in comparison with the size and impact of the proposed turbine. The conclusions drawn (low visual sensitivity, moderate impact and minor significance) are subjective and are used to enhance the argument in favour of the development. Local residents and indeed road users are likely to disagree very strongly with these conclusions. On subsequent pages, the photomontages from Cholmondeley Castle, Bulkeley, Haughton and Bunbury are almost irrelevant but give bulk if not substance to the developer’s argument. The most significant photomontage, from Ridley, again is conspicuously absent from the report.
- **Page 47 Table 6.9.** The use of words such as “fleeting” and “transient” (twice) is designed to distract the reader by attempting to minimise the sensitivity of the visual effects. Hence the conclusions that the sensitivity is low and the impact slight, conclusions that are very contentious. There is mention of the nearest road, the A534, but the statement that the views are “transient” is both erroneous and misleading and repeats the duplicity highlighted above at Page 43. The Summary at Page 48 merely reinforces all these errors and misleading conclusions.
- **Page 49 para iii.** The statement that the development will have a minor/moderate overall effect on the landscape and landscape amenity, is not significant, is acceptable to the local landscape, and does not create an irreparable and detrimental medium change to character and landscape fabric is quite simply wrong. The proposal is fundamentally unacceptable to the residents of Ridley and the surrounding area.
- **Pages 50-51 para iv.** Mitigation. This section is simply padding to make the submission look good as the whole section is speculative. There are no mitigation schemes proposed for the project. Furthermore, the assertion that the scale of the turbine is not at odds with the local area is highly disputed, especially in Ridley, which is again excluded from mention at Page 52.

- Section 7 is largely irrelevant and adds nothing to the case for the turbine at Ridley Bank Farm. It simply begs the question why photovoltaic panels on the new sheds have not been considered as a far more acceptable option.
- **Page 71 para 10. iii.** The noise factor is dealt with in technical jargon and generalisations in statements such as “single turbines with very large separation distances between turbines and the nearest properties” without defining these distances. My studies of noise factors have concluded that the BMJ statement (see above under Page 6 para 2.i) regarding public health should be the yardstick by which any turbine installation is measured. This proposal clearly falls well short of the minimum criteria and consequently poses potential risks to the health and wellbeing of the residents of Ridley. The final justification for the turbine is meant to be in the Appendix to the report. However, the Appendix refers to a smaller turbine and the greater span of the proposed construction would increase the wing-tip speed to well over 100 mph with concomitant noise and lethality.
- Throughout the VG Report there are references to its being a desk-top study and it certainly reads like one, with a scarcity of facts about the immediate area and a lack of attention to those living in close proximity to the site. Too much of the report is obviously taken from generic sources and little care has been taken to correct anomalies and errors. More importantly, the report fails to address the concerns of those living in the vicinity, whose views of the Cheshire landscape will be blighted for the rest of their lives if this development is allowed to proceed. There are also serious health and safety issues, not only regarding drivers along the A534 who may well be distracted by the new structure but also for the residents of Ridley who would be within earshot of the low frequency, non-modulated noise from the turbine.

### ***Danger to Air Traffic***

- The suggested site lies within a “Wind turbine Dev. Safeguarding area” and could interfere with local airspace especially the police and air ambulance helicopters.
- NATS (W(F) 17573) has objected to the development pending an operational assessment as it appears to conflict with their safeguarding criteria.
- As previously stated, this is the highest point in the area and is directly below very busy flight paths. The risk of interference to Air Traffic Control would be a real and ever present danger
- Given the frequent helicopter and light planes that pass over Ridley at low altitude, the NATS response to the proposal should be taken as a shot across the bows of the proposal and a clue to the wishes of the great majority of local residents.

### ***Road Safety***

- The staggered road intersection between the A49 and A534 is highly dangerous and has resulted in at least four major accidents in the last 7 months.
- The photomontage information included with the application is taken from too great a distance and is totally inadequate to assess the visibility of the proposed turbine at these two junctions but does suggest that it will be seen by traffic using these roads. In order to assess the increase potential risk to drivers there is a clear requirement for accurate photomontage images ;

- From the A534 travelling east circa 200m\* from the junction with the A49
- From the A49 travelling north circa 200m\* from the junction with the A534
- Cheshire East Highways Dept. should decide the actual locations and review the new images prior to the determination of the application to establish the degree of driver distraction as these junctions are already an accident blackspot and the sight of the moving blades of a sunlit turbine would further add to the risk of traffic collisions.
- Would be a distraction on an important local trunk road that already has a poor accident record

### ***Public Consultation***

- None of the neighbours to the proposal have been notified
- There are no notices near to the site.
- The proposers and Cheshire East planning department appear to be trying to sneak this application "below the radar"
- People living less than 1000m from the proposed location have not been advised of this proposal by letter or public communication.
- Such a controversial proposal should be advertised to the local community in order that their comments can be taken into the decision making process.
- The underhand approach to this proposal with zero consultation or engagement is counterproductive and provocative.
- The non-independent report refers to "Public perception ".
- The local community has not been advised of this application, and the opinions sort from those being directly effected.
- Homes that are close to this proposed development have not been contacted by the Council
- It seems rather a stealthy approach.
- A recent High Court Judge, Mrs Justice Lang, ruled that the "rights of local villagers to preserve their landscape" was more important than the government's renewable energy targets. Additionally, Mrs Justice Lang stated that "lower carbon emissions did not take "primacy" over the concerns of the people". As tax payers residents deserve the right to be advised of this application and have sufficient time to respond accordingly. The timescale detailed in the "Important Dates" section of this application is not justifiable or fair. These dates should be reviewed and a public enquiry / hearing should become part of the process, along with a full independent report.
- Published Government policy (July 2013) gives local government guidance on how these inshore wind turbines should be considered in regard to local community consultation and impact on the environment. Cheshire East Council has not complied with that policy in this case.
- None of the neighbours have been consulted over this plan nor any of the residents of the village of Ridley where the proposed turbine will be erected. The impact of such a large structure will not only affect the immediate neighbours but will clearly affect residents in other villages such as Houghton, Chorley, Faddiley, Bickerton, Croxton Green, Bulkeley, Spurstow, Cholmondeley, etc and they have been consulted over this.
- decision makers should only consider the application once the whole community has been given their opportunity to comment. It is clearly stated in numerous comments that the need for renewable energy and diversity of land usage does not automatically

override all other environmental protections, landscape and the visual impact of the local community.

