

Respondent	Comments Made (NB Copies of the correspondence received can be made available in full)	Officer Response & Proposed Action
Bicester Town Council	The Town Council generally supports the draft document. It does have concerns about the effectiveness and efficiency of commercial wind turbines in low altitude locations. The Town Council would assess applications on their particular merits, bearing in mind the draft guidance. That said, small domestic turbines should be treated in a different way to either tall, large commercial turbines or farms of turbines.	Noted
Aylesbury Vale District Council	They refer us to Aylesbury Vale Landscape Character Assessment (2008) and the Areas of Sensitive Landscape Study and its findings regarding the sensitivity of the Cherwell/Aylesbury Vale border to wind turbines. They suggest we share our evidence bases (proposals, joint mitigation, this document, and Core Strategy). This may feature in their Proposed Submission Core Strategy consultation.	Need to include reference to the sensitivity of the landscape of the Cherwell/Aylesbury border and refer to their evidence base studies in our reference list.
South Newington Parish Council	Support the document. Their main concern is that although the guidance is intended to cover large turbines, it may be used prescriptively by, for example, the planning committee to restrict small or medium sized developments. The guidance should make very clear its main purpose and its applicability to smaller developments.	Add a paragraph to the Introduction to highlight the specific applicability to large scale turbines but that the principles (not necessarily the distances) would apply to other wind energy proposals.
Gosford and Water Eaton Parish Council	Should there be a section on wildlife and preservation? What about turbines sited in a neighbouring district close to the Cherwell boundary, who have different policies which could affect residents in Cherwell.	Highlight in Chapter 1 how and why the document refers only to residential amenity issues - it is not a general guidance document on wind turbine developments. The document can be used to inform the Council's response to consultations on wind turbine proposals in adjoining areas, but it will be for the adjoining authority to determine proposals based on their own policies. Adjoining authorities have been consulted on this consultation document.
Middleton Stoney Parish Council	Turbines should not be located in North Oxfordshire. To be effective they need to be of a size which would significantly alter amenity. In flat North Oxfordshire, visual impact should be the main consideration for Planning Committee. Criticises the decision of PINS, saying there is nothing local communities can do if a policy of 'renewable energy at any cost' is pursued. They welcome the guidance and support the general principle but say that the distances should not be arbitrarily applied nor should the Fewcott decision be considered to set a precedent. Proposals should be considered upon their merits, bearing in mind the particular position within the landscape and in relation to residential amenities.	Agreed regarding the need to make decisions based on the individual merits of proposals. However the Fewcott decision has not been used as a precedent in the document - attempt to emphasise this point further in the text, and also emphasise the importance of considering visual impact.
CPRE Bicester/Ploughley District	Very detailed comments received; the main recommendations are set out below:	

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CPRE Bicester/Ploughley District	Cherwell should adopt the well-founded 2km minimum separation distance from Scottish PAN 45 and Scottish Planning Policy (now amended to 2.4km for Scottish Natural Heritage), rather than the 800m produced for a different reason by CAG consultants. 2km would be compatible with planning guidance being adopted in adjacent South Northants, where the landscape is similar, and would avoid developers 'playing off' one district against another.	Scottish Planning Advice Note 45 refers to wind turbines being 'prominent' within a distance of 2km. But it is not considered that this informal guidance document can be used to equate 'prominent' with 'unacceptable' within Cherwell. South Northamptonshire's SPD refers to wind turbines within 2km of dwellings or settlements needing to be 'carefully considered'. This is a different approach to Cherwell guidance document, which refers more explicitly to a minimum separation distance. Scottish Planning Policy does suggest a separation distance of up to 2km between areas of search [for wind farms] and the edge of cities, towns and villages to guide developments to the most appropriate sites. However, a 2km minimum separation within Cherwell would effectively rule out all of the district. The Council needs to be seen to take a reasonable approach, whilst minimising avoidable harmful impacts on residential amenity.
CPRE Bicester/Ploughley District	Chapter 6 Heritage: The proposed 5km radius outside which heritage assets will be assumed to be unaffected is unfounded and should be deleted. Inspectors have refused wind turbines on appeal at distances far greater than 5km, and wind turbines are officially considered prominent at 15km.	Revise the wording to clarify that significant impacts over 5km are possible.
CPRE Bicester/Ploughley District	Para 1.11 needs to refer to updated Scottish Planning Policy March 2009 which at para 190 states: "A separation distance of up to 2km between areas of search and the edge of cities, towns and villages is recommended to guide developments to the most appropriate sites and to reduce visual impact, but decisions on individual developments should take into account specific local circumstances and geography.	Agreed
CPRE Bicester/Ploughley District	Para 3.1 should be rewritten to say that for the reasons given it is all the more necessary to ensure that turbines are adequately separated from houses to protect the amenity of residents rather than describing the harm as an inevitability.	Agreed
CPRE Bicester/Ploughley District	The Fewcott decision should not be quoted as a model, since one of the motivations in progressing a separation policy has been to avoid a repetition of that unfortunate judgement.	The wording reads that the separation distance in the Fewcott case could be used as a basis. But there is also discussion of a number of other cases. The wording has been amended slightly to emphasise that the Fewcott decision is not the model.

