



Appeal Decision

Hearing held on 16-18 November 2011

Site visits made on 17 & 18 November 2011

by Paul Jackson B Arch (Hons) RIBA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 January 2012

Appeal Ref: APP/K2610/A/11/2156693

The Old Airfield, Airfield Lane, Weston Longville, Norfolk NR9 5JF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Bernard Matthews Green Energy (Weston) Ltd against the decision of Broadland District Council.
 - The application Ref 20101283, dated 17 August 2010, was refused by notice dated 12 January 2011.
 - The development proposed is installation of 2 turbines with a maximum height to tip of 125m, a permanent meteorological mast, substation, access tracks, hardstanding areas, temporary construction compound and associated infrastructure.
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Decision

1. The appeal is allowed and planning permission is granted for installation of 2 turbines with a maximum height to tip of 125m, a permanent meteorological mast, substation, access tracks, hardstanding areas, temporary construction compound and associated infrastructure at The Old Airfield, Airfield Lane, Weston Longville, Norfolk NR9 5JF in accordance with the terms of the application, Ref 20101283, dated 17 August 2010, subject to the conditions in the schedule at the end of this decision.

Preliminary matters

2. Individual turbines are referred to in this decision as T1 and T2 in accordance with the application plans, T1 being the turbine furthest to the east.
3. After the Council made its decision but before the date of the Hearing, English Heritage issued *The Setting of Heritage Assets* which provides advice on managing change within the settings of heritage assets, to assist implementation of Planning Policy Statement (PPS) 5 *Planning for the Historic Environment*. The parties were given an opportunity to comment and I have considered the appeal having regard to those submissions.
4. The planning application was accompanied by an Environmental Statement (ES) prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, as amended. I have taken it into account together with the views of others on its contents, expressed in writing and at the Inquiry.

Main Issues

5. The main issues are as follows:
 - The effect of the proposed turbines on landscape character and visual amenity;

- The effect on living conditions of nearby occupiers, in terms of noise and disturbance and visual dominance; and
- Whether the environmental and economic benefits of the scheme would be sufficient to outweigh any harm that might be caused.

Reasons

Policy background

6. The development plan consists of the East of England Plan (EEP), saved policies of the Norfolk Structure Plan (SP), the Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk adopted in March 2011, and saved policies of the Broadland District Local Plan (Replacement) 2006 (LP). There are no saved policies in the SP that are relevant to this appeal. The JCS sets out the principles for future development in Broadland, Norwich and South Norfolk between now and 2026. Since the Council made its decision, policy ENV1 of the LP referred to in the reasons for refusal concerning the protection of environmental assets, has been superseded by policies 1 and 2 of the JCS.
7. Policy ENG1 of the East of England Plan (EEP) identifies the need to meet regional and national targets for reducing climate change emissions and urges local authorities to encourage the supply of energy from renewable sources. The regional targets are given in policy ENG2, the aim being that 10% of energy used (excluding offshore wind) should come from renewable sources by 2010, increasing to 17% by 2020. The most recent figures contained in the *East of England Renewable Energy Statistics* at December 2009 show a substantial shortfall against the 2010 target for on-shore wind and an ongoing supply deficit.
8. The main aim of policy 1 of the JCS is to address climate change and promote sustainability in adapting to a changing climate. It seeks amongst other things to protect, maintain, restore and enhance the environmental assets of the area; the quiet enjoyment and use of the natural environment will be encouraged. The aim of policy 2 is to promote good design; it advises that all development will be designed to the highest possible standards, respecting local distinctiveness including the landscape character and historic environment.
9. Other LP policies are now 5 years old but they still reflect current national guidance so far as relevant to this appeal. Policy GS3 says that development will not be permitted where there are unacceptable effects on amongst other things, residential amenity, the character and appearance of the surrounding area, nature conservation, landscape or the open countryside, and the historic environment. LP policy ENV8 specifically protects locally designated Areas of Landscape Value (ALV) which have special scenic quality; their inherent visual qualities and distinctive character will be protected. Policy CS7 advises that proposals for renewable energy will be permitted unless they would give rise to a significant adverse environmental impact. The accompanying text notes that the wider benefits from the use of renewable energy sources need to be balanced against the impact of such projects on the locality where they would be situated. Policy CS14 sets out how noise will be treated in the consideration of new development.

The effect on landscape character and visual amenity

10. The site consists of a former WWII airfield which retains many of its original installations including runways and buildings, though the latter are now, with a few exceptions, largely derelict. It has been used for many years as an extensive turkey farm, approximately 20 turkey sheds being situated on the runways and around the airfield. Some open areas provide free range foraging and the rest is used for arable crops. In more recent years a belt of trees and copses has been planted around the perimeter which does much to hide the extent of the airfield from the casual observer, though at some points, notably on Honingham Road near Weston Green, the runways intersect with the road, providing a sudden open vista across its full width. On the whole, the airfield is now fairly well hidden from view, helped by the lack of public footpaths and its location on relatively higher ground.
11. The nearest village is Weston Longville approximately 0.8 kilometre (km) to the north east, an attractive hamlet with a Grade I listed church. A smaller group of houses lies at Weston Green to the south. A string of intermittent dwellings lies on Rectory Road along the northern edge, some of which have gardens close to the perimeter fence. Further afield are the villages of Hockering and Ringland.
12. As recommended in Planning Policy Statement (PPS) 22 *Renewable Energy*, objective means of quantifying the effects of turbines on landscape character have been employed by the main parties, based on the 2002 Guidelines for Landscape and Visual Impact Assessment (GLVIA) and other advice. The landscape methodology used in the ES is based on the GLVIA and is agreed to be an appropriate way of assessing the impact objectively. The visual impact experienced by those passing by and living in the area is assessed separately.
13. The surrounding landscape is not nationally designated. It is much altered by human intervention, compared, for instance with a high moorland landscape. It is attractive and highly valued by local residents as open countryside and the Wensum valley in particular is much appreciated and locally designated as an ALV. However it is a landscape which is capable of accommodating change. Regional guidance in *Placing Renewables in the East of England* (2008) uses an assessment of landscape sensitivity at national level to identify areas where on-shore commercial turbine power generation may be appropriate. This report is based on research into the renewable resource potential of the region against electricity consumption up to 2020. It indicates that the relevant Joint Character Area (JCA) 78 *Central North Norfolk* is of medium sensitivity to commercial scale turbine development due to the generally simple landform and large scale of the landscape (although areas of increased sensitivity exist, including the many churches and Cromer ridge to the north). JCAs are wide classifications and the boundaries between them necessarily overlap; moreover, the site lies near the boundary with the adjacent JCA. The guidance is to be used as a tool and not for development control purposes.
14. On a more detailed local basis, the character of the landscape is described in the Council's Landscape Character Assessment (LCA) of 1999 (and as updated in recent consultation draft guidance) as Tributary Farmlands Landscape Character Type (LCT) D2 Weston Green; a simple, gently undulating, semi-open agrarian area of open plateau land, cut by small tributary valleys such as that between Weston Longville and the airfield. The 2008 draft landscape planning guidelines for LCT D2 seek to resist diminution of the sparsely settled

nature of the area or a reduction in the sense of peace and isolation; to ensure that any new development is small scale and responds to the historic development pattern; and to conserve the landscape setting of churches and associated views. Whilst only in draft form, the guidelines are based on a review of the 1999 LCA and I give them considerable weight.