- Communities Secretary Eric Pickles said: "The views of local people must be listened to when making planning decisions. Meeting Britain's energy needs should not be used to justify the wrong development in the wrong location.
- There are clearly a number of areas where this proposal is found wanting and it has been made worse by Cheshire East not notifying residents and allowing only a minimal time for objections to be raised to this proposed blight on our community

### **Noise / Residential Amenity**

- As with most wind turbine applications the proposer hides behind a report based on the generally disputed ETSU-R-97 regulations, now 15 years old and set by the turbine manufacturers when turbines were in their infancy. Wind turbine noise is a complex subject but I am seriously concerned about noise issues such as health and sleep deprivation and quote a recent government planning inspectors' comments on houses less than 750m from a wind turbine *"for a family to be exposed to the pervading influence of this windfarm for a period of 25 years appears to me to be wholly unacceptable and I do not consider that there is adequate reason to accept such harm in this instance"* (Mr. Chris Frost APP/Y2430/A09/2108595) These comments seem particularly relevant to this case when the only beneficiary will be the proposer.
- ETSU-R-97 is a standard written 14 years ago when wind turbines were much smaller and the blade tip speed was much slower than today. The developer states that they will comply with the ETSU-R-97 standard. However, even if they do comply with this standard, the levels of noise for residents who live nearby can still be unbearable. The internet is a telling library of evidence from people who have had their lives impacted by noise pollution from turbines and this simply cannot be ignored as a major concern.
- It should be noted that while the planning documentation for this development makes frequent reference to Scottish planning considerations, Scottish law suggests a minimum separation distance of 2km between the turbine and housing. In England there is no such guidance but if examples are to be used to add weight to the developers argument, such facts add perspective to the discussion regarding the environment in which applications are managed north of the border.
- Despite assurances in the application, noise (amplitude modulation) from the blades operating at tip speeds up to 70 miles per hour will have a negative impact on residential amenity and health.
- The noise generated by the turbine appears to have been conservatively estimated by 24Acoustics. The 35db noise level is measured at only 10m/s or 22mph; a mere breeze outside of the summer months. A noise study of the Norwin 29-33/225KW stated that the noise which is generated by the tips of the turbine rotors will increase with the wind speed and even at 12m/s or 26mph it will be over 600m before 35db is reached. Given the winter weather the conditions at Chesterton Lodge will be dreadful and the noise in the surrounding area unpleasant. Source: Noise study of Norwin 29-33/225KW Wind Turbine
- There are a number of studies which highlight issues of noise pollution which can be apparent across a wide area of the landscape.
- Government policy is being developed with the Distances from Residential Premises Bill which is proposing a minimum distance of 1500m for 50m-100m turbines.

Therefore, this turbine is far too close to many family homes that derive no benefit whatsoever from its existence.

- In terms of noise generation, according to the figures given in the report, at a wind speed of 10m/s the sound generation for the proposed turbine is 100dBA (as loud as a motorbike). Only at a distance of 750m does this fall to 30dBA, an acceptable level of noise.
- A lady had a wind turbine being built close to her house in Norfolk and the effects were ill health, disruption to sleep patterns and eating patterns and a real suffering from the effect of noise pollution.
- UK Noise Association recommends that wind turbines are not sited within one mile of houses.
- The turbine will be just 216 metres from the nearest residential dwelling. The Wind Farms Distance from Housing states a minimum distance of 350m. A Bill going through parliament called, 'The Wind Turbines (Minimum Distances from Residential Premises) Act 2012' by Lord Reay states that the minimum distance from a turbine to a residential dwelling requirement is 1000m.
- There is a potential risk of sleep disturbance and related health issues from this proposal.

### ***Television Interference***

- Television Interference on up to 220 homes: According to the BBC Wind Farm Assessment Tool 60 homes will be affected by interference to television service and up to 220 might be affected. Ofcom has not been consulted.
- d) Highway Safety and Shadow Flicker: Shadow and light flicker occurs within ten rotor diameters of a turbine; in this case, 192 metres. The A49 lies within 550 metres of the proposed turbine, thus it could cause significant flicker and danger to motorists as well as to local residents.
- It is recognised that Electromagnetic interference from wind turbines may affect electromagnetic or radio communication signals including, broadcast radio and television, mobile phones, radar and telemetry. Have the companies who use transmitters on the existing mast (sited within 100 meters of proposed turbine) been contacted to check the effect on their signals? And what are their responses.

### **Ecology and wildlife**

- Residents note owls, bats and birds of prey are regular features of the local environment. A turbine would be a great risk to these creatures who thrive in this area.
- It will be a substantial danger to rare local birds and wildlife
- The application has acknowledge the potential impact on wildlife, particularly raptor and bats however the applicant has dismissed the potential impact on wildlife. No mention has been made of the peregrine falcons nesting 1.5 km distant.
- The ecological impacts of wind turbines are well documented and it short sighted that the proposed footprint of the turbine will sit not only in an area of natural beauty but also within the range of a number of protected bird and bat species. If adequate



mitigation is not provided, which it almost never is, then the impacts of species covered by The Cheshire Biodiversity Action Plan could be deleterious.

- It would appear that there has not been a proper impact assessment regarding the affect on local wildlife and the consequential effect on protected species such as Buzzards, Owls and Bats which are plentiful within the immediate area of the turbine site.
- The plan of the proposed development shows its close proximity to a pond. This pond is a natural feature and is vital for the areas Great Crested Newt population. The pond is essential for the breeding season as it is one of the few pieces of natural established standing water in hundreds of square acres.
- Request that a full independent study is performed to protect these endangered animals.
- It is illegal in this country to capture or disturb this species or otherwise endanger its wellbeing. Furthermore, we have a thriving bat population that feed in the area between the two woodlands that this turbine is proposed to be situated. This would directly effect the activities of the bats and endanger their environment and wellbeing. It is illegal to interfere with the bats.
- It is also worthy of a mention for the local wildlife in the woodlands. Since a change of ownership, efforts have been made by the new owners to encourage the local species of birds and wildlife, and increased populations are noticeable.

### ***Impact on Footpath***

- The proposed location of the turbine is very close to the confluence of two footpaths and may well be within *topple distance*.
- Apart from the potential risk to walkers the turbine would constitute a significant reduction of the visual amenity to walkers in the area.
- Will be visible from the extensive network of local footpaths, one of which is only a very short distance from the proposed site.
- Site is adjacent to a local right of way (currently blocked by an electric cattle fence constructed by the farmer involved).

### ***Precedent***

- Would set a precedent for further turbines
- The information included in the application appears to have been a significant investment for a single turbine
- Could be “the thin end of the wedge” attracting further applications for multiple turbines if this is approved.
- As there is no justification being put forward for this application other than as a potential income source then may we presume that all landowners in Cheshire East would be able to have their own turbine to create additional income – beware of creating a dangerous precedent.

### ***Impact on Property Value***

- There will be a substantial damage to property values as a result of the ruination of the views across the landscape.

- This farming family is rooted to their farm. Everyone else may choose to move on with their lives. This could really prevent them from selling up and moving without long delays and loss of capital.
- Presumably the applicant will compensate me for the potential loss of inheritance when the value of house prices fall. He will also be able to compensate the other house owners in the area. In other areas where wind turbines have been allowed, house prices have fallen dramatically. The average price of a house in Ridley is over £400,000. In areas where wind turbines have been put up, similar priced houses have lost over £100,000 in value. In addition, the council tax bands have had to be reduced. This would mean a loss of over £10,000 per year for Cheshire East council.
- Do not see how the proposer would be able to compensate everyone with the estimated £1,000 profit per year he would make from a 2.5k turbine (Source - Centre for Alternative Technology).
- The erection of turbines has been shown to reduce property prices and there are some 200 residential properties within a 2 mile radius. These properties could lose up to 20% of their sale price or become unsaleable if the turbine goes ahead equating to a loss of value of well in excess of £10m.

