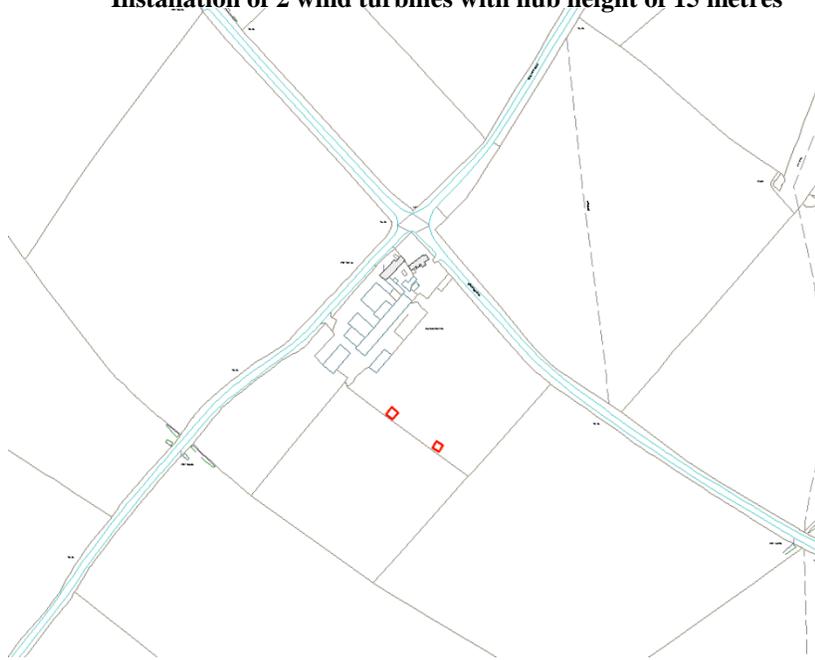


Reference: 11/00693/FUL
Date submitted: 27.09.2011
Applicant: Mr and Mrs Hewson
Location: Cross Roads Farm Scalford Road Eastwell
Proposal: Installation of 2 wind turbines with hub height of 15 metres



Proposal:-

This application seeks approval for the erection of 2 small scale 10KW Evoco wind turbines. The turbines are to be located within a field belonging to the holding of Cross Roads Farm. The turbines are proposed as part of Cross Roads Farm's business with access through the existing farm. The energy produced will reduce the farms carbon footprint and increase its self sustainability, surplus energy will be fed into the national grid. The topography in this area is relatively flat and characterised by large arable fields defined by hedgerows. The farm house and farm shop are both grade II listed buildings and the proposed wind turbines will be located to the south in the middle of the large arable field. The turbines will each have a hub height of 15 metres, and three blades each approximately 4.8 metres in length with a 9.6 metre blade diameter giving a total height from ground to blade tip of approximately 19.8 metres. The tower will be of galvanized steel and slender in design.

It is considered that the main issues relating to this proposal is:-

- **Impact upon the character of the countryside designation**
- **Impact upon the heritage assets within the vicinity**
- **Impact upon residential amenities**

The application is to be heard by the Development Committee due to the level of representations received from interested parties.

Relevant History:-

96/00549/FUL - Change of use from agricultural barn to farm museum. Planning permission granted on the 6th November 1996.

98/00531/FUL - Proposed erection of agricultural building. Planning permission granted 3rd November 1998

00/00122/FUL - Proposed poly tunnels and glasshouse. Planning permission granted 13th April 2000.

Proposed poly tunnels and glasshouse. - Proposed erection of poly tunnel. Planning permission granted 11th May 2005.

01/00126/FUL - Proposed change of use from milking parlour and general agricultural building to farm shop tea room toilets and vegetable cleaning and preparation building. Planning permission granted 23rd April 2001.

05/00847/LBC - To remove existing store behind kitchen and replace with a lean to traditional wooden greenhouse joining existing utility to kitchen. Bricking up a 1960s style rotten window in rear reception room with bricks to match. Make new window at top of stairs to match with back end bedroom. Planning permission granted 27th October 2005.

06/00075/FUL - Erection of greenhouse and construction of private entrance from Waltham Road Eastwell. Planning permission granted 3rd April 2006.

Planning Policies:-

PPS1: Delivering Sustainable Development and accompanying annex PPS: Planning and Climate Change set out the Government's commitment to delivering renewable energy development as part of the measures to address the causes and potential impacts of climate change.

