

**Land South East Of Quarry Farm
Oxford Road, Adderbury**

13/01814/F

Ward: Adderbury

District Councillor: Cllr Randall

Recommendation: Approval

Case Officer: Stuart Howden

Applicant: Urban Land Ltd

Application Description: Installation of 2no. wind turbines

Committee Referral: Committee Date: 15.05.14

1. Site Description and Proposed Development

- 1.1 The application site consists of arable farmland to the south of East Adderbury and south east of West Adderbury. The wider area is rural in character, mainly comprising of arable farmland with hedgerows and landscaping on the boundaries of many of the nearby fields. Oxford Road runs from the north to the south west of the application site. The site is accessed via Oxford Road and the access track runs south east to Quarry Farm yard. The topography of the area is relatively hilly in comparison to the most of the Cherwell District and the site is situated near the top of a hill.
- 1.2 Planning Permission is sought for the installation of 2.No turbines both at a total height of approximately 35 metres and a height to the hub of approximately 23 metres. The turbines would have a 3-bladed design with a 24 metre rotor diameter. The most northerly of the two proposed turbines lies approximately 300 metres to the south east of Quarry Farm yard. The other wind turbine is located to the south west of this northerly turbine by approximately 100 metres. The blades of the turbines are proposed to be constructed from glass fibre reinforced plastic and the hub would be constructed from steel. One turbine has a generating capacity of 100kW and is estimated to generate in the region of 205,000 kWh of energy per year at a mean wind speed of 5.4 m/s. An area of hardstanding for each turbine would be required in order to provide a base in order to assemble turbine components and to site the crane to lift the tower sections, the nacelle and rotor components into place. Underground cabling would be required to transfer power generated from these turbines to the national grid. An access track is proposed to be constructed from the yard within Quarry Farm and would run to the south east in order to access the proposed siting of the turbines.
- 1.3 The site is not within a Conservation Area, is situated within an Area of High Landscape Value. The site is situated within potentially contaminated land and an Area of Archaeological Interest. A Public Bridleway (BR101/9) runs adjacent to the south west boundary of the site. Woodlands are located to the north and east of the site.

2. Application Publicity

- 2.1 The application has been advertised by way of neighbour letter and site notices. The final date for comment was the 6th February 2014. 3 letters have been received objecting to the proposal. The following issues were raised:
- It will have a detrimental impact upon the landscape, which is an Area of High Landscape Value;
 - It is will affect the views of at least two villages which have Conservation

Areas;

- It totally inappropriate to install wind turbines in this location;
- The proposed siting of the turbines is only 350 metres from Park Farm and is on higher ground than this property therefore it would overlook the farmhouse and cottages;
- Noise and disruption from the turbines for Park Farm and the cottage.

3. Consultations

3.1 Adderbury Parish Council: Object to the proposal for the following reasons:

- height and prominence of the turbines in this is a very prominent position and the site is too close to the village. The height of the turbines (120 ft for the extended blade) will dominate the view and will have a detrimental effect on this side of Adderbury. They will be seen from Adderbury Grounds Farm, which includes listed buildings, and from Bo Peep Caravan Park, also with listed buildings, as well as from other properties in this part of Adderbury. Also the turbines and their movement will be seen from Adderbury Lakes and the Parish Council objects since this will detract from the enjoyment of this very well used Local Nature Reserve. The application itself admits that turbines of this size can be viewed for 'a few kilometres';
- the flicker effect the turbines will have on those living and working near to the proposed site. This will have an adverse effect which may be greater than just early morning and evening, particularly in winter when the sun is low and will be from the south, behind these turbines. Therefore any views will be through the blades, potentially causing a flicker effect for much of the day when viewed from Adderbury;
- the turbines will be very close to Papermill Lane which is both a footpath and bridleway, therefore detracting from the public's enjoyment of this facility;
- there does not appear to have been a meteorological mast and survey completed beforehand to test the viability of this site or its effects on the surrounding landscape;
- the information given is misleading in that the application suggests that the turbines will replace the existing telecom mast, but this is not in the same position and is smaller and a far more neutral installation;
- there will be noise from the turbines which will affect the enjoyment of people living and working in the area. There should certainly be a noise level limitation put on these turbines if they were permitted;
- the turbines have no proven benefit which would out-weigh the detrimental effects of turbines have being so close to the built up village; and
- the application allows for 'upgrading the access' to the farm but gives no details. This could be very urbanising and will be viewed from the Oxford Rd, and could change the rural character of this area.