### ***Other matters***

- On the 1st August new guidelines and planning practice for renewable energy were issued by the Department for Communities and Local Government (DCLG)
- The new advice, which replaces PPS 22, will help shape local criteria for inclusion in Local Plans and provide the context for dealing with individual planning applications.
- The document makes it clear that the need for renewable or low carbon energy does not automatically override environmental protections and that "cumulative impacts" will require particular attention
- A report by Defra will shortly be published which will show that wind farms are harmful to local areas, are inefficient and have an adverse effect on rural life and the economy.
- 25 years may be deemed temporary in the eyes of the law but for people living close by that constitutes the remainder and then some of a working life. Temporary by law is not really temporary for those living along side such invasive structures.
- Technology moves at a tremendous pace and solar panels are advancing and becoming more efficient and cheaper. How can a turbine stay concurrent with latest technology over 25 years? Government and countrywide opinion is already moving away from wind turbine technology.
- This planning application may cause local businesses such as B&B's the Thatch, Beeston Castle and the Peckferton Hotel, to suffer despite no benefits to the local community.
- The supporting documentation at no point mentions Ridley, the very place where it is to be sited. Additionally, five photomontages purporting to show how unobtrusive the proposed turbine would be, are taken from five villages, but not a single one is taken from Ridley, the place whose residents will be most affected. Nor is there any mention of Ridley in the back-up documentation and Ridley mysteriously does not feature on the maps used to show the wind turbine's proposed position. One has to wonder why this is. Even the front-page report in the Nantwich Chronicle says that Ridley Bank Farm is near Faddiley, so presumably the editor/reporters have been deceived or misled.

- In an area of Norfolk that has seen a large number of turbines appear across open countryside and without exception they have all had a negative impact on the landscape, there appears to have been no attempt to lessen the impact when viewed from any angle or distance. Residents around the areas complain of health issues that were not there before the turbines appeared. In addition there are extensive reports of disruption to wildlife on the ground and to bird movements and nesting areas.
- This development is a commercial enterprise as the application clearly states that it is considered to be a means of diversification, which solely benefits the applicant to provide an additional source of income. As dairy farming and electricity production are not dependant upon each other then this application should be viewed as a new business enterprise ( as declared by the applicant), and should be rejected on the grounds of the negative impact on the residents, wildlife, and landscape of this beautiful, historic area.
- Solar technology is a realistic alternative which does not have an impact on its neighbours, local population or surroundings. The extremely large cattle shed that is currently being constructed has a very large south facing roof that could be utilised to provide more than enough energy for the farm.
- The carbon footprint of the farm could be better improved by reducing the road miles incurred in providing feed and bedding and the spreading of slurry and manure in the area. Recent development work at the farm suggests that this is likely to increase rather than reduce.

## Support

A Letter of Support has been received making the following points:

- I support this application as a life long resident of Bulkeley and Ridley Parish , who lives in direct sight of the proposed wind turbine, also as a organic farmer, I feel strongly we must use more green energy sources, especially with recent controversy about Fracking and Nuclear power stations dumping radioactive waste to sea. Personally in my opinion, having seen many wind turbines (home and abroad) I find them peaceful and not intrusive. Policies\_and\_guidance As I understand it, the site is in one of the area's designated suitable for Wind Turbines in a report commissioned by Cheshire East in 2011. Also it is away from Bickerton Hills (area of special scenic value).
- The scale and design is as in keeping as is practical, with much of the base hidden by woodland, and has very few close neighbouring properties.
- I do not believe construction traffic is a problem, after all if we can close roads for a BIKE RACE or concerts, surely we can manage traffic for construction of something which is saving the environment.

## Stephen O'Brien MP

*Let me state from the outset I am against wind farms full stop. You may be aware that changes introduced by Conservatives recently will give people a much greater say over wind farms in their communities, shifting the balance of power to local communities in deciding whether to agree to onshore wind proposals. Indeed new planning guidance from the*

*Department for Communities and Local Government will make clear that the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities. It will give greater weight to landscape and visual impact concerns, especially for heritage sites.*

*I have written in support of the objections to this application to the office of the Chief Executive of Cheshire East Council.*

## **7. APPLICANT'S SUPPORTING INFORMATION:**

- Noise Study
- Environmental Report

## **8. OFFICER APPRAISAL**

### **Principle of development**

Policy NE.19 of the Crewe and Nantwich Borough Local Plan states that proposals for the generation of power from renewable energy sources will be permitted where:

- the development would cause no significant harm to the character and appearance of the surrounding area;
- highway safety standards would not be adversely affected;
- the development would have no unacceptable impact on the amenities of neighbouring residential occupiers by reason of noise, disturbance, pollution, visual intrusion or traffic generation; and
- the proposal includes effective measures to safeguard features or areas of particular landscape or nature conservation interest.

Therefore the proposal is considered to be acceptable in principle and the main issues in the consideration of this proposal are the visual impact, highway safety, amenity and nature conservation implications of the increase in height.

### **Planning Guidance**

In respect of the issue of planning guidance, the developer has responded as follows:

*"The new planning guidance produced by the Department for Communities and Local Government entitled 'Planning practice guidance for renewable and low carbon energy', was mentioned in the representation from Stephen O'Brien. Although this document was not referenced within the application, the reason for this is discussed later, the topics which are raised within this practice guidance have been addressed in relation to the proposed development at Ridley Bank Farm. Within the guidance highlighted, areas of assessment include: noise impacts, safety, electromagnetic transmissions, ecology, heritage, shadow flicker, energy output, cumulative landscape and visual impacts, and decommissioning. Throughout the Environmental Report submitted, each of these key points have been thoroughly analyzed, concluding that the development will not present an adverse impact to the local area. As such, we do*

*not feel it is necessary to repeat the findings of the assessment within this brief statement, and direct interested parties to the relevant chapters of the submitted Environmental Report.....May it also be highlighted that the proposed application was registered by Cheshire East Council on 1<sup>st</sup> July 2013, and the mentioned planning guidance was not published until post-submission of the application resulting in the document not being referenced.”*

Officers agree with the developers interpretation of the guidance and, the proposed development has been deemed acceptable by Officers and Consultees in relation to each of the topics noted within the guidance referred to by Mr. O'Brien as detailed elsewhere in this report.

## **Visual Impact**

The proposed wind turbine would have a hub height of 32.5 metres and an overall blade tip height of 49 metres. The development would also involve the construction of a temporary access track, a permanent concrete pad and a small meter house.

The proposed site is about 375 metres to the north of Ridley Bank Farm at an elevation of about 125 metres AOD which is the highest point in the local area.

The site lies between Ridley wood to the west and Chesterton wood to the east. A covered reservoir and a telecommunications tower are located 120 metres to the southeast. There's a concrete surfaced track from the A534 to the reservoir and beyond that a stone track to a field gate that is within about 70 metres of the proposed wind turbine site.

The planning application includes a Landscape and Visual Assessment prepared by VG Energy. The assessment considers the landscape and visual effects of the proposed wind turbine separately:

### Landscape Effects

The VG study assesses the Regional Character Area - The Shropshire, Cheshire and Staffordshire Plain area as defined in The Character of England 1996, The Landscape Character Type - Rolling Farmland and the Landscape Character Area – Faddiley as defined in the Cheshire Landscape assessment 2008.