PPS22: Renewable Energy outlines the key principles to which regional planning bodies and local planning authorities should adhere in their approach to planning for renewable energy. More specific and detailed guidance on wind energy is contained in the accompanying Companion Guide to PPS22 issued in August 2004. The Government's energy policy is set out in the Energy White Paper and which aims to reduce the UK's carbon dioxide emissions by some 60% by 2050 with real progress by 2020. A target has been set by Government to generate 10% of UK electricity from renewable energy sources by 2010.

The Government's Energy Review (July 2006) announced the intention to give greater clarity to strategic issues relating to renewables. Annex D of the Energy Review seeks to renew the commitment of the Government to renewables and clarifies the role of the planning system in realising renewable projects. Annex D makes it clear that:

“New renewable projects may not always appear to convey any particular local benefit, but they provide crucial national benefits. Individual renewable projects are part of a growing proportion of low carbon generation that provides benefits shared by all communities both through reduced emissions and more diverse supplies of energy, which helps the reliability of our supplies. This factor is a material consideration to which all participants in the planning system should give significant weight when considering renewable proposals.”

Whilst the main thrust of the guidance relates to commercial, larger scale schemes, it is acknowledged that small scale renewable energy projects such as wind turbines and solar panels can be incorporated within new developments and existing buildings. Local Planning Authorities should seek to encourage such schemes through positively expressed policies.

Paragraph 15 states that local landscape and local nature conservation designations should not be in themselves to refuse planning permission for renewable energy developments. Planning applications for renewable energy developments in such areas should be assessed against criteria based policies set out in local development documents, including any criteria that are specific to the type of area concerned. Paragraph 20 goes on to state that; Of all renewable technologies, wind turbines are likely to have the greatest visual and landscape effects. However, in assessing planning applications, local authorities should recognise that the impact of turbines on the landscape will vary according to the size and number of turbines and the type of landscape involved.

PPS5 ‘Planning for the Historic Environment’ outlines the Government's policies for effective protection of all aspects of the historic environment. Planning has a central role to play in conserving our heritage assets and utilising the historic environment in creating sustainable places. The Government’s overarching aim is that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations. To achieve this, the Government’s objectives for planning for the historic environment seek to recognise that heritage assets are a non-renewable resource, recognise that intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term and wherever possible, heritage assets are put to an appropriate and viable use that is consistent with their conservation.

PPS7: Sustainable Development in Rural Areas emphasises national policy in terms of protecting the countryside. It pays particular attention to designated areas (e.g. AONB’s) and advocates the use of Landscape Character Assessments to guide development needs and establishes 4 objectives of :

- Raising the quality of life and the environment
- Promoting more sustainable patterns of development
- Promoting the economic performance of the English regions
- Supporting the agricultural sector.

PPS9: Biodiversity & Geological Conservation sets out the policies for the protection of biodiversity and geological conservation through the planning system. It states that should a development pose potentially harmful aspects to the biodiversity or geology of the area ‘local authorities should use conditions and/or planning obligations to mitigate’.

PPG24: Noise relates to planning and noise and how the planning system can be used to minimise the adverse impact of noise without placing unreasonable restrictions on development. Paragraph 22 refers to other statutory controls that exist outside the planning system and the granting of planning permission does not remove the need to comply with these controls.

East Midlands Regional Plan

Much of the region could be suitable for the location of wind turbines subject to a number of criteria, including visual impact and the cumulative effect of a number of turbines and their actual size.

Policy 1: Regional Core Objectives - seeks a reduction in CO2 emissions by, in part, maximising renewable energy generation.

Policy 40 – Regional Priorities for low carbon energy generation - promotes renewable energy and states that in establishing criteria for on-shore wind energy, Local Planning Authorities should give particular consideration to:-

- Landscape and visual impact;
- Effect on the natural and cultural environment;
- Effect on the built environment;
- No. and size of turbines proposed;

- Cumulative impact of wind generation projects, including ‘intervisibility’;
- The contribution of wind generation projects to the regional renewables target;
- The contribution of wind energy projects to national and international environmental objectives on climate change

The East Midlands Regional Plan (2009) requires that on-shore wind installations should increase capacity from 54MW to 175 MW) by 2020, with an interim target for 2010 of 122MW.