15. Two other adjacent LCTs have the potential for significant effects, being within 2 km of the airfield. LCT B6, River Wensum and Tud Settled Tributary Farmland, lies a short distance to the west and is very similar to D2. Arable agriculture is the main land use in fields of variable size. The key visual sensitivities of this area are the wooded skylines.
16. LCT A1 Wensum Valley begins just outside Weston Longville village. This is heavily enclosed riparian land encompassing the river valleys to the north east and south and is an ALV protected under policy ENV8. The distinction between D2 and A1 is hard to perceive from D2, except from the crests of the valleys north west and south of Weston Longville from where longer views can be obtained. Similarly D2 and the airfield cannot be readily perceived from A1, but turbines would be visible on the horizon. Landscape planning guidelines for A1 seek to conserve the generally undeveloped, rural character and related strong sense of intimacy and tranquillity; and ensure the sensitive location of development involving tall structures (such as wind turbines for example) in relation to prominent skyline locations both within the area and in adjacent LCTs; and conserve the setting of historic churches. LCT A1 includes the Marriotts Way along the Wensum Valley, the former Midland & Great Northern Railway walking and cycle route which runs along the south western facing slopes.
17. The ES categorises five levels of magnitude of change of the view; very low, low, medium, high and very high. Combining this with the sensitivity of the receptor (the LCT) to a particular type of change, an assessment of the significance of the impact can be made, ranging from very low to very high. The former airfield is a broad expanse of artificial, flat open land that markedly contrasts with the fields and wooded countryside around it. Existing buildings, a communications mast, concrete runways and extensive industrial turkey sheds impart a strongly man made feel which is less sensitive to turbine development. Although large structures at 125 m high, the turbines would be appropriate in scale seen from within it.
18. Beyond the perimeter, at a distance of between 0.5 to 2 kilometres (km) the turbines would project well above the belt of new trees and would be a strong feature in views from and across the rural surroundings. There is considerable agreement between the Council and the appellant as to the level of significance of the proposal in its effect on landscape character at this distance. I consider that the magnitude of change would be high (defined as notable changes in view over a wide area) in D2, B6 and parts of A1. From 2-3 km, the magnitude of change would be medium (moderate changes in view in a localised area); this includes the more sensitive Wensum river valley in A1. I consider that beyond 3km, it would range between very low and low.
19. PPS22 *Renewable Energy* advises that the impact of turbines on the landscape will vary according to the size and number of turbines and the type of landscape involved. The field pattern, gentle contours and vegetation of all the LCTs are typical of many parts of the UK mainland. Their important key characteristics, set out in the JCA and LCA, would remain largely unharmed by

this particular development. The turbines would be a component (or sub-type) of the landscape but their small number is an important factor that significantly limits any adverse impact. In D2 and B6, the robust, broad scale of the landform, the wooded skylines, irregular hedges and field patterns would remain the dominant characteristics. Other tall structures such as the pylons that cross the area, have become accepted features. The elusive, small tributary valleys, frequently hidden by trees or topography, are too small in scale to be sensitive to the turbines which would be on a raised plateau behind trees; and would retain their peaceful and unified character. The turbines would not normally be seen without intervening tree cover and a wooded foreground. Where vegetation is more sparse, for instance to the north west and south, there are still sufficient enclosing trees, hedges, buildings and objects of other kinds to mitigate their visual impact and although tall and obvious features, the 2 turbines would not dominate the landform.

20. In the Wensum valley (LCT A1) to the east and south, open skylines become more evident because of the larger scale of the landform which affords wider views. Because of its local designation, this landscape is of higher sensitivity to new development, but the turbines would always be seen beyond extensive areas of trees on the skyline and in the case of most of the Wensum valley, would clearly be beyond the immediate landscape context. They would not be seen as a focal point but would always be an incidental feature beyond the horizon. Although a distracting element, they would have only a medium impact on the landscape character.
21. From Ringland (viewpoint (VP) 7) or in the more sensitive open views from the Marriotts Way (VP11), the turbines would form a tall and conspicuous point of interest but the effect would be only moderate in significance. The Wensum Valley is largely self contained and does not depend on views in or out in which turbines would appear, for its landscape value to be apparent to visitors or residents.
22. As for visual amenity, other visual receptors in the surrounding landscape are summarised in the ES: I do not find any in which the proposed 2 turbines would overwhelm or control the view, or would have a particularly commanding presence. They may catch the eye but would not be so striking or occupy such a large proportion of the view as to unacceptably diminish the quality of the landscape or the experience of the viewer. Having regard to the cumulative visual impact with other wind farms existing or planned, there would not be any occasions where the proposal would be clearly visible in conjunction with another scheme in such a way that an unacceptable impact would occur.
23. The tower of All Saints Church at Weston Longville is rather squat in the broader landscape and is not an assertive feature in longer views. However it would be a focal point on approaching Weston Longville from the north east and it has been demonstrated that in some intermittent views from roads and footpaths, turbine blades and parts of towers would occasionally be visible in the same context, although well beyond the church. However these would be in glimpsed views much influenced by trees and vegetation, frequently including modern development around the church and electricity pylons. I do not consider there would be a significantly harmful effect on the church's setting in the landscape.
24. I conclude on this issue that there would be no unacceptable conflicts with the landscape protection aims of LP policies. The development would not be of

such a scale as to compromise the historic settlement plan or unacceptably diminish the sense of peace and isolation in the area. It would not conflict with the relevant objectives of policies 1 and 2 of the JCS and policies GS3 and ENV8 of the LP.