The assessment predicts the following:

- The landscape sensitivity is Medium
- The magnitude of change would be Moderate
- The significance of the effects of the proposed development would therefore be Moderate

Their definition of a moderately significant effect on the landscape and landscape amenity is:

*The proposed scheme would be moderately out of scale with the landscape or at slight odds with the local pattern and landform; will leave an adverse impact on a landscape of recognised quality.*

### Visual Effects

The study assesses the effects on visual amenity and sensitive receptors (viewers). It includes a map showing the Zone of Theoretical Visibility (ZTV) which shows the area over which the development may be visible. This type of mapping does not take account of natural or man-made obstacles which would screen views.

Five representative viewpoints were selected and approved by the Council.

For each viewpoint a wire frame topography image with the proposed turbine plus a photomontage with the proposed turbine has been prepared.

The significance of the potential visual impact of the proposed wind turbine from each view point was then determined by assessing the sensitivity of the receptors (viewers) and the predicted magnitude of the visual effect by using a matrix.

#### Viewpoint 1. From Wrexham Road. 1.7Km to the east of the site

In this view the upper part of the turbine is visible amongst roadside vegetation in the foreground and is not particularly conspicuous.

- Sensitivity of receptor – Low
- Magnitude of impact - moderate
- The predicted significance of the visual effect on receptors (i.e. drivers) from this point is Minor

#### Viewpoint 2. From Cholmondeley Castle. 4.8Km to the south

This is an important heritage asset and visitor attraction. Receptors (or visitors) are therefore highly sensitive. From this viewpoint the turbine would be a relatively small feature on the skyline.

- Sensitivity of receptors – High
- Magnitude of effect - Minor
- The predicted significance of the visual effect on receptors (i.e. visitors) from this point is Moderate

#### Viewpoint 3. from Bulkeley Village 3.8Km to the west.

From this point the upper part of the turbine is visible in the distance on the skyline between trees that are in the foreground. The study states that this vantage point was chosen due to its elevated position and its distance away from the main settlement. It goes on to say that in terms of residential amenity, it is highly unlikely that receptors within the village would be able to see the turbine at any time of the year due to intervening distance and screening from the two wooded areas surrounding the turbine and intervening tree-lined fields.

- Sensitivity of receptors – high
- Magnitude of impact – Moderate
- The predicted significance of the visual effect on receptors from this point is Moderate

#### Viewpoint 4. From a footpath in Bunbury 3.2Km to the north

The turbine would not be visible from this point it would be screen by vegetation in the foreground. The assessment states that tree coverage bordering intervening fields has meant that potential views of the turbine from Bunbury are non-existent and there should be zero visual impact on the village despite what the ZTV indicated.

- Sensitivity of receptors – High
- Magnitude of impact – Negligible
- The predicted significance of the visual effect on receptors from this point is Moderate/Minor

#### Viewpoint 5. From Haughton 3.2 Km to the North East.

Again the wind turbine would not be visible from this point. The study states that when searching for a vantage point for views towards the turbine site, it became apparent that as with the photomontage taken from Bunbury, views towards the turbine site from this area are virtually non-existent.

- Sensitivity of receptors – High
- Magnitude of impact – Negligible
- The predicted significance of the visual effect on receptors from this point is Moderate/Minor

#### Surrounding Roads

The visual assessment considers views from surrounding roads i.e. the A49, A51, A534 and local access roads. It generally finds that views would be fleeting as the roads are flanked by established hedgerows and trees. It concludes that the significance of the visual effects on these roads to be Minor/Moderate

#### National Cycle Route 45 around 4.4Km to the south and west

This cycle route passes through Wrenbury, Norbury Common, Egerton Green and then to the west of the Sandstone Ridge. The route then re-emerges at Peckforton and runs north.

It concludes that the significance of the visual effects on this route to be Moderate.

Their definition of minor and moderately significant effects on visual amenity is as follows:

- Minor - *The proposed scheme would slightly intrude on local visual receptors; would slightly affect important visual amenity*
- Moderate – *The proposed scheme would noticeably intrude on local visual receptors; would leave an adverse impact on the recognisably important visual amenity.*

The Council's Landscape Officer has examined the proposals and made several visits to the site and the surrounding area and broadly agrees with this assessment but it is deficient in the following respects:

- It should have included photo viewpoints from locations in closer proximity to the proposed site.
- It should ideally have included winter views and/or properly considered seasonal variations in visual effects.

- It should have considered the impacts on the users of public footpaths including the Sandstone Trail.
- It should have considered the impacts on the residential properties in the vicinity

VG Energy was therefore asked to provide five additional photomontages from short and middle distance viewpoints and these were submitted in November.

The Landscape Officer makes the following additional comments:

#### Likely Impacts on Landscape Character

The countryside surrounding the proposed site is attractive and is highly valued by local residents but it is not a designated landscape. The nearest Local Landscape Designation Areas (formerly ASCVs) are the Cholmondeley Estate located 4.8 Km to the south and the Beeston, Peckforton, Bolesworth & Bickerton Hills which lie about 4.0Km to the west.

In the 2008 Cheshire Landscape Assessment, the proposed development site lies within the Rolling Farmland Landscape Character Type and the Faddiley Landscape Character Area. The Faddiley Landscape Character Area is described as follows:

- This is generally a medium scale landscape with many large to medium scale arable fields laid over a rolling landform.
- This is an area of gentle broad rolling topography, with shorter slopes and an increase in undulation in the vicinity of High Ash.
- Hedgerow trees are generally abundant and the occasional large block of woodland is locally prominent.
- Between the major roads of the A49 and the A534 which intersect at Ridley Green, there are relatively few roads. These tend to be narrow meandering lanes rising and falling with the topography, connecting dispersed and isolated cottages and farms passing between high hedges which restrict many views.
- Settlement has a low density compared with the rest of this character type.
- Where the rolling ground provides a more elevated open location there are views out over large fields under arable crops with an extensive and intact hedgerow system.
- Some vantage points enjoy extensive views to distant higher ground. To the east the Pennine Hills are visible. To the west the adjacent Sandstone Ridge is very prominent and the heavily wooded Peckforton Hills dominate most views along the area's western boundary. Beeston Castle provides an unmistakable landmark on the northern skyline.

This is considered an accurate description of the countryside surrounding the proposed site.

#### Landscape Sensitivity to Wind Turbine Development

In 2013 Cheshire East Council commissioned an assessment of the sensitivity of the landscape to wind turbine development within each of the borough's 15 Landscape Character Types. The final report titled Cheshire East: Landscape Sensitivity to Wind Energy Development, May 2013 is a key evidence document in the emerging Local Plan.

In this study, landscape sensitivity is defined as:



*The extent to which the character and quality of the landscape is susceptible to change as a result of wind energy development.*

The study is based on an assessment of landscape character using carefully defined criteria based on the landscape attributes most likely to be affected. The criteria are: Landform shape and scale, Land cover pattern and presence of human scale features, Skylines, Perceptual qualities, Historic landscape character and Scenic and special qualities.