Cherwell District Council Consultees

3.2 Ecology Officer: No objections.

3.3 Anti-Social Behaviour Manager: Initially objected to the proposal due to insufficient information in relation to noise pollution, but further information has since been submitted and the Anti-Social Behaviour Manager now has no objections.

- 3.4 Landscape Planning Officer: No objections, subject to an Arboricultural Method Statement.
- 3.5 Arboricultural Officer: No objections, subject to an Arboricultural Method Statement.
- 3.6 Countryside and Biodiversity Officer: See Rights of Way Officer's comments in paragraph 3.11.
- 3.7 Environmental Protection Officer: No objections.
- 3.8 Conservation Officer: Objects to the proposal. The proposed site for the two turbines is situated on the shoulder of high land between the picturesque Swere River valley to the south and the Sor Brook valley to the north-east. The site is south-east of the historic settlement of Adderbury and north-north-east of the historic Adderbury Grounds Farmhouse complex. More importantly the proposed site is within an area of archaeological significance and in close proximity to the site of a Roman villa. The site is relatively prominent due to the topology and open nature of the landscape and therefore will have some impact on the setting of both the listed farmhouse adjacent and the Conservation Area. However although in the vicinity of these heritage features, the turbines are located at some distance and therefore the visual and noise impact will be mitigated. There is however no assessment of the impact this development will have on the anticipated archaeology of the site and further analysis is needed to display what archaeology is present and how this proposal will impact on that which is present.

Oxfordshire County Council Consultees

- 3.9 Highways Liaison Officer: No objections.
- 3.10 Planning Archaeologist: No objections subject to an Archaeological Written Scheme of Investigation.
- 3.11 Rights of Way Officer: Gaps within the hedgerow to the south west of the proposed siting of the turbines should be infilled to help reduce the visual impact from the bridleway. The turbines will still be visible from some points along the route where hedgerows are lower or during winter when there are no leaves on the trees. I'm sure that there are some horses that would not react at all when the turbines are in view, while others would react badly. Consideration should be given to the comments made by the British Horse Society (BHS) who will be familiar with the impact that other sites have had on bridleway users. The information within the BHS document 'Advise on Wind Turbines and Horses – Guidance for Planners and Developers' should also be taken into account.

Other Consultees

- 3.12 British Horse Society: Object to the application.

In the Equestrian Statement, I am well aware that horses who graze in fields with wind turbines get used to them. I am more concerned with a horse being ridden out suddenly coming across a moving turbine and this is why I have raised this as an issue. I welcome the assurance of robust hedging along the bridleway to help mitigate the effects, and the warning of works and acclimatisation periods.

With the document, I am still concerned and rather put out that the bridleway is still referred to as a 'footpath'. This just demonstrates that whoever wrote it simply does not get the difference between these public rights of way and by implication does not fully appreciate the differing needs of horses/riders when compared with pedestrians -

particularly in regard to the way a horse may react to a wind turbine.

Please send me the revised and corrected version, so that I can be assured that the writer and therefore the developers, and anyone else involved including the Council, have taken this important fact on board.

3.13 Ministry Of Defence: No objections.

4. Relevant National and Local Policy and Guidance

4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

- C7: Topography and character of the landscape
- C8: Sporadic development in the open countryside
- C13: Area of High Landscape Value
- C25: Scheduled Ancient Monuments
- C28: Layout, design and external appearance of new development
- ENV1: Detrimental levels of noise, vibration, smell, smoke or other types of environmental pollution
- ENV12: Development on contaminated land

4.2 Other Material Policy and Guidance

National Planning Policy Framework

Submission Cherwell Local Plan (October 2013)

The Submission Local Plan (January 2014) has now been through public consultation and was submitted for examination in January 2014, although this plan does not have Development Plan status, it is a material planning consideration. The plan sets out the Council's strategy for the District to 2013.