Living conditions- noise

25. As part of the ES, baseline noise measurement surveys were taken at 6 locations agreed with the Council which were considered to be representative of the nearest dwellings. They were all in domestic recreational areas except for Bernard Matthews North and Bernard Matthews South, which were located on the airfield perimeter near to groups of dwellings at Weston Green Road and around The Bungalow, the closest to the proposed turbines and just outside the predicted 39 dB typical turbine noise contour (assuming downwind conditions). Doubts were expressed that these proxy locations could properly represent the conditions in amenity areas nearer to the dwellings because of noise emanating from grass, nettles and other ground cover, but on inspecting the locations it seemed unlikely that this would be a significant factor. It would be reasonable to assume that similar conditions exist in many gardens where there would be shrubs and bushes. In my view the locations chosen can generally be supported as being representative of the amenity areas of the dwellings concerned for baseline noise survey purposes.
26. The surveys record background noise produced by traffic including that on the A47 to the south west (except for that in the early morning, which is removed from the night time readings) together with noise from agricultural activity, vehicles, aircraft, birdsong and various other, probably industrial sources. The noise produced by turkeys and fans in the turkey houses varies depending on whether sheds are occupied by turkeys, but was not a significant factor noted in the ES when the measurements were undertaken. In all cases, the predicted turbine noise is predicted to meet the ETSU¹ night time and day time limits under all conditions, that is 5dB above background noise, or 43dB at night and 35-40dB (both LA90, 10 mins) during the day, whichever is the greater.
27. The ETSU limits are regarded with suspicion by many objectors. ETSU was produced as guidance at a time when wind turbines were much smaller than are now generally proposed, and is now criticised as being out of date. On the other hand, turbine blade technology and understanding of the way in which turbine noise is propagated has also improved significantly since then. ETSU is seeking to achieve a level of noise which is reasonable and which would allow the nearest neighbours acceptable living conditions. What it does not seek to do is reduce wind farm noise to a level which would be inaudible to local occupiers or that no-one will ever be disturbed by it. In considering this, the number of complaints relating to existing wind farms is comparatively few; if there is a persistent problem, it seems likely that levels would be far higher. Nothing has been put forward to suggest that so far as this case is concerned, despite its age, the guidance in ETSU should not still be the guidance that should be used. The Government has reviewed its relevance and has decided that it should remain the standard that should be applied.
28. At the closest properties, there is a minimal safety margin. The worst case turbine noise at The Bungalow and in all likelihood, the slightly further back Cosy Nook, would only just meet the lower day time noise limit. However,

¹ The Assessment and Rating of Noise from Wind Farms: Energy Technology Support Unit (ETSU) September 1996

there are no habitable rooms facing the turbines at The Bungalow and the garden is surrounded by high trees, higher than those near the monitoring location and likely to add to the noise environment in windy conditions. There are also 4 turkey sheds between this dwelling and the turbines, one within 100m, which are likely to emit noise from time to time; ventilation fans were heard at the site visit. At Cosy Nook and at Green Farm Cottages in Weston Green Road, the main recreational areas lie behind the buildings relative to the turbines and would be shielded to an extent. The wind direction will vary and the occupiers may notice turbine noise occasionally, but there is nothing to suggest that it would exceed ETSU thresholds or could not be effectively controlled by a planning condition. The operator is obliged to carry out monitoring post-construction to ensure that noise levels do remain within ETSU acceptable limits. The noise monitoring locations for this purpose would be agreed with the Council and for this reason, it is difficult to see how local residents would be unreasonably disadvantaged.

29. At the Hearing, there were many areas of agreement between the respective acoustic practitioners acting for the Council and the appellant. The Council's Environmental Health Department had no objections, subject to conditions. There are inevitably uncertainties in predicting noise levels but it is likely that ETSU limits would not be breached for the great majority of the time at all the nearby properties. If this were to prove incorrect, breaches would be controllable by conditions.
30. Concerns have been expressed about excess Amplitude Modulation (AM) 'blade swish' or 'thump' which is perceived as a regular variation in noise level and has been experienced in some places at dwellings some distance away from turbines in other places, in circumstances which are not yet fully understood. The turbine layout here meets the separation recommendations in PPS22 but is on a relatively flat site where one of the factors thought to contribute to AM, 'wind shear' (or a difference between wind speeds at the top and bottom of the rotor) is theoretically possible. The statistical likelihood of excess AM occurring is nevertheless very small indeed and it is common ground that it is extremely difficult to measure and therefore, to control. I do not dismiss the possibility of excess AM occurring in some wind conditions but there is insufficient evidence to suggest it should be given a great deal of weight in assessing the overall noise impact.
31. If planning permission were to be granted I do not consider that on the basis of the evidence available to me, an objection could be adequately sustained on the grounds that the living conditions of residents would be unacceptably harmed by noise and disturbance. The development would not lead to a conflict with the requirements of policy CS14 of the LP.

Living conditions- outlook

32. With regard to outlook, the advice in the PPS22 Companion Guide, for wind energy projects, affirms the basic principle that 'The planning system exists to regulate the development and use of land in the public interest. The material question is whether the proposal would have a detrimental effect on the locality generally, and on amenities that ought, in the public interest, to be protected'. In terms of visual amenity, this translates into the long established principle that there is 'no right to a view', meaning that it is not possible to protect a property simply on the basis that an attractive or cherished view would be adversely affected by development. My colleague Inspector, David Lavender,

in his Enifer Downs (North Dover) decision, expressed it in this way: '..... when turbines are present in such number, size and proximity that they represent an unpleasantly overwhelming and unavoidable presence in main views from a house or garden, there is every likelihood that the property concerned would come to be widely regarded as an unattractive and thus unsatisfactory (but not necessarily uninhabitable) place in which to live. It is not in the public interest to create such living conditions where they did not exist before.' This test is one way of describing the situation where private and public interests could coincide in such a way that the outlook from a dwelling would be so harmed as to be generally regarded as unacceptable.

33. There are about 30 residential properties within 1 km of the development. Much of Weston Longville lies just outside 1 km, and the western facing dwellings of this settlement would have a view of turbines over trees. I deal with each in a clockwise direction on plan starting with the group of dwellings around Weston Green.
34. The Thatched Cottage: a small kitchen window and a low en-suite 1st floor window would have views of the turbines over hedges and trees. However the kitchen window is small and the view would not dominate all parts of the room. The en-suite view would only be easily perceived at low level due to the restricted head height of the window, which is constrained by the ridge of the roof. From the side garden and patio, the occupants would also notice the turning blades, partially hidden behind a tree. The occupants would be aware of the presence of the turbines in their day to day life but they would not be an unpleasant or overwhelming experience and I do not consider the impact would be unacceptable.
35. Ivy House: a similar view to The Thatched Cottage, slightly further away but with a greater foreground presence of vegetation which is likely to reduce the view to blades turning above the trees to the north. The existing telecommunications mast is in clear sight. Several windows to habitable rooms face the turbines, as does a landing window at second floor, but the main southerly aspect of the house is in the opposite direction where there is a patio and a large garden. The turbines would be a daily presence but not one that would be unacceptably detrimental or that would interfere unduly with enjoyment of the dwelling by the occupants.
36. Honeypot House: from the yard and from north facing windows, particularly first floor bedroom windows, the closest turbine T1 would be evident about 510m away. T2 would be visible obliquely further to the north. The main part of the garden is to the south on the opposite side of the house and the turbines would not have an unacceptably overbearing impact on the occupants using this space. All views of the turbines would be substantially mitigated by the intervening tree belt which is likely to continue to grow. The occupant is concerned that this may be harvested but even if this occurred, I do not regard the visual impact to be unacceptable. The most serious visual impact would be in the view from the bedroom windows and I do not minimise or fail to appreciate that this would be a serious matter for the occupants; but in view of the usual night time use of these rooms I do not consider it would be overwhelming in the occupants' day to day lives.
37. Green Farm Cottages: lying about 510m from T2 at the perimeter of the airfield, there would be a clear view of the whole of both turbines from the small rear gardens, but there are no windows to habitable rooms facing in this