The sensitive features/characteristics of the Rolling Farmland LCT are identified as:

- Habitats including ponds, species rich hedgerows and species-rich acid grassland
- Historic field pattern and historic parkland
- Rural character of vernacular settlements/dispersed houses and minor roads
- Network of footpaths which link farms in Spurstow and Ridley Green coincide with medieval field pattern
- Woodlands are relatively rare and should therefore be conserved. Includes woodlands at Ridley Wood, Wrenbury Wood and Peckforton Wood.
- Views to distinctive landmarks e.g. Beeston Castle, Peckforton Castle and Peckforton Hills.

The study considers a range of wind turbine blade tip height categories. With a tip height of 49 metres the proposed wind turbine falls within the small scale category (26 to 50 metres)

The study finds that the Rolling Farmlands Character Type would have a low to medium sensitivity to wind turbine development. The discussion or summary states:

*Although the gently rolling and relatively large scale reduces sensitivity to the principle of wind energy development, the undeveloped skylines, presence of human scale features and rural scenic qualities increases sensitivity.*

As the proposed wind turbine is at the upper edge of the height category and would be located on relatively high ground it reasonable to conclude that the local landscape has a medium sensitivity to the type and scale of wind turbine development proposed

The wind turbine would clearly be a large scale and uncharacteristic feature in the landscape and although it would be located on the highest ground in the locality, the topography and land cover would tend to minimise viewpoints. Available views of the wind turbine would tend to be on the skyline. The relative proximity to main roads (A49 & A534) would tend to reduce the perception of tranquillity in the locality. The development would not obstruct or otherwise harm the network of footpaths which follow medieval field pattern. It would not result in the loss of woodland or any other natural habitats and would not obscure or interrupt views to distinctive landmarks. It is therefore likely that the proposed wind turbine would have a moderate impact on the landscape character of the area.

#### Likely Visual Impacts

From the proposed site the Sandstone Ridge, Peckforton Castle and Beeston Castle are visible in the distance to the north-west and the Cholmondeley Estate is discernible to the south. Views to the east and west are screened by woodland.

The nearby 20 metre high telecommunications mast is a useful feature which helps to locate the proposed site in the landscape and to provide scale.

The wind turbine would be a large scale and uncharacteristic feature in the landscape and due to the movement of the rotor blades it would be more noticeable than a static structure of a similar scale.

The turbine would mainly be visible against the sky. The pale grey colour and non-reflective finish would help to reduce its prominence to some extent.

Due to the timing of the planning application it has not been possible to assess potential winter views. The telecommunications mast and the proposed wind turbine are likely to be more visible in the landscape during the winter months when the leaves have fallen and the hedgerows have been trimmed.

#### Additional Photomontage Viewpoints:

##### Viewpoint 1. Wrexham Road, 300 metres south of the site.

From this location on the A534 (and from nearby public footpath Ridley FP8) the wind turbine would be a prominent feature against the sky.

##### Viewpoint 2. Public Footpath (Ridley FP 5) 200 metres south of the site.

In this view from the public footpath that runs along the edge of Ridley wood within the same field as the proposed site, the wind turbine would be a very dominant and uncharacteristic feature. This view was requested because it illustrates the most conspicuous view of the wind turbine.

##### Viewpoint 3. Ridley Green 900 metres west of the site

From this point at the entrance to the Ridley Green properties near to the junction of the A534 and A49 the top half of the mast, the hub and the rotor blades would be visible above Ridley Wood against the sky. In this middle distance view, it would be a recognisable new element in the overall scene and would be an uncharacteristic feature in terms of its form, scale and movement and would have a moderate visual impact on these properties.

##### Viewpoint 4. Public Footpath (Spurstow FP 25) 600 metres northwest of the site.

From this footpath the wind turbine would be a noticeable and uncharacteristic feature on the skyline and would be similar in scale to the surrounding trees. It would not have a marked affect on the quality of the overall scene. The telecommunications mast is visible to the left of the turbine.

##### Viewpoint 5. Public Footpath (Spurstow FP 32) 2.1Km from the site.

From this footpath (and a short section of the lane nearby) the wind turbine would be visible in the distance, against the sky and above the tree line. It would be a noticeable and uncharacteristic feature but it would be a fairly minor component of the overall view.

The potential visual impacts on the following receptors (viewers) have been considered:

#### Residential Properties in the Vicinity

It has not been possible to consider potential views from every property in the area.

The nearest property is located just east of the access track on Wrexham Road. This property is occupied by a relative of the applicant (refer to additional viewpoint 1).

Chesterton Lodge, the detached property on the opposite side of Wrexham Road approximately 425 metres from the site has very tall hedges along its frontage which would screen views from principal rooms. Any views from this property would also be oblique due to the orientation of the house (refer to additional viewpoint 1).

Chesterton Farm located approximately 750 metres to the west of the site on Wrexham Road has mature trees on its frontage. Any views from this property would be oblique due to the orientation of the farm house and would be filtered by the trees.

Ridley Green Farm is located 900 metres to the west of the site near to the junction with the A49. The barns have been converted to a number of separate dwellings. The top of the telecoms mast is visible above Ridley Wood from some of these dwellings. The top half of the mast and the rotor blades would be visible above the wood and against the sky (refer to additional viewpoint 3). It would be an uncharacteristic feature in terms of its form, scale and movement and would have a moderate visual impact on these properties.

#### Ridley Hill Farm

This property is located approximately 1.4Km to the west of the site on the western side of the A49. There are numerous mature and semi-mature trees in the grounds of this property and also high roadside hedges and numerous trees in the vicinity which would probably screen views of the turbine.

#### Properties off Badcock Lane, Dob Lane & Bathwood Lane to the North and North West.

These properties are between 750 and 1250 metres from the site and include Spurstow Lower Hall farm, Lower Hall Cottage, Coxley Green Farm, the Bath House and others in that vicinity. The wind turbine is unlikely to have a visual impact on any of these properties due to a combination of factors including the distance from the site, the undulating topography, agricultural buildings, intervening trees and woods plus the orientation of the dwellings.

#### Surrounding Lanes & Community Views

The telecommunication mast is not generally visible from the lanes surrounding the proposed site due to the high and intact roadside hedgerows, the rolling landform, the abundance of trees and the relatively long distances from the mast. There is however one short section near the T junction on the lane between Spurstow Hall and Haughton where the roadside hedges are low. From this area the wind turbine would be visible on the skyline above trees (refer to additional viewpoint 5)

The wind turbine is unlikely to have a visual impact on the surrounding villages of Bulkeley, Peckforton, Spurstow, Bunbury, Haughton, Faddiley and Chorlton due to the factors outlined above plus the screening effect of the buildings within these settlements.

### The Sandstone Ridge.

The Sandstone Ridge is a very popular recreation area and the Sandstone trail is a well-used long-distance footpath. Bulkeley Hill is the closest part of the ridge at a distance of about 4Km from the site. The telecommunications mast is discernible in the distance from a high point on footpath Bickerton FP12 (near to the Poachers Pub) The wind turbine would be visible in the distance on the skyline above the trees and would be a minor component of the overall view.

There are two panoramic viewpoints on Bulkeley Hill. The site is not visible from the southern viewpoint. From the northern viewpoint the telecoms mast is barely discernible to the northern edge of a very wide panoramic view. The wind turbine would be visible from this point but would be a very minor component in the overall landscape. Elsewhere the ridge is well wooded and any views of the wind turbine in the distance through the trees would be insignificant. The turbine would not be visible from Peckforton Castle which is surrounded by dense woodland.