Adopted Melton Local Plan

Policy OS2 – planning permission will not be granted for development outside the town and village envelopes except for, amongst other things, limited small scale development for employment, recreation and tourism which is not significantly detrimental to the appearance and rural character of the open countryside.

Policy C2 - planning permission will be granted for farm based diversification proposals provided:

- the activities would be ancillary to the main agricultural use and would not prejudice the future operation of the holding;
- the proposal should reuse or adapt any suitable farm building that is available. if a new building is necessary it should be sited in or adjacent to an existing group of buildings; e proposed development is compatible with its rural location in terms of scale, design and layout;
- there is no significantly adverse impact on the character and appearance of the rural landscape or conservation of the natural environment;
- access, servicing and parking would be provided at the site without detriment to the rural character of the area; and
- the traffic generated by the proposal can be accommodated on the local highway network without reducing road safety

Policy UT7 has not been ‘saved’

Melton Core Strategy (preferred Options) DPD is supportive of renewable energy development, accepting that it has a place in locations which support the resource.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Environmental Health Officer – No objections subject to a condition.</p> <p>In considering this application the Environment Health Officer has had regards to the submitted report prepared by Narec Development Services Ltd, Accoustic Test Report for Evoco 10 Horizontal Axis Wind Turbine.</p> <p>This report contains details of One Third Octave Band Analysis of the Frequency Content of the noise from the Turbines in question at various wind speeds and has had regards to the criteria described in BS 7445:1991 part 2. The Officer is concerned with the effect of tonal noise from low wind speeds. The Environment Agency Horizontal Guidance Note IPPC H3 (Part2) (2004 version) states that tonal noise can be penalised in assessments of noise impact, usually by adding 5 dB to the measured</p>	<p>The turbines are to be located within a parcel of land associated with the working farm, and farm dwelling. The nearest residential dwellings not associated with the farm are to the north of the site at the village of Eastwell set apart by a distance of approximately 436 metres. This distance is greater than the recommended minimum separation distance to comply with ETSU-R-97, when assuming background noise in accordance with the indicative curve in ETSU-R-97 this gives a distance of 169 metres and includes additional 4.16dB(A)</p> <p>Wind turbine noise (expressed as $L_{A90,10min}$) should not be greater than 5 dB above the prevalent background level ($L_{A90,10min}$) at that wind speed, except where the background level is very low.</p> <p>With reference to the ETSU document minimum typical daytime targets fall within the range of 35-</p>

<p>level however tonality can be judged subjectively. The applicant has provided further information detailing how the turbines will not be subject to tonal noise.</p> <p>The ETSU-R-97 Report :The Assessment and Rating of Noise from Wind Farms, which is the report generally accepted as being the document to which local authorities should have regard when considering noise from wind farms does address the “Method of Tonal Assessment” and in so doing makes reference to BS7445</p> <p>An Evoco Energy Noise Report Supplement also submitted in support of the application concludes that “the recommended minimum separation distance to comply with ETSU-R-97, assuming background noise in accordance with the indicative curve in ETSU-R-97 is therefore 169 metres and including additional 4.16dB(A) safety margin for 95% confidence 273m.” This information is shown on the last page of the report.</p> <p>The “Drakes Renewables Planning Design and Access Supporting Statement” describes the nearest residential property as being 460m away (page 13).</p> <p>Compliance with the ETSU report does not mean the noise from the wind turbines will not be audible, there are two turbines in this application not one, there is therefore the potential for a cumulative effect and the calculation described in the “Evoco report” is based on the noise from the turbines not being tonal in nature, this being the case the distance of 273m could well be extended.</p> <p>Whilst there are is no objection in principle to the application, there is a concerned that there is the potential for noise of a tonal nature to be produced by the turbines at low wind speeds and accordingly recommends that a condition be applied.</p>	<p>40 dB L_{A90}. For properties with financial involvement, a target of 45 dB L_{A90} can be used.</p> <p>The night-time noise limit (expressed a $L_{A90,10min}$) is an absolute minimum target level of 43 dB $L_{A90,10min}$</p> <p>The Environmental Health Officer recommends acceptance of the findings of the report although in order to prevent any statutory noise nuisance issues arising recommends a condition that the noise levels will not exceed the ETSU target levels.</p>
<p>LCC Highways - No objection.</p>	<p>The turbines will be transported on flat bed lorries no greater than those currently visiting the farm. In that regards the highways authority have not requested any conditions in relation to the access routes as the turbines will not be transported on long vehicles.</p> <p>The turbines will be located in a field to the south of the junction of Waltham Road and Scalford Road. Concerns have been raised in regards to driver distraction and this matter has been put forward to the highways authority who have expressed no concerns given the separation distance and limited views from the junction. There have been a number</p>