- direction and the large useful areas of private garden to the front of the dwellings would be unaffected. Whilst the occupants would clearly perceive a change, there would be an insignificant effect on outlook and their living conditions would not be unacceptably compromised.
38. 61 Sandy Lane: this dwelling lies rather on its own to the west of the airfield, about 740m from the nearest turbine T2. There is a wide view from the rear windows, a rear sitting area and an elevated balcony across with views across open fields with uncharacteristically few hedge boundaries. The turbines would not be in direct view from habitable rooms but would be most frequently seen in a restricted part of a wide horizon above the perimeter tree belt which includes Green Farm and other agricultural buildings. The development would be no more than another feature in the view and would not have a seriously detrimental effect on outlook from the dwelling.
 39. Greensgate Cottages: these 2 semi-detached cottages lie north of the site and their living rooms and bedrooms would directly face T2 at about 720m, with T1 further away to the east (acknowledging that the distance from the boundary of the property would be significantly less). The turbines would be plainly visible over the perimeter tree belt from the rear sitting area and conservatory. However there are trees and vegetation on the garden boundary which would partially hide the turbines in summer, less so in winter. The occupants of No.1 in particular would notice a marked change in the existing view from their main rooms, but the combination of distance with intervening trees and boundary planting would mean that despite their projection above the trees and prominent moving form, the turbines would not be unacceptably oppressive. The existing telecommunications mast projects above the trees and the occupiers would be aware of noise from the intensive poultry and industrial development on the airfield; the turbines would be within that environment. Overall, the turbines would not be so close or so dominant as to overwhelm the living environment. These properties would still be in pleasant rural surroundings outside the airfield and would not be significantly less attractive places to live.
 40. Greensgate Barn: this property lies slightly behind Greensgate Cottages about 780m from T2. An existing barn is to be rebuilt as a dwelling with a southerly view towards the turbines. However the top of the telecommunications mast, Rectory Road and other overhead lines also appear in the view and the perimeter tree belt reduces visibility of the turbine towers. T1 would be only just visible to the side of existing buildings. The living conditions of the future occupants would not be significantly harmed.
 41. Gaeward: this cottage is in a similar location and is currently completely concealed from the road and any southerly view by thick coniferous hedging. If this was to be removed, the turbines would be visible but would be seen across the adjacent road. They would not be the most prominent feature in the view and the effect on the outlook of the occupants would not be seriously harmful.
 42. The Duckeries: none of the turbines would be visible from the main habitable rooms of this bungalow which would be about 730m from T2, but the narrow garden extends well to the south for about 400m, almost as far as the airfield perimeter. However from the vast majority of the garden, substantial and extensive mature tree cover prevents any possibility of seeing blades or towers. They may be perceived from the southerly parts through branches but

that would not compromise the general enjoyment of the property for the occupants.

43. The Bungalow: this property lies about 520m from T1 and 540 from T2 and is the closest residential property to both. The turbines would be substantially hidden by trees. No habitable room windows would have a direct view of turbines and from the garden, any visual impact would be limited to winter and spring time when the garden is less likely to be used.
44. The Old Rectory: This listed building lies in substantial grounds to the north east of the airfield and would be about 560m from T1 and 670m from T2. T1 would be seen through trees in winter, slightly obliquely from windows to habitable rooms facing south east. T2 would be visible from south west facing windows, again through, and from some locations possibly above, mature trees. It would be possible, from the edge of the garden, to have a clearer view of turbines if one was sought, but in normal circumstances their visual impact on the occupants would be substantially mitigated by tree cover, even in winter. The trees would be under the control of the occupier and the cover could not be removed without their consent. The impact on outlook would not be unacceptable.
45. I consider at this point Glebe Farm and Woodfords Barn, which lie east of The Old Rectory and would be around 620m and 540m away from T1 respectively. Both properties have main habitable areas at ground and first floors facing south west, in which direction both turbines T1 and T2 would be visible through trees. From the gardens, there is less tree cover than at The Old Rectory and the surface of the airfield and the perimeter track are visible through the tree belt. From inside both properties, a partial view of moving blades would be a constant presence to a greater or lesser degree, visibility varying depending on the wind direction and the season. From the gardens, the turbines would be more easily noticed, particularly from some more remote sitting areas. Much of the tower of T1 would be visible from the further parts of the garden of Woodfords Barn. From this property, T2 would be visible through branches/foliage from the study and a central atrium area. Most of the time, at both houses, the turbines would be more frequently largely hidden by foliage. In winter when foliage is less effective as a screen, gardens are less likely to be used for recreation. Overall, the occupants would certainly notice a change, but the turbines would not have such an unpleasantly overwhelming and unavoidable presence as to make the properties unsatisfactory places to live.
46. Orchard House: this property lies at the westernmost edge of Weston Longville on slightly raised ground overlooking a short side garden, a hedge and a shallow tributary valley. In considering the effect of the turbines on this property I include similar properties nearby on the west side of Weston Longville with a westerly view. On the other side of the valley, the trees at the end of the 2 main runways obscure the airfield from view and the aspect is one of rural tranquillity, although for some it includes the nearby road. The view from the main living room and 1st floor bedroom windows is towards the west and the airfield. From most parts of these rooms, on looking out of the window, the turbines would be a prominent noticeable feature over the top of the hedge and the trees on the horizon. However, the fact that turbines are visible, or even a distracting moving feature, does not mean they would have an unacceptable impact on living conditions. T1 would be about 880m away. There would remain a wide arc of view in which there would be no turbines.

There is no designed view or landform which would draw particular attention to them. The limited number of turbines and their distance from the dwelling would not be such that the occupiers would feel as if they lived within a wind farm or even on the edge of one. Whilst I recognise the change in the view, it would not lead to unacceptable living conditions.

47. There would be a change in outlook, and the quality of the view would be diminished to an extent by the introduction of wind turbines, but I do not consider that the effect on the amenity of local residents would be of such serious significance as to be overwhelming or unacceptable in planning terms. I conclude with respect to living conditions that the proposed development would not conflict with the amenity protection aims of policy GS3 of the LP.