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CPRE Bicester/Ploughley District	Para 3.22 refers to the May draft of the South Northants SPD, not the post consultation version available at the time the Cherwell consultation was sent out.	Only the draft was available at the time the document was approved for consultation at Executive (1 November 2010). However, the final revised document has been updated to reflect the adoption of South Northamptonshire's SPD.
CPRE Bicester/Ploughley District	Residential Amenity Guidance Box (pg 14): We do not see the need for the second paragraph, if the minimum separation distance has already been set out in the first paragraph.	The first sentence (800m) refers to a minimum separation distance that will normally be required. The 800m figure may be influenced by orientation of views, topography, vegetation (screening) and so on. The 'three times the turbine height' is an absolute minimum.
CPRE Bicester/Ploughley District	Residential Amenity Guidance Box (pg 14): the third paragraph relating to 'field of view' and a distinction between 10 or more houses and single dwellings seems arbitrary. Surely one house would be as harmed as ten in this context?	This statement was included to acknowledge that there is likely to be a difference in the way that amenity is impacted by wind turbines, for a single dwelling or for a settlement. Additional explanation has been added to the document as well as highlighting the links between this and the landscape, and the cumulative impacts sections.
CPRE Bicester/Ploughley District	Chapter 4 Table 3. Whilst the Fenland guidance is correctly quoted, PAN45, the 'trade bible' describes turbines at 5-15km distance as 'prominent in clear visibility' rather than simply 'apparent'. We recommend that PAN45 should be used.	The two tables are different in more ways - PAN45 does not distinguish between less than 400m, nor does it include over 30km. Although PAN45 is commonly used, Fenland's guidance applies specifically to turbines falling into the 101-130m tall category (i.e. the 'large scale' turbines to which Cherwell's guidance document relates), and also reflects a situation where it is possible to be in very close proximity to a turbine e.g. on a public road, public right of way or from residential locations. Therefore it is considered that Fenland's descriptions could usefully apply in Cherwell also. PAN45 has been referred to and is listed in the References.
CPRE Bicester/Ploughley District	Chapter 4 Landscape Impact Guidance Box (page 18): paragraph 1: The words 'or the purposes for which it was created' should be added. It should also be stated that within the Green Belt, turbines are inappropriate development and special circumstances would need to be proven.	Agreed.