The policies listed below are considered to be material to this case and are not replicated by saved Development Plan policy:

- ESD1: Mitigating and Adapting to Climate Change
- ESD2: Energy Hierarchy
- ESD5: Renewable Energy
- ESD10: Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13: Local Landscape Protection and Enhancement
- ESD18: Green Infrastructure

Planning and Climate Change; Supplement to Planning Policy Statement 1

Planning Practice Guidance for renewable and low carbon energy (2014) (DCLG)

Written Ministerial Statements – Onshore Wind (6 June 2013)

Renewable Energy and Sustainable Construction Study (September 2009) (CAG)

Planning Guidance on the Residential Amenity Impacts of Wind Turbine Development (CDC Informal Planning Guidance February 2011)

5. Appraisal

5.1 The key issues for consideration in this application are:

- Principle of the Development;
- Landscape and Visual Impact;
- Heritage Impact;
- Residential Amenities;
 - Noise;
 - Council's guidance in relation to separation distance;
 - Shadow Flicker;
- Highways Safety and Access;
- Ecological Impact;
- Community Led Renewable Energy Initiatives;
- Archaeological Impact;
- Rights of Way & Equestrian Safety;
- Safety;
- Benefits;
- Arboricultural Impact;
- Other Matters.

Principle of the Development

5.2 Chapter 10 of the National Planning Policy Framework (NPPF) specifically deals with climate change and supports the delivery of renewable energy stating that it is central to the economic, social and environmental dimensions of sustainable development. It sets out that when determining planning applications, Local Planning Authorities should:

- Not require the Applicant for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- Approve the application [unless material considerations indicate otherwise] if its impacts are (or can be made) acceptable.

5.3 The Department for Communities and Local Government recently published the Planning Practice Guidance for renewable and low carbon energy (2014) which is a material planning consideration. This sets out that it should generally be followed unless there are clear reasons not to. This document emphasises that planning for renewable and low carbon energy is still important in helping to ensure that the UK has a secure energy supply, reduce greenhouse gases, to slow down climate change and stimulate investment in new jobs and businesses.

5.4 Furthermore the Submission Cherwell Local Plan contains a positive policy which states that the Council will support renewable and low carbon energy provision wherever any adverse impacts can be addressed satisfactorily.

5.5 The two proposed wind turbines would contribute to renewable energy targets by reducing carbon emissions. However, the principle of the proposed development in this case is clearly also dependent upon on other factors. Paragraph 15 of Planning Practice Guidance sets out a number of key aspects that require consideration at the

planning stage:

“In shaping local criteria for inclusion in Local Plans and considering planning applications in the meantime, it is important to be clear that:

- *The need for renewable or low carbon energy does not automatically override environmental protections;*
- *Cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity as the number of turbines and solar arrays in an area increases;*
- *Local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominantly flat landscapes as in hilly or mountainous areas;*
- *Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting;*
- *Proposals in national Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration;*
- *Protecting local amenity is an important consideration which should be given proper weight in planning decisions.”*

Furthermore the Submission Cherwell Local Plan notes that planning applications involving renewable energy development will be encouraged provided there is no unacceptable adverse impact, including cumulative impact, on the following issues, which are considered to be of particular local significance in Cherwell;

- Landscape and biodiversity including designations, protected habitats and species, and Conservation Target Areas;
- Visual impacts on local landscapes;
- The historic environment including designated and non-designated assets and their setting;
- The green belt, particularly visual impacts on openness;
- Aviation activities;
- Highways and access issues, and;
- Residential amenity.

These issues are discussed below.

Landscape and Visual Impact

- 5.6 Saved Policy C28 of the adopted Cherwell Local Plan exercise control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context of that development.
- 5.7 Saved Policy C13 of the adopted Cherwell Local Plan states that the council should seek to conserve or enhance an Area of High Landscape Value. Saved Policy C7 notes that development will not normally be permitted if it would cause demonstrable harm to the topography and character of the landscape. Saved Policy C8 of the adopted Cherwell Local Plan notes that sporadic development in the open countryside will generally be resisted if its attractive, open and rural character is to be maintained. Policy C8 applies to all new development proposals beyond the built up limits of settlements. The NPPF also advises that the open countryside should be protected for its own sake.