Other matters

48. The turbines and blades would be visible from the porch and churchyard of the Grade I listed 13th and 14th century All Saints Church at Weston Longville. About 1.2 km away, their visual impact would be reduced by intervening vegetation and buildings. The special architectural character and historic interest of the church is most easily appreciated from within its central village setting in which the countryside around plays only a small part. A modern housing development lies a short distance away, partially obscuring the turbines, as do intervening trees. Whilst moving blades well beyond the village would be an additional and potentially distracting modern feature, the effect on the setting of the church would be less significant than arises from this scheme; and would not be unacceptably detrimental.
49. There are other listed buildings within 5km of the turbines and in some views, turbines will appear concurrently with them and with their settings. The relative distance and angle of view between the wind farm and historic assets would, in all cases, be such that there would be no significant effects on heritage value sufficient to conflict with national guidance or local development plan policy.
50. The airfield has historical interest because of its wartime use and the existence of all the original runways and many of the prefabricated buildings. It is the most complete airfield remaining but none of its features are individually unique in the east of England and nothing on the site has been deemed worthy of statutory protection. In any event, the 2 turbines would not seriously affect understanding of its purpose or history. The important unifying effect of the long runways that cross the area would not be compromised.
51. Local occupiers have drawn attention to the potential for wind turbines to have detrimental health effects and there are people living near the appeal site who are particularly concerned that wind turbines could exacerbate existing heart conditions and other health conditions. However a conclusion has to be reached on whether the proposal is likely to adversely affect health based on the evidence given, and this is far from conclusive. The risk of adverse health effects is insufficiently well demonstrated to seriously weigh against the development.
52. There is a concern that the safety of aircraft movements would be prejudiced in and out of Norwich International Airport and at Felthorpe Airfield. The operators of Norwich Airport consider that a scheme of measures to address airport safeguarding, as part of a planning condition, would adequately address

their concerns. The wording of such a condition has been agreed with the appellant. With regard to light aircraft using the unlicensed grass field at Felthorpe, operators based there abide by a letter of agreement (LOA) with Norwich Airport, but visiting aircraft are not controlled. The field is not covered by the statutory safeguarding process and has no navigation aids or instrument procedures. All operations must take place under Visual Flight Rules which dictate that under 3000 feet, pilots must have a minimum of 1.5 km flight visibility, clear of cloud with the surface in sight. In these circumstances, the turbines would be visible for at least 25 seconds, which is considered to be a suitable minima. Even if flying at an altitude of less than 1000 feet to comply with the terms of the LOA, and assuming pilots need to fly over the turbines, the safeguarding coordinator for Norwich Airport advises that there would remain sufficient clearance. Whilst recognising that turbines represent a risk to aircraft, I give little weight to objections on this ground.

53. There is no evidence to suggest that the interests of bats or wildlife would be unacceptably harmed by the proposal. On the other hand there is a real prospect that TV interference could occur along with, in certain specific conditions, shadow flicker in some houses. Having visited most properties likely to be affected and given consideration to this matter, any harmful effects could be mitigated by alternative means of receiving signals or turning off a turbine at certain limited times. This mitigation can be achieved by imposing suitable conditions.
54. It has been suggested that motorists would be distracted by moving blades on suddenly encountering sight of the turbine(s) across the airfield. However, they would be unlikely to draw attention more than other features which might appear in the field of vision, including existing traffic movements, farm activity, animals and pedestrians. As noted in the companion guide to PPS22 all vehicle drivers are expected to drive carefully, and there are no particular characteristics of the relationship between the local country roads and the turbines which would be likely to cause a hazard to the extent that it would add an unacceptable degree of danger.
55. I have had regard to all the other matters raised including the effect on local roads and existing HGV routes of abnormal heavy loads involved in constructing the development; and the amount of time available to local residents to absorb the ES and submissions during the Inquiry. However, I do not find that these or any other matters alter or outweigh the conclusions I have reached on the merits of the case.

Conclusions and overall balance

56. A key principle of PPS22 is that renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily. The development needs to be seen in the context of the National Renewable Energy Action Plan for the UK of June 2010, which notes that a five fold increase in energy from renewable sources will be necessary to achieve the national target of 15% by 2020. When in operation, the development would provide power for the equivalent of 1610 homes. The production of renewable energy, with its strong support in national policy, is a material consideration to which significant weight is attached, alongside the associated assistance in tackling climate change.

57. Moreover, any planning permission granted would be for 25 years only, following which the turbines must be removed. That may be a long period for one generation but is a relatively short time in the context of the local landscape, during which a very limited degree of harm to its character would be experienced. The change in the view for local occupiers would be temporary, albeit more than the usual period during which many people would live at one address. I accept that the need for renewable energy after 25 years may dictate their replacement rather than removal but a new planning application would be necessary. I have no doubt that in the meantime the relative merits of other means of power generation will have been scrutinised by Government.
58. A number of other appeal decisions have been referred to in evidence. I have taken note of these, but my decision on this proposal must be made in the light of the particular circumstances pertaining to it. I have also taken account of the provisions of the Localism Act, which has now received Royal Assent, one aim of which is to put new rights and powers at the disposal of local people. However, there are statutory obligations to achieve substantial reductions in green house gas emissions within a short time and a large proportion of new renewable energy sources is expected to be provided by wind. I understand the concerns of the local community but most parts of the country where conditions are suitable should be expected to facilitate renewable energy in some form.
59. No significant adverse environmental effects would result from the development and it would not conflict with policy CS7 of the LP. The visual impact of the turbines and the effect on the quality of the landscape, together with the limited harm to the living conditions of local residents, are outweighed by the more general benefits of the scheme. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Conditions

60. I have considered the suggested conditions in the light of Circular 11/95 *The Use of Conditions in Planning Permissions*. I have adapted the wording where necessary to ensure conditions are precise, necessary and relevant to planning. The guidance notes on noise form part of the conditions.
61. Otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of proper planning. The list of drawings is that provided by the appellant. For the avoidance of doubt, the site layout is confirmed to be version 4 as shown on page 46 of Volume 2 of the ES.
62. Conditions are necessary to ensure that after 25 years the development is removed and the land restored. In the event of a turbine not operating for a period of 12 months, then it should be removed to avoid an unnecessary impact on the landscape. A condition ensures the implementation of a construction traffic management plan and access route scheme in order to avoid an unreasonable risk to highway safety and to avoid congestion. In view of the nature of the construction works wheel cleaning is required in order to avoid unacceptable highway safety risks. A scheme for the off-site highway

improvement works at the site access needs to be approved to facilitate the delivery of the turbines.

63. The size, design, external appearance, surface finish, colour and rotation of the turbines are subject to control to ensure that they are visually acceptable. Details of the control building need to be approved and all cables should be laid underground to avoid clutter and protect the character of the countryside. In view of the historic interest of the airfield, a scheme of archaeological monitoring needs to be provided.
64. In view of the chalk aquifer under the airfield, conditions are imposed to control surface water drainage and the foundation design. I consider that the likelihood of shadow flicker occurring is small. Nevertheless it might occur at a particular time when certain occupiers are enjoying morning or evening summer sunshine. Rather than having no control at all and bearing in mind the limited impact on turbine operation of any remedial measures that might be necessary, I consider that a condition requiring investigation and alleviation of any such effect is reasonable.
65. An ornithological monitoring programme needs to be set up in order to survey and protect the interests of birds following the erection of the turbines. Likewise an Ecological Management Plan during construction and a Habitat Management Plan need to be in place to ensure that the effects on more general wildlife interests are monitored and mitigated.
66. A scheme to ensure that TV and radio reception is maintained is required due to the possibility that the turbines may interfere with transmission quality. A scheme to protect the safety of airport operations at Norwich and Felthorpe is necessary along with a condition requiring infra-red aviation lighting of the turbines.
67. With regard to noise, a number of conditions are imposed to ensure that the noise levels from turbines remain within defined limits having regard to existing levels of background noise. The scheme to be approved for measuring the noise emissions from the wind turbines is subject to agreement by the Council and this is sufficient to protect the interests of local occupiers.