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CPRE Bicester/Ploughley District	Chapter 4 Landscape Impact Guidance Box (page 18): paragraph 2: It is hard to see what basis this 'back stop' 400m separation distance (rather than our recommended 2km or even officers' 800m) is proposed. This will compromise the main proposed guidance distance, and will surely tend to become the figure developers will work to <i>[this 'backstop' point was raised in relation to other issues as well]</i> .	The document has been split into sections, with individual distances relating to the impacts being considered, so that a more tailored approach can be provided. For example, if noise impacts are not an issue, then the distances for landscape or amenity reasons may still be required.
CPRE Bicester/Ploughley District	Chapter 6 Heritage: We are not convinced that the guidance is supportable since much turns on the individual assets and its particular value, and there should be an onus on the developer to make proper assessments, regardless of distances.	Amend wording of this section but there is already reference to an assessment being required as part of Environmental Impact Assessment.
Oxford Green Belt Network	Support the document - well researched and will be valuable in dealing with future applications. We note the arguments set out, but would strongly recommend a separation distance between turbines and dwellings of two kilometres rather than the 800 metres which you have opted for. A distance of 2km would reflect the guidance in Scotland where there has been much more experience of investigating the impact of wind turbines. Cherwell District has a lot of fine landscape, including not only AONB and Green Belt, but also the landscapes around historic houses and estates which it is important to protect. So far as the Green Belt is concerned, we are pleased to note the importance which you attach to the Green Belt in the Guidance on page 18 and the policy that wind turbines should not be allowed to compromise the vital characteristic of the Green Belt, its openness.	Comments regarding Green Belt are noted. It is not considered that a starting point of 2km would be a reasonable approach given the dispersed settlement pattern in the district (see response to CPRE's comments).
Yarnton Parish Council	<p>Noise – Turbine blade tips produce a throbbing noise which carries a good distance (dependent on the ground surface profile) further than the residence property to turbine distance recommended in the regulations. This has been reported by many people who have had turbines installed near their homes.</p> <p>Planning – As with Worton Farm who permitted Hansons to quarry, this was followed by smelly composting, then dusty and noisy recycling and now waste food digestion. Give planners/developers an inch and they will take a mile! Accept one turbine and you will end up with a family of them.</p> <p>Siting - Our observations are that we do not object to wind turbines provided they are installed in the right place i.e. offshore, and not being an ugly blot on the countryside. We believe that each turbine takes 50 years for recovery of building costs and yet is worn out in 25 years, i.e. inefficient and too costly. Alternative methods must be considered.</p>	The concerns expressed relate to opinions regarding wind energy generally rather than specific distance issues, with the exception of the comments relating to noise. However we need to adhere to PPS22 and its recommendation to use the ETSU guidance. The text of the document can be amended to tackle the precedence issue within the Introduction. The Introduction will also be amended to acknowledge the benefits of other forms of renewable energy but the Council cannot be seen to rule out one particular form of renewable energy.

Appendix 2: Wind Turbine Guidance
 Consultation Responses

February 2011

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Cotswolds Conservation Board	<p>The Cotswolds Conservation Board supports the draft guidance subject to the following comments:</p> <ol style="list-style-type: none"> 1. They welcome reference to the AONB Management Plan. Suggest including a link to this document in the Appendix. 2. The Management Plan is amplified in the Board's Position Statement on Renewable Energy in the Cotswolds AONB (attached). 3. The Landscape and Visual Impact section does not address the issue of development outside the AONB which affects the special qualities of the AONB itself, as referred to in the Natural England guidance 'Making Space for Renewable Energy' and the draft National Policy Statement for Renewable Energy (extracts are quoted). Accordingly, the first paragraph of the guidance of this section should be amended to read "Large and medium scale wind turbine developments within or outside the AONB which adversely affect the special qualities of the AONB are unlikely to be permitted". 	<p>Include the Management Plan & Position Statement in the Appendix. Include reference to developments affecting the setting of the AONB.</p>
Wroxton and Balscote Parish Council	<p>The Parish Councillors seem to be quite divided in their opinions of Wind Turbine Development. On the one hand, in principle the idea of wind farms are seen as a good form of renewable energy and consideration of any plans should be seen on an individual basis, although it is thought that small turbines would have very little impact, and it is questionable as to whether there are suitable sites within the area, even though Balscote is 500+ ft above sea level. On the other hand, there is opinion that wind turbines do not have a place in or around conservation areas - both Wroxton and Balscote are classed as conservation villages - and that the Parish Council should consider the effects that local quarrying has had on the area; maintaining that once decisions concerning despoiling the conservation countryside have been made, they would be here to stay.</p>	<p>Noted</p>
Sustainable Kirtlington	<p>A great deal of thought has been invested in assessing visual and other impacts and protecting the historic environment and we are encouraged by the flexibility indicated in some of the reports of appeal decisions.</p> <p>However:</p>	<p>Noted</p>