	<p>of recorded accidents at the junction resulting in vehicles pulling out in front of oncoming vehicles, however the turbines will not be visible from the approach from the north due to the arriving at the junction from a hill. The turbines will be visible from approaching the junction from the south of Waltham Road but again the topography will lessen the impact. The turbines are set back from Waltham Road approx 140 metres behind the boundary hedge.</p> <p>The turbines are small scale having an overall height of 19.6 metres and are set back sufficiently from the highway to not have a detrimental impact upon highway safety. The Highways Authority has raised no objections and it is considered that there is insufficient justification to warrant a refusal based on highway safety.</p>
<p>MBC Conservation Officer – No objections</p> <p>The two turbines are to be situated in an open field to the rear of the listed farmhouse. They will be visible in the landscape which is currently generally unspoilt and is predominately one of hedgerows and sparsely located mature trees.</p> <p>The introduction of wind turbines will be an alien feature in that landscape. However the field within which they will be situated sits in a dip in the land (lower than the road surface of Waltham Road) and in that regard their impact is lessened to a degree. Likewise as they are only 15 metres to hub height from certain viewpoints only the upper portion will be visible.</p> <p>It is considered that their positioning will not adversely impact the setting of the listed building to any great degree.</p>	<p>The English Heritage guidance document entitled ‘Wind Energy and the Historic Environment’ advocates a sustainable approach to renewable energy generation which requires a balance to be drawn between the benefits it delivers and the environmental costs it incurs. Therefore whilst recognising the need to invest in renewable energy it recognises the potential implications for the historic environment.</p> <p>The turbines will clearly be visible from Cross Roads Farm and buildings which are Grade II Listed Buildings however the Conservation Officer considers that they are sufficiently distant so as to limit the effect on the setting of the listed buildings.</p> <p>The guidance by English Heritage adds that high quality design is the key to minimising the adverse effect of projects such as the siting of wind turbines in the landscape and suggests that considerable weight should be given to ensuring the reversibility of renewable energy projects and their associated infrastructure. There is no requirement to have a reinforced track unlike large scale wind turbines and the turbines will be decommissioned after 25 years. A condition will be imposed to ensure that the land is restored to its former condition.</p> <p>It is not considered that the proposal will have a detrimental impact on the setting of the adjacent Listed Buildings.</p>
<p>East Midlands Airport – the proposed development has been examined from an aerodrome safeguarding aspect and does not conflict with</p>	<p>Noted.</p>

<p>safeguarding criteria. Accordingly, East Midlands Airport has no safeguarding objection to the proposal. However they wish to register their concerns over cumulative impact of wind turbine generation developments, which are in relatively close proximity, could compromise safe control of aircraft in the area.</p>	
<p>MOD – Defence Infrastructure Organisation – No objection</p>	<p>The principle concern from the MOD is obstruction to the air traffic control and air defence radar installations. Whilst they have no objection to the erection of 2 wind turbines in this location they wish to be notified of the installation start and completion dates along with the height of the construction equipment and the longitude and latitude of the turbines. The information will then be plotted on flying charts so that military aircraft can avoid the area.</p>
<p>NATS – no objection</p> <p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p>	<p>Noted.</p>
<p>Natural England – The application falls outside of the scope of consultations that would routinely be commented on. Lack of comment should not be interpreted as a statement that there are no impacts on the natural environment.</p>	<p>Noted. The turbines will be located 50 metres away from any hedgerow which is a requirement. In this location and with the necessary distance separation from hedgerows it is not considered that the proposal would have an adverse impact on any protected species.</p>
<p>LCC Ecology – No comments received to date</p>	<p>Noted.</p>
<p>Parish Council – No objection subject to the proposal complying with national and local policy.</p>	<p>Noted.</p>
<p>LCC Archaeology – The Leicestershire and Rutland Historic Environment Record (HER) shows that the application site lies in an area of archaeological interest, immediately to the west of the line of the putative Roman road (King Street Lane, HER ref.: MLE3814). The latter runs north from the site of the nearby Roman small town located to the north of Goadby Marwood (MLE3653). Consequently, there is a likelihood that buried archaeological remains will be affected by the development.</p> <p>To ensure that any archaeological remains present are dealt with appropriately, the applicant should</p>	<p>Noted. The applicant's agent has made contact with the Archaeology officer to advice of depths of trenches and turbine base.</p>