Paul Jackson

INSPECTOR

Schedule of 26 conditions with guidance notes

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
- (2) Otherwise than as set out in this decision and conditions, the development hereby permitted shall not be carried out otherwise than in accordance with the following plans and documents: Application plan 'Site layout' (version 4 as shown on page 46 of Volume 2 of the ES), Figures 3.3, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8 and 6.9.

- (3) The permission hereby granted is for the proposed development to be retained for a period of not more than 25 years from the date that electricity from the development is first supplied to the grid, this date to be notified in writing to the local planning authority. By no later than the end of the 25 year period the turbines shall be decommissioned and all related above ground structures shall be removed and the site restored in accordance with a decommissioning and restoration scheme which has been submitted to and approved in writing by the local planning authority. The scheme shall be submitted to the local planning authority no less than 6 months prior to decommissioning and shall make provision for the removal of all the above-ground elements, plus 1m of the concrete turbine base below ground level, and all associated equipment before its return to agricultural use. The scheme shall include details of the phasing of the works.
- (4) If any wind turbine hereby permitted fails for a continuous period of 12 months to produce electricity for supply to the local electricity grid network, then, unless otherwise agreed in writing with the Local Planning Authority, that wind turbine and the ancillary equipment solely relating to that wind turbine shall be removed from the site and the land shall be reinstated within a period of 6 months from the end of the 12 month period in accordance with a scheme that shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works. The scheme shall include management and timing of the works and a traffic management plan, and shall be implemented as approved.
- (5) All the turbine blades shall rotate in the same direction.
- (6) All cabling on the site between the two turbines and the sub-station shall be installed underground.
- (7) No turbines shall be erected until the technical specification to include the size, design, external appearance, surface finish and colour of the turbines have been submitted to and approved in writing by the Local Planning Authority. The turbines shall be erected in accordance with the approved details.
- (8) No development shall take place until details of the design, external appearance, materials, colours and surface finishes of the substation and means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented only in accordance with the approved details.
- (9) Prior to the commencement of any works a Construction Traffic Management and Access Route Scheme, which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway including verges and hedges, shall be submitted to and approved in writing with the Local Planning Authority in consultation with Norfolk County Council Highway Authority. The Scheme shall include proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic. The

development shall not be erected otherwise than in complete accordance with the Scheme, which shall be implemented as approved.

- (10) No works shall commence on site until a scheme facilitating wheel cleaning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. For the duration of the construction period all traffic associated with the construction of the development must use the approved wheel cleaning facilities which shall be provided in accordance with the approved scheme.
- (11) Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway improvement works at the site access has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The scheme shall be implemented as approved before any works take place.
- (12) No development shall take place within the site until the applicant, or their successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
- (13) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- Details and calculations of the proposed drainage scheme to demonstrate that the onsite and offsite flood risk will not be increased in all rainfall events up to the 1 in 100 year rainfall event including climate change.
 - Details of how the scheme shall be maintained and managed after completion to ensure that the scheme performs correctly for the lifetime of the proposed development.
- (14) Where piling works are a necessary part of the wind turbine foundation design, a scheme to prevent the contamination of the underlying aquifer shall be submitted to and approved by the local planning authority in consultation with the Environment Agency prior to the commencement of development. The scheme shall include a Foundation Works Risk Assessment and any appropriate mitigation measures. The scheme shall be implemented as approved.
 - (15) No turbine shall be brought into use until a written scheme has been submitted to and approved in writing by the Local Planning Authority setting out the protocol for the assessment and alleviation of shadow flicker in the event of any complaint from the owner or occupier of any lawfully occupied dwelling which existed or had permission at the time of planning permission,

including remedial measures. Operation of the turbines shall take place in accordance with the agreed protocol unless the Local Planning Authority gives its prior written consent to any variation.

- (16) Prior to the commencement of development, a scheme to address airport safeguarding with respect to Norwich International Airport and Felthorpe airfield shall be submitted and approved in writing by the Local Planning Authority following consultation with Norwich Airport Ltd and Felthorpe airfield. The scheme shall include measures to mitigate any adverse impact arising from the operation of the wind turbines hereby approved on the operations of Norwich International Airport and Felthorpe airfield and shall demonstrate that such measures will provide continued mitigation into the foreseeable future. No turbine shall be erected until the scheme has been implemented.
- (17) Both turbines shall be fitted with Infra Red aviation lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point. No visible aviation lighting shall be installed on the turbines at any time.
- (18) No wind turbine shall be erected until a scheme to secure the investigation and resolution of any electro-magnetic interference to terrestrial TV and radio broadcasts caused by the operation of the turbines has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.
- (19) No turbines shall generate electricity until a post construction monitoring scheme detailing an ornithological monitoring programme that has been submitted to and approved in writing with the Local Planning Authority in consultation with Natural England. The scheme as agreed shall be implemented and maintained for two years from the first export of electricity to the grid unless otherwise agreed in writing with the Local Planning Authority.
- (20) No development shall take place on site until an Ecological Management Plan that sets out the necessary mitigation measures based on a comprehensive survey has been undertaken for the following species: Birds (including barn owls), Badgers, Hedgehogs and Bats, and has been submitted to and approved in writing by the Local Planning Authority. The Ecological Management Plan shall be implemented as approved prior to construction commencing and shall be maintained throughout the duration of the construction period.
- (21) No turbines shall come into operation until a Habitat Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Habitat Management Plan shall include details for the erection of Barn Owl boxes if necessary (as identified in paragraph 11.112 of the ES), the provision of bat boxes (as described in paragraph 12.139 of the ES) and the provision of planting (paragraph 12.138 of the ES), the management of the grassland for Golden Plover (paragraphs 11.108 to 109 of the ES) and a

timetable for implementation. The Habitat Management Plan shall be implemented as approved.