### Public Footpaths

There are two footpaths in close proximity to the site, Ridley FP6 to the east which runs along the site access track and Ridley FP5 to the west along the edge of Ridley Wood. The wind turbine would appear as a dominant and uncharacteristic feature and would be highly conspicuous from both paths due to the close proximity. (refer to additional viewpoint 2).

There is a network of public footpaths to the north and east of the site which follow medieval field boundaries. The visual impact on users will vary enormously depending on the direction of travel, the distance from the site and the degree of screening resulting from the undulating landform, trees and hedges. (refer to additional viewpoint 4).

### Main Roads

There are intermittent views of the telecoms mast from A534 Wrexham Road and the A49 Whitchurch Road above the roadside hedges and between intervening tree cover. For example, it is visible from the A49 near to the Cholmondeley Castle entrance gates about 2.4 Km south of the site. There would be intermittent, fleeting views of the wind turbine from these main roads (refer to viewpoint 1 and additional viewpoint 3).

In summary, the proposed wind turbine is likely to have a moderately adverse impact on the landscape character of the area.

With regard to visual impacts:

- From the public footpaths and the A534 in the immediate vicinity of the site the proposed wind turbine would obviously have a substantial visual impact.

- Views from other public footpaths in the vicinity to the north and east will vary depending on direction of travel, distance, tree cover and topography.
- Apart from a moderately adverse impact on some of the Ridley Green properties it is unlikely to have a visual impact on residential properties in the area.
- Due the undulating topography, the high and intact hedgerows and the abundance of trees in the surrounding landscape it is unlikely to have a visual impact on nearby villages and lanes. Views from main roads are likely to be intermittent and fleeting.
- In long distance views (for example from Cholmondeley Castle, the Sandstone Ridge area, and footpath 32 to the north) the turbine is likely to be visible above the tree line and against the sky but it would be a minor component in the overall panoramic views.

On this basis, the Landscape Officer concluded that it would be difficult to justify a recommendation of refusal on landscape grounds and, if the application were approved, it would be a difficult case to defend at an appeal.

Given that this is a contentious scheme, and clearly a sensitive landscape, the Council has commissioned an independent Landscape Consultant to consider the proposals in order to provide a “second opinion”.

The report concludes as follows:

- *The conclusions follow the base format of the report by commenting on the Applicant's LVIA, before considering Cheshire East and Cheshire's Landscape Officer's comments and then our own remarks. It finally recommends whether we believe this location to be an appropriate location for a turbine of this size.*
- *The Applicant's LVIA is considered to be weak and formulaic and under reports on the significance of a number of the visual effects and the overall landscape effect of the turbine. It also contains a number of technical inconsistencies. However even with these criticisms its general reporting is appropriate and the conclusion it reaches as to Moderate Landscape effects and overall Moderate Visual effects are considered acceptable.*
- *However the decision to not comment on whether the landscape and visual effects are adverse or positive is not helpful to decision makers who ultimately the report is produced for. From considering the descriptors and other comments in the Applicant's LVIA the effects should all be considered as adverse effects.*
- *The review conducted by the CEC Landscape Officer appears to be fair and reasonable and their request for additional photomontages appropriate to help understand the closer views of the proposed turbine. They too consider that there will be Moderate effects on the landscape as a resource and generally Moderate effects on visual receptors.*

- *The one exception is the identification of footpath users of Ridley FP5 who will experience 'substantial' views of the proposed turbine. In our review we have classified this as a Major, Adverse visual effect for path users.*
- *Our own review of the development and the surrounding landscape context identified one additional visual receptor group that may experience a Major/Moderate Adverse effect and that is some of the residents of Ridley Green Farm complex. Not all properties will experience this level of adverse visual effect and it will depend on the orientation of home, boundary planting and from which rooms the turbine is visible from.*
- *Should great concern be expressed by the residents of Ridley Green Farm then a more detailed survey of their views could be undertaken as this would not be onerous in scale or complexity. It would give a categorical answer as to who would see what from where.*

#### Advice to Decision Maker

- *That they need to take into the planning balance the Moderate, Adverse effects on both the landscape as a resource and on the visual receptors who experience that landscape.*
- *Specifically they need to consider the two areas of greater than Moderate, Adverse visual effects that in Environmental Impact Assessment terminology would be considered Significant. These are the Major, Adverse visual effect on Ridley FP5 users and the Major/Moderate, Adverse visual effect that may occur for some, but not likely all residents of Ridley Green Farm.*
- *There are no visible precedents for a development of this nature in this landscape character area at the moment. The development would be in place for a long time frame of up to 25 years but the landscape and visual effects are readily reversible at the end of that period with the removal of the turbine.*

#### Is this location suitable for a wind turbine of this size?

- *Considering all the information prepared by the Applicant, the CEC Officer and from our study we consider this Site to be a reasonable location for a wind turbine of this size.*
- *This opinion is based upon the landscape consideration that although an alien, intrusive element it would only be prominent in the landscape rather than dominant and the overall landscape character of the surrounding area would remain attractive even with the turbine within the scene. It would have Moderate, Adverse Landscape effects for a long time frame but these are reversible on decommissioning.*
- *This opinion is also inferred by the Low to Medium sensitivity rating applied to this landscape character type by the Cheshire East: Landscape Sensitivity to Wind Energy Development, May 2013 for small, single turbines.*

- *Likewise the visual effects with the exception of the two greatest adverse effects at Footpath Ridley FP5 and at Ridley Green Farm are Moderate, Adverse or less meaning the development is relatively well sited in visual terms.*
- *This does not mean that it will not be visible from wider locations but rather that from other residential properties, roads and footpaths in the area that its adverse visual effects are considered acceptable as the turbine would not be over bearing or dominant within the view.*
- *The surrounding landscape is attractive and has a pleasant visual amenity but it is not designated for its scenic value and has not been designated so in the past.*

#### *Caveats to this opinion*

- *This opinion is based on a wind turbine of this 'small' size and that a larger turbine would appear out of scale set within this landscape.*
- *That any more than a single turbine would start to drastically affect the landscape character of the area to a much greater degree and that this commentary should not be considered as a 'green-light' for numerous wind turbines in the area. Given the existing scale of the landscape and the visual prominence of high ground within and around it anymore turbines would have the appearance of proliferation and should be resisted.*

The landscape and visual impact appraisal of the proposed wind turbine at Ridley Bank Farm identified that there would be an adverse visual impact on the Ridley Green Farm properties and this view was endorsed by both the Council's Landscape Officer and the independent landscape consultant. Therefore a more detailed visual assessment has therefore been undertaken to determine the significance of the impact on the visual amenity of each of the properties and to then determine the effect on living conditions. This work has been undertaken by the Council's Landscape officer and verified by the independent landscape consultant. It concludes as follows:

#### Assessment Methodology

1. The existing views towards the proposed wind turbine site from each property were noted i.e. front, side and rear elevations, ground and upper floors, principle or subsidiary rooms, external garden areas and the communal drive and courtyard.
2. The importance of these views was evaluated. Principal rooms (i.e. lounge, dining room & kitchen) were afforded more weight than subsidiary rooms and ground floor rooms more weight than first floor rooms. Private garden areas were afforded more weight than communal access areas.
3. The magnitude of change in views was determined based on the attached six point scale: None, Very Small, Small, Medium, Large, and Very Large (Appendix 1).