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Sustainable Kirtlington	<p>a) the concept of 'residential amenity' is imprecise and potentially likely to be interpreted subjectively. We would like to suggest that it should not be used solely to describe a potentially negative impact, when the proximity of a turbine to a community could – as long as it was sensitively sited – also be considered an amenity.</p> <p>b) the conclusions to chapter 3 might be overly restrictive in requiring a separation distance of 800m between a wind turbine and a residential property: this is likely to be hard to achieve in Cherwell and could discourage possible initiatives that could otherwise benefit several communities in the district. Hence, if a community group brings forward a wind proposal that has wide support of the local community, Sustainable Kirtlington is of the view that turbines should in the right circumstances be considered of positive amenity value and a separation distance of less than 800m when the installation is of benefit to the wider community is acceptable.</p>	<p>Both points relate to community support which is an interesting issue but the guidance needs to be based on proper planning principles which are applied consistently. A Government publication (DTI, 2007) explains that community support should not be a material consideration in making planning judgements on wind turbine proposals. However, it could be possible that if a proposal has widespread community support this may assist in the decision making process (by removing objections thus potentially resulting in a more expedient decision).</p>
Susenco Ltd (sustainable energy company)	<p>I am concerned about the evolution of different treatment of identical proposals being developed by different planning authorities and the uncertainty this creates for developers against a backdrop of national and local commitment to renewable energy.</p> <p>Most of the document provides a satisfactory assessment of the issues facing the Council. However the points below are ones where the suggested policy is not consistent with the evidence or with Government policy. There is a potential financial risk to the Council in making decisions against Government policy which are then appealed with costs to the appellant.</p> <p>In seeking ways to limit wind turbine development, the paper reviews practices elsewhere in the UK. However, there is no point in adopting guidelines which are not consistent with Government guidance, notably PPS22.</p>	<p>Emphasise in the Introduction that in many areas the guidance complies directly with PPS22, but that there is a national policy 'gap' and thus local policy is required.</p>
Susenco Ltd (sustainable energy company)	<p>In summary, the document says that the Council supports renewable energy, but by creating over-sized buffer zones, that support is meaningless. Whilst this may give comfort to some residents, it emasculates the majority especially the young. A poll commissioned by IPB Communications has indicated what appears to be an age bias behind opposition to turbines. The poll showed that more than 75 per cent of people polled said they would be in favour of plans to build a wind farm producing green energy close to where they live, with 86 per cent of 16 to 34-year-olds surveyed saying they would back the proposals. Nobody under the age of 24 said they would oppose a wind farm in their area. The research showed that fewer over-55s, 61 per cent, were in favour of building a wind farm near their home. Twice as many retired people opposed wind farms than those who are working. Spoilt views and increases in noise were the main concerns of those who said they oppose wind farms.</p>	<p>Noted but the document does not seek to unduly restrict renewable energy but to protect avoidable harm to residential amenity, a proper planning aim which is not negated by support/objections to a proposal by a particular demographic (see the response to Sustainable Kirtlington's comments on community support, above)</p>

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Susenco Ltd (sustainable energy company)	Section 3: It is evident from the appeal decisions that there is no specific separation distance. The nature of visual impact is highly specific to a locale. Identifying a minimum separation distance of 800m is not consistent with the quoted examples. It would appear to be the greatest distance that could be promoted and could be considered to preclude wind turbines from the whole district. This approach would not be consistent with the obligations of the Council to represent the whole community, many of whom would like to have wind turbines.	Amend the text to emphasise further that the document does not propose blanket restrictions.
Susenco Ltd (sustainable energy company)	A single distance based restriction is flawed in that it does not take into account the characteristics of individual turbines, both in terms of size (with some larger than others) and some noisier than others even at the same size. Noise would also be worse downwind rather than upwind. A blanket separation is indiscriminate and prejudiced, not evidence based, and therefore potentially unreasonable. By comparison, ETSU R97 is determinate, measurable and flexible to a variety of circumstances.	As above, emphasise that the document does not propose a blanket restriction.
Susenco Ltd (sustainable energy company)	Shadow Flicker There is an indication that shadow impact effects may lead to supporting a separation distance of 800m. This is contrary to simple science and Government guidance. The Guidance Notes for PPG 22 indicate the relative locations to a wind turbine at which shadow flicker may impact on residential properties. This is at an angle of up to 130o from north and within 10 rotor diameters. This does not support a policy minimum of 800m.	The document repeats PPS22's guidance relating to shadow flicker and does not refer to 800m in this instance.
Susenco Ltd (sustainable energy company)	Paragraph 4.23 Green Belt: Protection of Green Belt is important but it can be argued that the wind turbines will not detract from the natural landscape. However, regardless of this argument, the Council will have to consider the appropriateness of the proposal with regards to the Green Belt status (a key point is whether the development is appropriate or not). PPG 2 suggests that inappropriate development would be harmful to the Green Belt. Wind turbines are not harmful to any of the purposes or functions of the Green Belt. PPG 2 suggests that mineral extraction is not inappropriate because it is temporary, so too is a wind turbine, indeed a wind turbine will have a life of about 25 years, less than most extraction operations. Any temporary reduction in visual amenity is justified by the special circumstances created by the energy background that the country faces. As a scheme contributes to the lowering of climate change emissions, it may be considered a good use of the green belt designation. The openness of a green belt area is not compromised by a small scheme.	Amend the text to include reference to inappropriate development in Green Belts and to what extent this is outweighed by special circumstances.