- 5.8 The addition of two structures of approximately 35 metres in height with moving blades will undoubtedly have an impact on the character and visual appearance of the landscape surrounding the application site. However, simply being able to see the structures within the landscape is not a reason to withhold planning permission as evidenced by the presence of turbines around the country in rural locations. It is necessary to undertake a technical assessment of the proposal in order to determine the impacts of the development and whether the landscape has the ability to accommodate two turbines having regard to the characteristics of the landscape and also any cumulative impacts which may result from the proposals and other consented or built turbines in the vicinity.
- 5.9 The site lies within an Area of High Landscape Value and visual impacts on this area are an important consideration. The applicant has submitted a Landscape and Visual Impact Assessment along with photomontages from a number of viewpoints in the area which show the visual appearance of the turbines within these views. The Council's Landscape Officer has undertaken a detailed assessment of the various potential impacts of the proposal on the surrounding area and concluded that the overall impact on the local area would be moderate and that the landscape could accommodate the turbines without detriment to the overall character or visual appearance of the landscape.
- 5.10 Officers have also undertaken an assessment of the potential impacts of the proposal upon the landscape by studying the photomontages and by visiting various public vantage points surrounding the site along Oxford Road, B4100, Public Bridleway 101/09, Oxford Canal Walk and Public Footpaths 101/8, 101/21, 187/1 and 187/3 as well as within Adderbury, Deddington, Milton, Clifton, Kings Sutton and Aynho. It is accepted that the impacts would be much greater from a limited number of locations close to the turbine, such as from Oxford Road near the access to the site and from Public Bridleway 101/9, and this is to be expected. The topography of the area and landscaping would contribute in screening numerous views from certain points within close proximity. Where Public Bridleway 101/9 runs adjacent to the field the turbines are proposed to be sited in, hedging of approximately 2 metres runs on the south west boundary of the field therefore officers hold the view that this would partially screen views of the turbines. There are currently gaps in the hedging, but a condition has been attached noting that any gaps within this hedging shall be infilled to reduce the visual appearance of the turbines upon the landscape.
- 5.11 Adderbury would be the closest settlement to the proposed turbines, but officers hold the view that most views from within the built up limits of Adderbury would be screened by landscaping and existing structures. That said, the proposed wind turbines would be visible from certain points within Adderbury (see below). However, the proposed turbines fall within the small scale wind turbine category in the Council guidance because of their height and generating capacity. Due to the respective distances between some of the viewing points within Adderbury and the proposed siting of the turbines, along with the point that these proposed turbines are relatively small in scale it is considered these turbines would not have a dominant landscape and visual impact when viewed from within Adderbury.
- 5.12 It would be possible to see the proposed wind turbines from points over 2 kilometres away, such as on Aynho Road around the Aynho Hill area. However, due to the relatively small scale nature of the turbines, it is considered that they would be not seen as a major element within the wider panorama from these viewing points, which are located further away from the proposed siting of the turbines.
- 5.13 In addition, the NPPF notes that whilst recognising the intrinsic character and beauty of the open countryside, greater weight is placed on the conservation of landscape and scenic beauty within National Parks, the Broads and Areas of Outstanding Natural Beauty, none of which this site falls within.

- 5.14 Thus, for the reasons above it is considered that the overall impact on the local area would be moderate and that the landscape could accommodate the turbines without detriment to the overall character or visual appearance of the landscape. Officers accept that there would be some degree of harm visual appearance and character of the landscape, but when weighing this up against the other considerations, it is considered that the benefits of the scheme outweigh this harm.

Heritage Impacts

- 5.15 Section 12 of the NPPF (Conserving and Enhancing the Historic Environment) states that in determining planning applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution of local character and distinctiveness. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Proposals that preserve those elements should be treated favourably.
- 5.16 Policy ESD 16 of the Submission Cherwell Local Plan states that where development is in the vicinity of any of the district's distinctive natural or historic assets, delivering high quality design will be essential.
- 5.17 Saved Policy C25 of the adopted Cherwell Local Plan notes that in considering proposals for development which would affect the setting of a Scheduled Ancient Monument, other nationally important archaeological sites and monuments of special local importance, the Council will have regard to the desirability of maintaining its overall historic character, including its protection, enhancement and preservation where appropriate.
- 5.18 Guidance from English Heritage suggests that the following factors should be borne in mind when assessing the acceptability of developments within the setting of historic sites: visual dominance; scale; intervisibility; vistas and sight-lines; movement, sound or light effects and; unaltered settings.
- 5.19 Regarding heritage assets, the Council's informal guidance notes that significant impacts from large scale turbines upon heritage assets are likely up to a distance of 5 kilometres, but the impact is also determined by context, such as the topography and landscaping.
- 5.20 It should be noted that Council's guidance is more relevant regarding large scale wind turbines. According to the guidance, the proposed turbines would fall into the small scale category which is between 10m – 50m. Large scale turbines are considered to be over 90-130 metres in height and have a generating capacity over 1MW therefore the proposed turbines are considered to be significantly different to what is considered large scale in this guidance and this needs to be taken into account when assessing this application.