The magnitude of change in all views was considered to be Medium which is defined as follows:

*The development would form a visible and recognisable new element in the overall scene and would be readily noticed by the observer or receptor. The development would appear a somewhat uncharacteristic feature of the scene in terms of form or scale.*

4. A professional judgement was then made about the significance of the change in view on the visual amenity of each property by considering the magnitude of change and the importance of the views. The importance of the views consists of factors such as the viewpoint (see 2 above), the openness of the view, and the duration of the view. Therefore, a medium magnitude of change could have different significance of effect depending on the viewpoint, duration of view etc.

#### Effect on Living Conditions

In planning it is held that an individual does not have a right to a particular view. However, there may be circumstances where, due the proximity and size of a development such as a wind turbine, a residential property would become such an unattractive place to live that planning permission should be refused.

The visual effect of wind farms on living conditions has been examined at several public inquiries. From these appeal decisions it is apparent that the visual effect of a development has to be described as - overbearing, oppressive, unpleasantly overwhelming or unavoidably present in main views for there to be material harm to living conditions.

Views eastward from the Ridley Green properties are currently wide, open, and attractive. The proposed wind turbine site would be located 900 metres to the east on an elevated, wooded ridge. It is considered to be a medium sized wind turbine with a hub height of 33 metres and an overall blade tip height of 49 metres. The top half of the mast, the hub and the rotor blades would be visible above the trees and against the sky. There is little screening within the gardens and the intervening field hedgerows and trees would not provide screening due to the elevated location of the proposed site.

The proposed wind turbine would be a conspicuous and uncharacteristic feature in views. Its form and scale would create a medium negative magnitude of change (Appendix 2) on the character and quality of the wide, open and attractive views from Ridley Green Farm.

The assessment (Appendix 2) has established that the proposed wind turbine would have an adverse impact on the residential visual amenity of five properties at Ridley Green Farm and that the significance of the visual impact varies from small adverse to medium-large adverse (two properties).

#### Conclusion

From the above assessment it is concluded that the proposed wind turbine would not be overbearing, oppressive, unpleasantly overwhelming or unavoidably present in main views and therefore would not cause material harm to living conditions at Ridley Green Farm.

#### **Amenity**



There are numerous relatively isolated residential properties and farm holdings located in the vicinity of the site. However the proposed mast is 425m from the nearest residential property and the associated equipment does not produce any significant noise. Given the limited width of the mast and the large distance from neighbouring properties it is not considered that the development would have a detrimental impact on residential amenity in terms of over domination, visual intrusion and noise pollution.

The Environmental Health Officer has not totally relied on a noise report in the recommendations as a consultee, they have also taken into account ETSU-R-97, plus the various debates around the use of this document, and their own professional knowledge. Consequently they have recommended a proposed condition to protect the amenity of local residents. If the Environmental Health Officer had totally relied on the submitted information, then they would not be recommending conditions to be attached.

The applicant has taken into consideration ETSU-R-97 (Assessment and Rating of Noise from Wind Farms) and has submitted a simplified assessment, which is acceptable for 'smaller' wind turbines. It should be noted that there is provision within ETSU-R-97 for a simplified assessment based on predictions alone if the turbine "...noise is limited to an LA90,10min of 35 dB(A) up to wind speeds of 10 m/s at 10m height". The ETSU document considers that compliance with this condition alone would offer sufficient protection of amenity and background noise surveys and corrections for wind sheer would be unnecessary.

The submitted noise assessment is for a Norwin 29 wind turbine with a tip speed of 57.4rpm. The proposed wind turbine is a Norwin 33 wind turbine with a tip speed of 54.4rpm. In the Annex submitted with the report, details are provided to show that the proposed turbine will have a reduction of approximately 1.4dB(A) in noise level, as the tip speed is lower. Hence the distances provided in the noise report, to meet the above condition, can be classed as a worse case scenario.

The following conditions are recommended by the Environmental Health Department in the consultation response.

*Prior to its installation details of the location, height, design, and luminance of any proposed lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall ensure the lighting is designed to minimise the potential loss of amenity caused by light spillage onto adjoining properties. The lighting shall thereafter be installed and operated in accordance with the approved details.*

*The noise from the wind turbine shall be limited to an LA90,10min of 35dB(A), up to wind speeds of 10m/s at a height of 10 metres, to protect the amenity of local residents.*

In the absence of any objection from Environmental Health, it is not considered that a refusal on amenity grounds could be sustained.

## **Highway Safety**

The site is located over 400m from the nearest public highway and in the absence of any objection from the Strategic Highways Manager; it is not considered that there are any highways reasons for refusal.

## Ecology

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places

(a) in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment, and provided that there is

(b) no satisfactory alternative and

(c) no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK has implemented the Directive in the Conservation (Natural Habitats etc) Regulations 2010 (as amended) which contain two layers of protection (i) a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and (ii) a licensing system administered by Natural England and supported by criminal sanctions.

Local Plan Policy NE.9 states that development will not be permitted which would have an adverse impact upon species specially protected under Schedules 1, 5 or 8 of the Wildlife and Countryside Act 1981 (as amended), or their habitats. Where development is permitted that would affect these species, or their places of shelter or breeding, conditions and/or planning obligations will be used to:

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. "This may potentially justify a refusal of planning permission."

The NPPF advises LPAs to conserve and enhance biodiversity: if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) or adequately mitigated, or as a last resort, compensated for, planning permission should be refused.

Natural England's standing advice is that, if a (conditioned) development appears to fail the three tests in the Habitats Directive, then LPAs should consider whether Natural England is likely to grant a licence: if unlikely, then the LPA should refuse permission: if likely, then the LPA can conclude that no impediment to planning permission arises under the Directive and Regulations.

In this case specific advice has been sought from the Council's Ecologist who has commented as follows:

### Birds

Wind turbines can have an adverse impact upon birds. However, only a limited number of bird species are considered to be at significant risk. It is advised that no significant habitat for

sensitive birds is present in the locality of the proposed development and whilst occasional bird casualties cannot be discounted, the proposed turbine is not likely to pose a significant risk to birds.

### Bats

The Council's Ecologist has advised that the pond on site and the adjacent hedgerows provide suitable foraging commuting habitat for bats. Natural England advises that to minimise the potential impacts of turbines upon bats the turbine should be positioned so that the blade tip is 50m or more from any hedgerow or tree. In this instance, as originally submitted the turbine base appeared to be roughly 50m from the nearest hedgerow and roughly 40m from the adjacent pond.

Based on his calculations using the Natural England guidance, for the blade tip of the turbine to be 50m from the nearest relevant habitat feature the base of the turbine must be just under 75m away from the hedgerow and pond. Natural England identify 5 bat species as being sensitive to wind turbines (at the medium or high level). Only one of these species is regularly recorded in Cheshire.

In conclusion it was advised that whilst the proposed turbine may pose a risk to bats. In order to mitigate this impact the appropriate stand-off of 75m should be provided. Accordingly an amended plan has been submitted showing the turbine to be relocated and the Council's ecologist has confirmed that he is satisfied that the revised location of the turbine would be adequate to mitigate its potential impacts upon bats.