<p>provide professional archaeological attendance for inspection and recording during the ground works for the proposed development. A contingency provision for emergency recording and detailed excavation should be made, to the satisfaction of the local planning authority in conjunction with the councils archaeological advisors in this Department's Historic & Natural Environment Team (HNET). HNET will provide a formal Brief for the work at the applicant's request.</p>	
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Representations:

A site notice was posted in line with consultation procedures, as a result 7 letters of objection, 3 letters of concern and 6 letters of support have been received from 13 separate households and 1 community group. The letters are summarised below;

Representation Objection/Concerns	Assessment of Head of Regulatory Services
<p>Lack of Public Consultation</p>	<p>The application site sits in the open countryside with no immediate neighbours to notify. A site notice was placed at the site entrance along Scalford Road. This approach complies with the level of consultation required by the local authority.</p> <p>A request was put forward by the Eastwell Village Hall and Residents Association for the Council to attend a public meeting. This was carried out and was attended by 18 residents. Following the meeting a request for the applicant to undertake a red flag trail was undertaken in consultation with the residents association.</p>
<p>Visual Impact on Character of the Countryside</p>	<p>PPS22 clearly states in paragraph 15 that "Local landscape and local nature conservation should not be used in themselves to refuse planning permission for renewable energy developments. Planning applications for renewable energy developments in such areas should be assessed against criteria based policies set out in local development documents".</p> <p>The turbines are to be located to the north of the receiving farm business and will sit on a fairly flat landscape. The Borough's Landscape Character Assessment considers the site to fall within the description of Village Pastures, 'A distinctive traditional pastoral landscape and attractive nucleated villages with a strong pattern of small fields often with historic features, enclosed by abundant hedgerow trees.' The turbines will have an overall height of 19.6 metres and will be visible within the landscape from several vantage points. However, this on its own is not considered a reasonable ground for refusal and it is the harm on the landscape that will need to be assessed. Guidance in PPS 22 (paras 9 – 15) clearly put the emphasis on protecting international and nationally designated sites such as SSSI's and AONB's.</p>

<ul style="list-style-type: none"> • The turbines will be out of character with the village and have a detrimental impact upon village life – they are not required or needed. • The turbines are out of character with the area of Eastwell which is unspoilt and a category 3 village. • Development is not supported in a category 3 village and the proposal should be refused. • It is unlikely that the Evoco 10Kw wind turbine will meet the 70% of the farms energy needs. Turbines generally produce no more than 25% of their predicted maximum capacity. This is more likely to be only 15% and very unlikely to produce excess to feed back to the national grid. 	<p>The proposal is required by the applicants to provide electricity to the farm business and dwelling to reduce the carbon footprint. The surplus will be fed into the national grid and will contribute to providing green energy. National planning policies seek to promote sustainable development and this is a theme that has been carried through in the consultation for the draft National Planning Policy Framework. PPS22 encourages Local Planning Authorities to consider renewable energy proposals in a positive light given the wider benefits that they produce. Planning applications for renewable energy developments should be assessed against criteria based policies set out in local development documents, including any criteria that are specific to the type of area concerned. The category 3 status is to assist with meeting sustainable development in regards to housing development and should not be seen as a constraint to resist renewable energy proposals.</p> <p>It is considered that given the nature of the development sited within an existing farming complex that the proposal would not have a detrimental impact upon the countryside or the village of Eastwell. The proposal is considered to accord with national policy PPS22 and will reduce the CO² emissions produced from the farm and will aid to the diversification of the farm business providing another source of income as supported within PPS4 ‘Sustainable Economic Growth’ Furthermore the siting of the wind turbines are contained within an exiting group of farm buildings ensure that the objectives of PPS7 are met.</p>
<p>Noise from Turbine</p> <ul style="list-style-type: none"> • Noise from the turbine could affect the health and enjoyment of the dwelling • The area is popular with horse riders and 	<p>The Environmental Health Officer is satisfied that the turbines will operate below the thresholds permissible. If the turbines start to become a statutory nuisance with regard to noise then this can be controlled by other legislation.</p> <p>There is no evidence on which to base a rational health fear sufficient to justify the refusal of planning permission, or to seek greater separation between dwellings and turbines. The nearest residential dwellings not associated with the farm are to the north of the site at the village of Eastwell set apart by a distance of approximately 436 metres. There is a high level of screening from the village in the form of boundary hedging and mature trees which will ensure that no visual impact will be had.</p> <p>No evidence has been submitted to substantiate this</p>