Setting of the Conservation Area

- 5.21 Regarding the impact upon Conservation Areas, nine Conservation Areas would be located within a 5 kilometre radius of the site (Adderbury, Deddington, Bodicote, Milton, Bloxham, Barford St John, Barford St Michael, Kings Sutton and Aynho). The setting of Adderbury Conservation Area is likely to be the most affected by the development. It is considered that the proposed wind turbines would not have a detrimental impact upon the setting of the other eight Conservation Areas listed. From certain viewing points, the proposed wind turbines would be in front of the sight lines of some of the church spires within these Conservation Areas, but the majority of

these Conservation Areas would be screened from these viewing points due to the topography of the area and landscaping. In addition, due to the respective distances between these viewing points and the Conservation Areas, officers hold the view that the Conservation Areas are not considered to be pronounced from these points. Furthermore, it is considered that due to the relatively small scale nature of the turbines, they would not be seen as a major element within the wider panorama from points where they would be visible within these Conservation Areas. A third party has noted that the wind turbines would have a negative impact upon the setting of Deddington Conservation Area, which is 2.5 kilometres away. However, from the siting of the proposed turbines the only element of Deddington which is marginally visible is the top of Deddington Church and this is due to the topography of the area and landscaping. Thus, due to the respective distances between the proposed siting of the turbines and these other Conservation Areas, the topography of the wider area, as well as the point that the wind turbines are relatively small in scale, officers consider that the proposed wind turbines would not have a detrimental impact on the setting of these eight other Conservation Areas.

- 5.22 The proposed wind turbines would be approximately 900 metres away from the closest point of the Adderbury Conservation Area, whilst being approximately 1KM away from the closest point of Conservation Area which is accessible to the public (Duchess Bridge on the Oxford Road).
- 5.23 Despite being situated near the top of a hill, officers are of the opinion that the wind turbines would be well screened from most locations within the built up limits of Adderbury Conservation Area by existing structures and landscaping. The wind turbines would be partially visible from some areas of the Conservation Area such as to the south of Oxford Road and the south of Mill Lane, but due to landscaping and existing structures the turbines would be partly screened from these areas. Thus, it is considered that the turbines would not be visually prominent from within Adderbury Conservation Area, but the wind turbines would be visible from some areas of the Conservation Area and some harm may be caused to the setting of this Heritage Asset. That said, the Conservation Officer is of the opinion that the proposed turbines would not unduly affect the special character of Adderbury Conservation Area. Officers also consider that the overall benefit of the proposed wind turbines outweighs the potential harm. When taking into account the relatively small scale nature of the wind turbines, the distance between the Conservation Area and the proposed turbines and the above it is considered that the turbines would not cause detrimental harm to Adderbury Conservation Area in terms of visual dominance and sound, movement and light effects.
- 5.24 From the Public Bridleway (101/9) - running to the south-east towards Adderbury Grounds Farm, views of Adderbury Conservation Area are well obscured and mainly screened due to thick and high vegetation from the section of the Bridleway which runs adjacent to the field which would accommodate the proposed turbines. Due to the topography of the area, this Conservation Area cannot be clearly viewed when going south west down this Bridleway. Thus, where the wind turbines can be seen from the Bridleway, it is considered that they would not be within the sight lines of the Conservation Area because the Conservation Area is screened from this Bridleway.
- 5.25 From the east of Adderbury, the wind turbines would be visible from the public footpath which runs adjacent to the Oxford Canal and from the public footpath which is situated to the north of Banbury Golf Course and links with the B4100. However Adderbury Conservation Area is not highly visible from these viewpoints due to the topography of the area and landscaping. Further to the east, both the turbines and elements of Adderbury would be visible from some viewing points, such as from Aynho and in the vicinity of the cemetery to the south of Kings Sutton. That said, it is considered that Adderbury Conservation Area is not pronounced from these locations further to the east due to its distance away and because most of the Conservation

Area is screened by landscaping surrounding the village.