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Natural England	<p>Natural England notes that the document title relates to residential amenity impacts only. As such, Natural England is satisfied with the section on landscape and visual impacts, and is happy with the publications referred to for guidance. We note that there is a variety of guidance related to biodiversity included in the list of related publications in the Appendix. We feel that it may be helpful to developers for there to be a specific reference to biodiversity in the main text as something to consider. It is often expedient for biodiversity and protected species in particular to have been considered early in the planning process. It may be relevant to point developers in the direction of Natural England's standing advice on protected species, which can be found here: http://www.naturalengland.org.uk/regions/south_east/ourwork/standingadvice/default.aspx It may also be of use for the guidance related to biodiversity to be listed in a separate section of the appendix, under its own heading.</p>	<p>Add Natural England's standing advice to the Appendix. Create a Biodiversity section in the Appendix (for information). Amend the Introduction to highlight that although the document does not consider biodiversity, these issues are nonetheless important and brief references can be found in the Appendix.</p>
CPRE (Banbury District)	<ol style="list-style-type: none"> 1. District policy is required to protect various interests affected by wind turbine proposals 2. Highlights similarities between turbines and phone mast developments 3. Highlights that the majority of decisions on turbine developments are made at appeal. Whatever criteria is adopted in the draft guidance, it must be defensible at appeal, especially as applicants might play one appeal off another 4. Control needs to be exercised not only on distance but also on the height and number of turbines proposed in any one application, and we would be concerned if such numbers were to be expanded onto adjacent sites. 5. As turbine developments have a life of at least 25 years, to mitigate their impacts, the planting of tree shelter belts might be appropriate (dealt with by way of condition). Nevertheless we find the guidance comprehensive in these and other matters. 	<p>Emphasise reference to appropriate mitigation. However it will not be possible to create limits on the height and number of turbines proposed in any one application. A more detailed landscape capacity study could inform a quantifiable 'capacity' of the landscape to accommodate more specific numbers of turbines, but a limit on numbers cannot be included in this informal guidance document. The cumulative impacts of multiple turbine proposals are however an important consideration and are discussed in the cumulative impacts section as well as in the 'field of view' criteria.</p>
Launton Parish Council	<p>At Launton PC's last meeting it considered the above consultation document and I have been instructed to notify you that it considered the guidance well thought out with reasonable evidence for the limits chosen.</p>	<p>Noted</p>
Shenington Parish Council	<ol style="list-style-type: none"> 1. Having read the guidance document we feel there is very little we can add to on what as been proposed but we do not think that the thinking has been holistic enough and therefore would ask for the document to include periphery items such as substations, power cables etc. Currently it just focuses on the wind turbines themselves and we don't think you can separate the two. 2. Peripheral items could include new access roads and/or widening existing roads. Also, what level of lorry movements would be likely during the construction phase? 	<p>Amend the text to include reference to the requirement for substations, power cables etc but the main amenity issues will arise from the turbines themselves. Road widening/lorry movements will also impact on amenity but assessment of construction issues such as lorry movements will take place under Environmental Impact Assessment.</p>

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Banbury Town Council	Members felt that the document's language needed to be simplified so it would be easier to understand but they welcomed the guidance but made no further observations.	Noted, amend text wherever possible to simplify and reduce jargon.
Councillor comments	Consider whether there is a difference in the number of dwellings affected by proposals - is there a difference between groups of dwellings or single dwellings?	Amend the document to more consistently refer to impact on 'a dwelling' (in principle the impact on one dwelling is the same as groups of dwellings and impact is not diminished because only one dwelling is affected). However, a pragmatic and reasonable approach needs to be taken in limiting harmful impacts on amenity.
Councillor comments	Amend kilometre references to miles	The national policy guidance documents refer to metres and so it is considered the document ought to refer to metres and kilometres rather than miles.
Councillor comments	Field of view/proportion of view references. Need to factor in a consideration of topography more explicitly (difference between the field of view in Bicester compared to the rolling hills of North Oxfordshire)	Amend text accordingly.