- (22) The rating levels of noise from the combined effects of the wind turbines, (including the application of any tonal penalty) as measured at any dwelling in accordance with the attached Guidance Notes, shall not exceed the limits for that dwelling at any integer wind speed as specified in Tables 1 and 2 attached to these conditions. Noise limits for dwellings which lawfully existed at the date of this permission but are not listed in Tables 1 and 2 shall be the limits attached to that dwelling listed in the Tables which is nearest to the unlisted dwelling.
- (23) Prior to any wind turbine on the site generating electricity to the grid the wind farm operator shall submit to the local planning authority for written approval a scheme for measuring the noise emissions from the wind turbines. The scheme shall be prepared by a consultant approved by the Local Planning Authority. The objective of the scheme shall be to demonstrate compliance with Condition 22 in a range of wind speeds and wind directions. The scheme shall require noise measurements to be made at no fewer than three or more than four locations.
- (24) Measurements made in accordance with the scheme referred to in Condition 23 shall be implemented as approved and shall be commenced within one month of the date of connection of all turbines to the grid, unless otherwise agreed by the Local Planning Authority and shall terminate when compliance with Condition 22 has been demonstrated to the satisfaction of and agreed in writing by the Local Planning Authority.
- (25) During the life of this planning permission the wind farm operator shall continuously record power production, nacelle wind speed, nacelle wind direction and nacelle orientation at each wind turbine all in accordance with Paragraphs 1(d) of the attached Guidance Notes. These data shall be retained for a period of not less than two (2) years from the date of their acquisition.
- (26) Within 21 days of receipt of a written request of the local planning authority, following a reasonable complaint to it alleging noise disturbance at a dwelling, the wind farm operator shall provide to the local planning authority that information on wind conditions and turbine operating conditions referred to in Condition 25 which pertained on the dates and at the times when the noise levels resulting in complaints occurred. At the reasonable request of the Local Planning Authority, following such a complaint, the operator shall engage at his own expense a consultant approved by the Local Planning Authority to measure and assess the level of noise at the location of the complainant's dwelling in and with the attached Guidance Notes. A report of the assessment shall be provided in writing to the LPA within 56 days of a request under this condition unless this period is extended by the LPA.

Tables of Noise Limits**Table 1:** Between 23:00 and 07:00 hours (Noise Level in dB $L_{A90, 10min}$)

	Standardised 10 m Height Wind Speed											
	1	2	3	4	5	6	7	8	9	10	11	12
Green Lodge	43	43	43	43	43	43	43	43	44	47	51	55
Honeypot House	43	43	43	43	43	43	43	43	44	47	51	55
Green Farm Cottages	43	43	43	43	43	43	43	43	44	47	51	55
Woodford Farm	43	43	43	43	43	43	43	43	44	47	51	55
2 Rectory Road	43	43	43	43	43	43	43	43	44	47	51	55
The Bungalow	43	43	43	43	43	43	43	43	44	47	51	55

Table 2: At all other times (Noise Level in dB $L_{A90, 10min}$)

	Standardised 10 m Height Wind Speed											
	1	2	3	4	5	6	7	8	9	10	11	12
Green Lodge	37	37	37	37	38	39	41	43	46	50	54	56
Honeypot House	39	39	39	39	39	40	41	43	46	50	54	56
Green Farm Cottages	38	38	38	38	38	40	42	43	46	50	54	56
Woodford Farm	37	37	37	37	37	39	42	43	46	50	54	56
2 Rectory Road	35	35	35	35	36	39	41	43	46	50	54	56
The Bungalow	37	37	37	37	38	39	41	43	46	50	54	56

SCHEDULE OF GUIDANCE NOTES RELATING TO CONDITIONS 22 - 26

These notes (or any superseding equivalent UK adopted procedure) are to be read with **Conditions 22 - 26**. They further explain these conditions and specify the methods to be deployed in the assessment of noise emissions from the wind farm.

NOTE 1

(a) Values of the $L_{A90,10min}$ noise statistic should be measured at a specified property, using a sound level meter of IEC 651 Type 1, or BS EN 61672 Class 1, standard (or the equivalent relevant UK adopted standard in force at the time of the measurements) set to measure using a fast time weighted response. This should be calibrated in accordance with the procedure specified in BS 4142: 1997 (or the equivalent relevant UK adopted standard in force at the time of the measurements).

(b) The microphone should be mounted at 1.2 - 1.5m above ground level, fitted with a two layer windshield or suitable equivalent approved by the local authority, and placed outside the dwelling. Measurements should be made in "free-field" conditions, so that the microphone should be placed at least 3.5m away from the building facade or any reflecting surface except the ground. The actual measurement position shall be approved by the Local Planning Authority.

(c) The $L_{A90,10min}$ measurements should be synchronised with measurements of the 10-minute arithmetic average wind speed and with operational data from the turbine control systems of the wind farm.

(d) The wind farm operator shall continuously log arithmetic mean wind speed and arithmetic mean wind direction data in 10 minute periods from the hub height

anemometer on the site or, if unavailable, as an average over the nacelle anemometers, duly corrected for the presence of the rotating blades, or derived from power generation by the installed wind turbines, to enable compliance with the conditions to be evaluated. Such data shall be 'standardised' to a reference height of 10m as described in ETSU-R-97 at page 120 using a reference roughness length of 0.05m.

NOTE 2

(a) The noise measurements should be made so as to provide not less than 20 valid data points as defined in Note 2 paragraph (b). Where measurements are being made in response to a complaint, such measurements should provide valid data points for the range of wind speeds, wind directions, wind shear levels, frozen ground, cloud cover, times of day and power generation requested by the local planning authority. In specifying such conditions the local planning authority shall have regard to those conditions which were most likely to have prevailed during times when the complainant alleges there was disturbance due to noise.

(b) Valid data points are those that remain after all periods during rainfall have been excluded as informed by a rain gauge sited adjacent to the measurement location. Additional atypical data as agreed by the local planning authority shall also be removed.

(c) A least squares, "best fit" curve of a maximum 2nd order should be fitted to the data points and define the rating level at each integer speed.

NOTE 3

Where, in the opinion of the local planning authority noise emissions at the location or locations where assessment measurements are being undertaken contain a tonal component, the following rating procedure should be used.

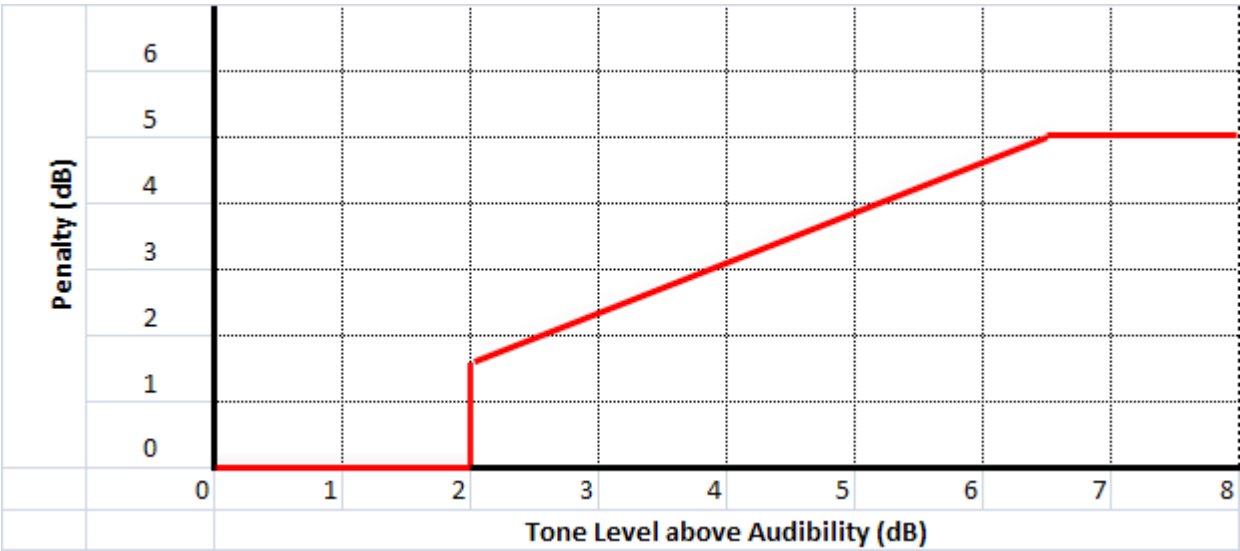
(a) For each 10-minute interval for which $L_{A90,10min}$ data have been obtained as provided for in Note 1 a tonal assessment is performed on noise emissions during 2 minutes of each 10 minute period. The 2 minute periods should be regularly spaced at 10 minute intervals provided that uninterrupted clean data are available. Where clean data are not available, the first available uninterrupted clean 2 minute period out of the affected overall 10 minute period shall be selected. Any such deviations from standard procedure shall be reported.