- 5.26 From the north of Adderbury, the turbines would be visible from the east of Twyford on the road which runs to Kings Sutton, but from these viewpoints the Conservation Area is mainly screened due to intervening structures in Twyford and landscaping. Further to the north, the wind turbines would be visible from some areas such as Bankside in Banbury and Bloxham Grove Farm to the south of Adderbury. However, the Conservation Area is not pronounced from these locations due to its distance away and most of this heritage asset is screened by landscaping and intervening structures. In addition to this, officers hold the view that the wind turbines would not appear highly noticeable from this distance away due to their scale and the wind turbines are situated to the south of the Conservation Area so they would not directly interfere with the sight lines of Adderbury Conservation Area.
- 5.27 Adderbury is located to the north of the hill top where the proposed wind turbines would be sited, and this hill top would mainly screen views from the public domain of Adderbury Conservation Area from south of the application site. Thus, the wind turbines would not interfere with the sight lines of the Conservation Area from the south of the village. From the west of Adderbury, the wind turbines would not be situated in front of the Conservation Area so the turbines would not interfere directly with the sight lines of the Conservation Area from the east of Adderbury. Furthermore, the Conservation Area is mainly screened by vegetation from most viewing points west of Adderbury.
- 5.28 For the reasons above it is considered that the wind turbines would not be visually prominent from within the Conservation Area nor would they cause detrimental harm to the setting of the Adderbury Conservation Area in terms of interfering with the sight lines of this Conservation Area, visual dominance and movement, sound and light effects. Although, harm is possible upon the setting of this Conservation Area, this harm is not considered to be significant or outweigh the overall benefits of the proposed wind turbines.

Setting of the nearby listed buildings

- 5.29 Numerous Grade II listed buildings are within a 5 kilometre radius of the site. The Cherwell guidance notes that any heritage asset within a 5 kilometre radius of a wind turbine is likely to be impacted upon, but this guidance relates to wind turbines of a much larger scale. Officers consider that the proposed turbines would not cause detrimental harm to the setting of any listed buildings outside a 1 kilometre radius of the proposed siting of the turbines due to the relatively small scale of the wind turbines. Although the wind turbines may be visible from these heritage assets and some harm is possible, it is considered that the proposed wind turbines would be a sufficient distance away from these listed buildings to prevent significant harm upon the setting of these listed buildings in terms of overdomination and light, sound, and movement effects.
- 5.30 Four Grade II listed buildings are situated within 1 kilometre of the proposed siting of the turbines. The nearest Grade II listed building would be Adderbury Grounds Farm at an approximate distance of 540 metres to the south west of the proposed siting of the turbines and this listed building is the most likely to be impacted upon by this proposal. The blades and hub of the turbine would be visible from Adderbury Grounds Farm and some harm to the setting of this listed building is considered possible. However, due to topography and landscaping the lower section of the turbines would be mainly screened as shown in the photomontage provided and the turbines are not considered to detrimentally overdominate this listed building. In addition to this, agricultural buildings surround this listed building and officers consider that these already interfere with the setting of this listed building. Furthermore, officers are of the opinion that the proposed turbines would be of a

scale and distance away from this building to prevent detrimental harm to this heritage asset in terms of sound light and movement effects. The Conservation Officer is also of the opinion that the proposed development would not unduly affect the special character of this listed building. It is therefore considered that the proposed turbines would not cause detrimental harm to the setting of this listed building.

- 5.31 The barn at Bo Peep Farm is the second nearest Grade II listed building to the proposed siting of the turbines at an approximate separation distance of 640 metres to the north east. Landscaping to the south of the barn would mainly screen the turbines from the barn and would visually separate the two structures. Due to the scale of the proposed turbines and separation distance between the structures it is considered that the turbines would not cause detrimental harm to this listed building in terms of light, sound and movement effects. It is therefore considered that the proposed turbines would not cause detrimental harm to the setting of this Grade II listed barn.
- 5.32 The Grade II listed Paper Mill which is approximately 715 metres to the south of the proposed siting of the turbines and the Grade II listed Duchess Bridge which is approximately 1 kilometre to the north of the proposed siting of the turbines, would be both mainly screened from the proposed turbines by landscaping. Landscaping is situated to the south of the Duchess bridge and surrounds Paper Mill. Intervening topography would also contribute in screening the proposed turbines from the Paper Mill. Due to the scale of the proposed turbines and separation distance between the listed structures and turbines, it is considered that the turbines would not cause detrimental harm to these listed building in terms of light, sound and movement effects. It is therefore considered that the proposed turbines would not cause detrimental harm to the setting of these Grade II listed structures.
- 5.33 For the reasons above officers consider that the proposed wind turbines would not cause detrimental harm to the setting of any listed building. Although, harm is possible upon the setting of some of the nearby listed buildings, this harm is not considered to be significant or outweigh the overall benefits of the proposed wind turbines.