<p>horses could be spooked by the turbines.</p> <ul style="list-style-type: none"> • The blades turning will startle horses and could have detrimental consequences for thrown riders 	<p>concern. The land around the turbines, whilst within the application site, would remain in agricultural use.</p> <p>Planning decisions are required to demonstrate and support with evidence that adverse affects will arise and it is not considered that evidence exists in this case to enable this. As such, it is not considered that it forms a ground to formally object.</p>
<p>Impact upon private residential dwellings:-</p> <ul style="list-style-type: none"> • Properties will be devalued 	<p>Not a planning consideration.</p> <p>The nearest residential property of no financial interest are to the north of the site at the village of Eastwell set apart by a distance of approximately 436 metres. The turbines will be located to the south of the farm itself and due to the low scale of the turbines along with screening will ensure that the turbines will not be seen from the village of</p> <p>The proposal is not considered to have an adverse impact on the residential amenities of private dwellings.</p>

Support representation	Assessment of Head of Regulatory Services
<p>The energy produced will support the rural business helping it to remain viable.</p> <p>This has to be of benefit to the local rural economy generally - but it will also be of specific benefit to Eastwell villagers (and other local villagers), many of whom rely on the excellent Farm shop. This is the only shop within realistic walking distance of the village so it is a great convenience to villagers - and, of course, it also helps to reduce car usage, so, again, this is of benefit to the environment.</p> <p>Our local Crossroads farm shop, the only shop in Eastwell, is important to our community and anything that can help them survive by reducing energy costs and helping to produce energy for the area more sustainably is something that should be supported</p> <p>The turbines will be no more intrusive than the telephone poles and pylons</p> <p>Don't believe that the noise, visual or environmental impact will have any real negative effect on the surrounding area.</p>	<p>The proposal will generate another source of income to the farming business and therefore is considered as a diversification proposal. Local plan policy C2 supports proposal that will be ancillary to the main farming business and that there would not be an adverse impact upon the natural environment.</p>

<p>Due to location do not feel that the proposal will unsightly or have any noise impacts to residents.</p> <p>The country must get more of its electricity from renewables and wind seem to be a very "Green" source</p> <p>We need to have an increasing amount of our Electricity generated by renewable sources, and we consider the site at Cross Roads farm to be suited to this purpose on the scale proposed in the planning application</p> <p>Strongly support this application because of its small but significant contribution to preserving the natural environment by reducing carbon emissions and making greater use of renewable energy.</p> <p>The fact that a small proportion of the energy generated may be fed back into the national grid is an added bonus (of benefit to all), as is the fact that this development should help to ensure the Crossroads Farm's long-term sustainability.</p>	<p>PPS22 sets out national policy for renewable energy sources and emphasises the scale of the demand. It requires the production of targets for renewable contributions and for them to be specified by type of source at regional and sub regional level. PPS22 also recognises that the combined effect of smaller scale projects will make a significant contribution to these targets and specifically states that relatively low yields should not be grounds for refusal. It follows this up by stating that all areas should be capable of accommodating renewable energy proposals, but repeats the need for them to satisfactorily meet socio economic and environmental concerns.</p>
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Conclusion

The proposal is considered to be supported in terms of principle by national policy as contributing to the wider aims of encouraging renewable energy. It is also considered that the proposal will not adversely affect the character and appearance of the area to an extent that it is regarded as unacceptable within national guidance nor have a detrimental impact upon the setting of the nearby Listed Buildings. In terms of the landscape, guidance in PPS 22 puts the emphasis on protecting international and nationally designated sites such as SSSI's and AONB's. It is considered that whilst there is the need for a balance between the interests of renewable forms of energy and landscape issues, in this instance the impact would be limited in extent on the landscape, although the landscape is unspoilt it is not one that attracts protection through its designation, in the manner explained in PPS22. Accordingly, the balance of these issues is considered to favour the installation. The proposal is not considered to impact on the amenities of residential dwellings and there are adequate access arrangements. Having considered all the issues, in this instance, the proposal is considered acceptable and is therefore recommended for approval.