(b) For each of the 2-minute samples the margin above or below the audibility criterion of the tone level difference, ΔL_{tm} , should be calculated by comparison with the audibility criterion given in paragraph 2.1 on pages 104-9 of ETSU-R-97.

(c) The margin above audibility is plotted against wind speed for each of the 2-minute samples. For samples for which the tones were below the audibility criterion or no tone was identified, substitute a value of zero audibility.

(d) A linear regression should then be performed to establish the margin above audibility at the assessed wind speed for each integer wind speed. If there is no apparent trend with wind speed then a simple arithmetic average shall be used.

(e) The tonal penalty is derived from the margin above audibility of the tone according to the figure below. The rating level at each wind speed is the arithmetic sum of the wind farm noise level, as determined from the best fit curve described in Note 2, and the penalty for tonal noise.



NOTE 4

If the rating level as measured according to the above procedure is above the limit set out in the conditions, measurements of the influence of background noise should be made to determine whether or not there is a breach of condition. This may be achieved by repeating the steps in Note 2, with the wind farm switched off, and determining the background noise at the assessed wind speed, L3. The wind farm noise at this speed, L1, is then calculated as follows where L2 is the measured level with turbines running but without the addition of any tonal penalty:

$$L_1 = 10 \text{ Log}[10^{L_2/10} - 10^{L_3/10}]$$

The rating level is re-calculated by adding the tonal penalty (if any) to the derived wind farm noise L1. If the rating level lies at or below the values set out in the conditions then no further action is necessary. If the rating level exceeds the values set out in the conditions then the development fails to comply with the conditions.

APPEARANCES

FOR THE APPELLANT:

Paul Maile BA	Eversheds LLP
Peter Newland BSc (CEng) BA (Oxon) MICE FRGS	Albro Planning & Environmental
Anne Priscott BA (Hons) CMLI	Anne Priscott Associates Ltd
Andy McKenzie PhD BSc FIOA	Hayes McKenzie Partnership
John Fairlie	Engena Ltd

FOR THE LOCAL PLANNING AUTHORITY:

Ben Burgess BA (Hons) Dip TP Dip Urb pbc	Broadland District Council
Jonathan Billingsley MA (Oxon) BPhil CMLI	The Landscape Partnership
Robert Davis BSc (Eng) MIOA	Robert Davis & Associates

INTERESTED PERSONS:

Peter Ross	Representing Weston Longville Parish Council and the Residents Anti Turbine Action Group
Christine Ross	Local resident
Roger Harris	Local resident
Richard Hawker	Representing Hockering Parish Council
John Staveley	Local resident
David Gurney	Local resident
Sally Butler	Local resident
Harold Curson	On behalf of Mr & Mrs Curson, local residents
Amanda Rayner	Local resident
Mark Fitzsimmons BSc (Hons) MRICS	Local resident
Damian & Emma Holmes	Local residents
Revd Selwyn Tillet	Local resident
David & Rachel Arkieson	Local residents
Alison Pearson	Local resident
Steve Dalliston	Wensum Valley Trust
Phil Hardy	Local resident
Michael Horner	Local resident
Stephen Ashford	Local resident
Maria & Justin Cohu	Local residents
Cllr Bill Borrett	Norfolk County Council
Cllr James Joyce	Norfolk County Council
Cllr Simon Woodbridge	Broadland District Council
George Freeman MP	

DOCUMENTS

- 1 Document of verbal presentations by members of ATAG at the Hearing.
- 2 Bundle of documents provided by the appellant including: Appeal Decisions refs 2023805 (Bradwell-on-Sea, Essex) and 2140423 (Wraywick Farm, Essex); Secretary of State decisions refs 2123739 & 2131194 (Burnthouse Farm and Staffurth's Bridge Farm, Cambridgeshire); National Policy Statement for Renewable Energy issued in July 2011; the East of England

- Regional Assembly Final Report *Placing Renewables in the East of England*; and *Energy Trends* published by the Department of Energy and Climate Change in September 2011.
- 3 Assessment by English Heritage on the potential for statutory listing of Attlebridge Airfield, provided by the appellant.
- 4 Letter from Anna Stevenson with extract from The Independent dated 2 August 2009 'Are Wind Farms a Health Risk?' and a print out of web pages from NHS choices.
- 5 Letter to Richard Hawker from George Freeman MP, supplied by Mr Hawker.
- 6 Copy of email from Bill Borrett to Richard Hawker.
- 7 Turbine maintenance notes from Vestas, e-on, Enertrag UK; and notes from North Hambleton Windfarm Action Group, supplied by ATAG.
- 8 Letter from Vestas in reply, supplied by the appellant.
- 9 Email from Anna Stevenson with quote from Tim Hayward of Jackson Stopps and Staff, supplied by ATAG.
- 10 Email including quote from Cameron Black of Fine & Country, supplied by ATAG.
- 11 Bundle of objection letters, supplied by ATAG.
- 12 Vestas Mechanical Operating and Maintenance Manual for turbine model V90-3.0 MW; and notes on criteria used to assess suitability of land for wind turbine development from e-on and Enertrag UK, supplied by ATAG.
- 13 Copies of ATAG submissions to the Council
- 14 Email from Peter Ross on highway distraction
- 15 Comments on proposed conditions, submitted by Peter Ross by email
- 16 Site visit itinerary with accompanying plans
- 17 List of application drawings

PLANS

A1-A11 Application drawings (Application plan, Fig 3.3 and Figs 6.1-6.9)

PHOTOGRAPHS

- P1 Photograph of rear garden at Glebe Farm, Rectory Road
- P2 Photograph of rear garden at The Bungalow, Rectory Road
(provided by Peter Ross)