Scheduled Ancient Monuments

- 5.34 Three Scheduled Ancient Monuments (SAMs) are situated within 5KM of the siting of the proposed wind turbines. The closest SAM is Deddington Castle at 2.7 kilometres to the south of the application site. Due to the relatively small scale nature of the proposed turbines and the separation distance officers consider that the wind turbines would not appear as major element in the wider panorama. Landscaping would also contribute in screening the turbines from Deddington Castle. The other two SAMs (Rainsborough Camp and Rainsborough Long Barrow) are located 4.7 kilometres to the east of the application site and these SAMs are outside of the ZTV. It is therefore considered that the proposed wind turbines would not have a detrimental impact upon the setting of these SAMs.

Residential Amenity

- 5.35 The key concerns relate to the proximity of the turbines to residential properties and the resultant impact in terms of overbearing/dominance of the turbines in the outlook from a private property, noise and shadow flicker. These factors are addressed below:

Noise

- 5.36 The guidance in the Planning Practice Guidance (2014) relating to the assessment of

noise in relation to wind turbine developments sets out that ‘the assessment and rating of noise from wind farms’ (ETSU-R-97) should be used by local planning authorities when assessing and rating noise from wind energy development. It also makes reference to good practice guidance prepared by the Institute of Acoustics.

- 5.37 The impact of potential noise generated by the proposed turbines on residential properties has been assessed by the Council’s Anti-Social Behaviour Manager. This analysis confirmed acceptance of the noise report and agreement with its conclusions. The report demonstrates that there would be no residential properties which would experience noise levels in excess of 35dB as stipulated in ETSU. It is therefore considered that the turbines would not adversely affect any residential properties through noise.

Council’s guidance in relation to separation distances

- 5.38 The Council has produced its own informal guidance relating to the residential amenity impacts of wind turbine developments. Although the guidance primarily applies to commercial wind developments, it states within the document that its contents may also be of relevance to smaller proposals. Whilst the document recommends a separation distance of up to 800m between large scale turbines and residential properties, Chapter 3 sets out various appeal case examples where shorter distances have been considered acceptable as well as examples where shorter distances have been unacceptable. In addition, the guidance notes that appropriate separation distances may be influenced by the orientation of views, and the local effects of trees, other buildings and the topography. However, the guidance does note that large scale turbines should always be separated from dwellings by a distance of at least three times the turbine height for residential amenity reasons. It is considered therefore that each proposal should be considered on a case by case basis.
- 5.39 The guidance in the published national Planning Practice Guidance for renewable and low carbon energy does not try to impose separation distances but instead sets out that; *“local planning authorities should not rule out otherwise acceptable renewable energy developments through inflexible rules on buffer zones or separation distances. Other than when dealing with set back distances for safety, distance of itself does not necessarily determine whether the impact of a proposal is unacceptable. Distance plays a part, but so does local context including factors such as topography, the local environment and near-by land uses.”*
- 5.40 In terms of an adequate separation distance the Planning Practice Guidance sets out that fall over distance (height of the turbine to the tip of the blade) plus 10% is often used as a safe separation distance. However this is often less than the minimum desirable distance between wind turbines and occupied buildings calculated on the basis of expected noise levels and visual impact.
- 5.41 Regarding the Council’s informal guidance, approximately thirteen residential properties fall within the recommended 800 metre buffer area of the wind turbines. However, as noted this guidance is more relevant regarding large scale wind turbines and the proposed turbines are considered to be significantly different to what is considered large scale in the guidance and this needs to be taken into account when assessing this application. Due to the relatively small scale nature of the turbines and the topography of the area, officers consider that detrimental harm in terms of overdomination would not be experienced by any residential properties beyond the 800 metre buffer area.
- 5.42 The four properties situated around Park Farm (northwest of the proposed turbines) would be the four residential properties located within closest proximity to the turbines (approximately 350 metres – 400 metres). That said, these properties are located

within a dip in a valley and would be partially screened from the wind turbines by intervening topography and vegetation to the south west of Park Farm. It is important to note that this separation distance is more relevant to large scale wind turbines and these turbines are considered to be small scale by the guidance. Thus, due to the scale of the turbines, topography and intervening landscaping officers consider that the proposed turbines would not cause detrimental harm in terms of overdomination to these dwellings.