RECOMMENDATION: Permit, subject to the following conditions:-

- 1 The development shall be begun before the expiration of three years from the date of this permission.
- 2 The external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details
- 3 Notwithstanding the plans as submitted, all parts of the turbine, including the rotor sweep, should be over 50 metres from hedgerows and trees.
- 4 Without prejudice to the generality that noise from the turbines should not give rise to a statutory nuisance, as defined in the Environmental Protection Act 1990 and achieve compliance with the noise levels specified in the ETSU-R-97 report. That is, at wind speeds not exceeding 10 metres per second, as measured or calculated at a height of 10 metres above ground level at an

appropriate location in the vicinity of the turbines, the wind turbine noise level at any occupied dwelling or other Noise Sensitive Premises but not including Cross Roads Farm itself, shall not exceed: during night hours (23:00-07:00), 43 dB LA90,10min, or the night hours LA90,10min background noise level plus 5 dB(A), whichever is the greater; during quiet waking hours (18:00-23:00 every day, 13:00-18:00 on Saturday, 07:00-18:00 on Sunday), 35 dB LA90,10min or the quiet waking hours LA90,10min background noise level plus 5 dB(A), whichever is the greater; This calculation is to include any penalty attaching to the noise level as a result of any tonal quality to the noise and calculated in accordance with the appropriate provisions of The Schedule, pages 95 to 97 of the ETSU-R-97 report and as referred to below. This condition shall only apply to dwellings or other Noise Sensitive Premises lawfully existing at the date of this planning permission.

5. At the request of the Local Planning Authority and following a valid complaint to the Planning Authority relating to noise emissions from the wind turbines, the applicant shall measure or calculate, at its own expense, the level of noise emissions from the wind turbines. The measurement and calculation of noise levels shall be undertaken in accordance with "The Assessment and Rating of Noise from Wind Farms", September 1996, ETSU report number ETSU-R-97 having regard to paragraphs 1-3 and 5-11 inclusive, of The Schedule, pages 95 to 97. The assessment approach shall be approved by the Planning Authority prior to undertaking the detailed assessment. In comparing measured wind turbine noise levels with background noise levels, regard shall be had to the prevailing background noise levels as measured at specified properties.
6. Should the wind turbine noise levels specified within condition 4 be exceeded, the wind farm operator shall take immediate steps to ensure that noise emissions from the wind farm are reduced to or below such levels or less, and obtain written confirmation of that reduction from the Planning Authority.
7. No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
 - The programme and methodology of site investigation and recording
 - The programme for post investigation assessment
 - Provision to be made for analysis of the site investigation and recording
 - Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - Provision to be made for archive deposition of the analysis and records of the site investigation
 - Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
8. No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (7).
9. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (7) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
10. By the end of 25 years after the first generation of electricity from the site, or should the generating of electricity cease all wind turbines, ancillary equipment and buildings shall be dismantled and removed from the site and the land reinstated to its former condition in accordance with a scheme to be submitted to the local planning authority for written approval not later than 12 months before the expiry of the 25 year period., or 12 months after the generation of electricity

ceases. The scheme to be submitted shall include the dismantling and removal of all turbines, equipment and buildings above existing ground levels and the removal of turbine base.

Reasons :-

- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure a satisfactory standard of external appearance.
- 3 To ensure the proposal does not impact on protected species.
- 4 In order to control noise in the interest of residential amenity
- 5 In order to control noise in the interest of residential amenity
- 6 In order to control noise in the interest of residential amenity
- 7 To ensure satisfactory archaeological investigation and recording
- 8 To ensure satisfactory archaeological investigation and recording
- 9 To ensure satisfactory archaeological investigation and recording
- 10 To allow the Local Planning Authority to review the installation.

Contact: Mrs Denise Knipe

Date: 9th December 2011