### Great Crested Newts

A pond is present in close proximity to the proposed turbine. From a visual inspection this pond appears to have significant potential to support breeding great crested newts. The footprint of the proposed turbine however offers limited terrestrial habitat for amphibians. Considering the small scale of the proposed development the Council's Ecologist is satisfied that the proposed development would not be significantly likely to have an adverse impact upon this species if it was present. The relocation of the turbine to ensure it is 75m away from the pond, as required to mitigate the potential impact of the development upon bats, would further assist in mitigating the potential risk to great crested newts. This has also been addressed as a result of the submission of the amended plan.

### **The impact on the telecoms mast and television signal**

With regard to the issue of impact on television and telecoms signals, the developer has stated that:

*"in the past, wind turbines have been shown to disrupt analogue signals but this is no longer an issue with the switchover to digital television signal. All television sets have now been transferred to receive digital transmission which is unaffected by wind turbine developments. From initial inspection, and no objection being raised by statutory Consultees or relevant Authorities, we do not foresee that the turbine at Ridley Bank will cause any impact to telecommunication or television signals within the local area."*

The issue of the impact of Wind Turbines on television signals was considered by an Inspector at an Appeal relating to the erection of a turbine at Land east of Dawson Farm, Bosley (application Ref 13/2314M). At paragraph 9 of his decision, the Inspector stated:

*“Arqiva are responsible for providing the transmission network for the BBC and ITV and have no objection to the proposed turbine. The BBC's windfarm tool indicated that the proposed wind turbine could affect 65 homes for which there is no alternative off air service and 224 more for which there may be an alternative service. In their report to committee, officers noted that the tool (which is no longer available) provided only rough estimates and that interference would only become apparent once the turbine had been erected. Council officers recommended the imposition of a condition to require counter measures should it be shown that the proposed wind turbine interferes with TV reception. In light of the conflicting evidence before me and given that I have read nothing to suggest that remedial measures could not be taken, I will impose a condition along the lines suggested by the Council's officers.”*

Given that planning inspectors clearly consider that this matter can be adequately dealt with by condition, it is not considered that a refusal on these grounds would be appropriate and that a similar condition should be imposed in this case.

### **The health impact**

In respect of Health Impacts the developer has stated that:

*“VG Energy has installed over four hundred wind turbines throughout the UK, and there have been no complaints registered with regards to any adverse health impacts as a result of any development. As standard, Environmental Health was consulted during the planning process and have stated that they have no objection to the proposed development at Ridley Bank Farm. It is also stressed that as demonstrated throughout the Environmental Report, all relevant guidance has been adhered to with regards to noise and shadow flicker impacts. Both factors were deemed to have negligible impact upon neighboring residents. In November 2014, the Massachusetts Department of Environmental Health published a health impact study in relation to wind turbines which was written by a team of independent engineers and doctors. The report found ‘no clear or consistent association is seen between noise from wind turbines and any reported disease or other indicator of harm to human health’.*

*Further information was also requested following the Committee meeting with reference to BMJ 8 March 2012. This article was written by Christopher D Hanning, who is a member of the advisory group for ‘The Society of Wind Vigilance’. Therefore the findings discussed within this article cannot be recognized as neutral, as Mr. Hanning's personal bias views against wind turbines are reflected throughout the article. The article refers to the UK noise guidance ETSU-R-97, commenting that it was ‘published in 1997 and not reviewed since’. This is written to suggest that they do not believe this noise guidance is fully adequate for assessing wind turbine applications today. However, as highlighted within the ‘Planning practice guidance for renewable and low carbon energy’, the planning guidance which we were directed towards, it states that ETSU-R-97 ‘should be used by local planning authorities when assessing*

*and rating noise from wind energy developments'. The ETSU-R-97 guidance is the recognized guidance for noise assessment and has been followed closely when addressing potential noise impacts within the Environmental Report for this proposed development, and noise levels have been found to be below the stated limits within this guidance.*

*Additionally we were also asked to respond with reference to an article published in the Royal Society of Medicine Journal, August 2014. The article is entitled 'Diagnostic criteria for adverse health effects in the environs of wind turbines'. Throughout the article it refers to wind turbines under the general term 'Industrial Wind Turbines (IWT)'; however there is no definition to classify the size of turbine/wind development this article is referring to. There is a large difference between a small, single wind turbine and a large wind farm, and this important difference is not acknowledged at all within the piece. The proposed turbine at Ridley Bank Farm is 49m to tip, which as highlighted is considered by the council as a small scale development, and therefore not of 'industrial' size. Furthermore, health is controlled by the World Health Organisation, European Union, the UK government and on a local level Environmental Health whom have no objection to the proposed development. All of those listed have had no involvement with the publication of this article in the Journal of the Royal Society of Medicine, and as this is an open journal there is no control governing which articles are published. Additionally it is prudent to note that there is no scientific evidence within the article to support the findings. Finally, in the article there is no mention of policy; policy dictates planning applications as there is no discussion of this within the piece, it has no bearing or relevance towards the proposed development at Ridley Bank. "*

In the light of the above, and in the absence of any objection from the Councils Environmental Health Officer, it is not considered that a refusal on health grounds could be sustained.

## **Other Issues**

Manchester Airport and the MOD have been consulted on the proposals and raised not objections on safety grounds.

## **CONCLUSIONS**

There is broad support at both national and regional level for renewable energy proposals and wind turbine. Local Plan policy is also permissive provided that certain criteria are met.

The application was deferred by Southern Planning Committee on the 19<sup>th</sup> November 2014, for further information with respect to the following:

- Planning guidance, as referred to in the representation from Stephen O'Brien, MP;
- Bats, Barn Owls and Newts;
- The impact on the telecoms mast and the television signal; and
- The health impact (with reference to BMJ 8 March 2012 and Royal Society of Medicine August 2014)

Following the submission of additional information the proposed development has been deemed acceptable by Officers and Consultees in relation to each of the topics noted

within the guidance referred to by Mr. O'Brien as set out in detail in the report above. Following the submission of amended plans, the Council's Ecologist has confirmed that the proposal will not have any adverse impact on bats, barn owls or newts. Previous appeal decisions have indicated that the impact on telecoms and television signals can be dealt with by condition and in the absence of any objection from the Environmental Health Officer, it is not considered that a refusal on health grounds could be sustained.

It is therefore considered that all of Members previous concerns have been addressed and for the reasons stated above, and having due regard to all other matters raised, it is concluded that the proposal complies with the local plan policy and in the absence of any other material considerations to indicate otherwise it is recommended for approval.

## **RECOMMENDATIONS**

### **APPROVE            Conditions**

- 1. Standard**
- 2. Approved drawings**
- 3. Removal when no-longer required for electricity generation purposes.**
- 4. The noise from the wind turbine shall be limited to an LA90,10min of 35dB(A), up to wind speeds of 10m/s at a height of 10 metres, to protect the amenity of local residents.**
- 5. Prior Approval of External Lighting**
- 6. No development shall take place until details of a scheme for the investigation of complaints that the wind turbine hereby permitted is interfering with TV or mobile communications reception and for any remedial measures should interference be proven have been submitted to and approved in writing by the local planning authority.**