- 5.43 Adderbury Grounds Farmhouse would be approximately 540 metres to the south to the proposed turbines. A hill top would be situated between the proposed siting of the wind turbines and the dwelling therefore intervening topography would screen the lower parts of the turbines from the property. Thus, due to scale of the turbines and the topography it is considered that the proposed wind turbines would not cause detrimental harm in terms of overdomination to Adderbury Grounds Farmhouse.
- 5.44 Six dwellings are situated within Paper Mill and Mill House, approximately 715 metres to the south east of the proposed siting of the turbines. However, due to intervening topography and landscaping surrounding Paper Mill and Mill House as well as the fact the wind turbines are small in scale it is considered that the proposed turbines would not cause detrimental harm to these properties in terms of overdomination.
- 5.45 Bo Peep Farmhouse is situated on the other side of the valley to the north of the proposed siting of the turbines and is approximately 650 metres away from the siting of these turbines. However, due to intervening landscaping to the south of this property as well as the fact the wind turbines are of a small scale it is considered that the turbines would not cause detrimental harm to Bo Peep Farmhouse in terms of overdomination.
- 5.46 Wyatts Barn is approximately 770 metres away from the proposed wind turbines, but due to intervening landscaping and the fact the wind turbines are small scale it is considered that the proposed wind turbines would not cause detrimental harm in terms of overdomination to Wyatts Barn.

Shadow Flicker

- 5.47 Cherwell's guidance notes that to avoid shadow flicker, wind turbines should normally be located at a distance of at least 10 rotor diameters from dwellings. 10 rotor diameters is approximately 240 metres and the nearest dwelling not involved with the project is approximately 350 metres away (Park Farm). It is therefore considered that the proposed turbines would not cause detrimental harm in terms of shadow flicker to any property not involved with the project and the Anti-Social Behaviour Manager also holds this opinion.

Highways Safety

- 5.48 Access to the site by HGVs during the construction and operation phases would exit the A4260 (Oxford Road) onto the Quarry Farm access and this is proposed to be upgraded where required.
- 5.49 The Local Highways Authority have no objections in principle to the proposal. The Local Highways Liaison Officer notes that the access to Quarry Farm from Oxford Road is approximately 4m wide and is shared with the neighbouring Park Farm to the north. At the point of access to Quarry Farm and Park Farm the A4260 is on a gradient ascending from north to south. Visibility from the access to the north meets highway standards. Visibility to the south is approximately 120m to the crest of the hill which is below that normally required for a 60mph road. Access to the Twyford Mill and Station Yard trading estates is approximately 200m and 250m to the north of the Quarry Farm access on the A4260.

- 5.50 The Highways Officer states that the traffic generated by the development when the wind turbines are operational will be for routine maintenance, and is unlikely to generate a significant adverse impact on the highway network. The traffic generated during the construction of the development is likely to be more significant and will include heavy vehicles for the transport of materials and turbine components. The Design, Access and Planning Statement does not identify the volume and origin of such traffic or the size of the vehicles involved, but does state that the access will be upgraded where required. In consideration of this, The Local Highways Liaison Officer requests that a construction traffic management plan is developed and implemented and this will be conditioned.
- 5.51 Subject to a construction traffic management plan being developed and implemented, it is therefore considered that the proposal would not have a detrimental impact upon highways safety.

Ecology

- 5.52 The Ecology Officer notes that the land around the proposed turbines is an arable field which is not covered by any ecological designations. The main ecological impacts from wind turbines arise from the potential effect of the blades on bats and birds. There is not much that can be done to minimise impacts on birds, except to not place them near any important bird habitat or migratory routes. No ecological report has been submitted but the Ecology Officer notes that the neither of these instances are likely to apply when looking at the surrounding habitat.
- 5.53 With regards to bats, the Ecology Officer states that large bat species will fly across open fields at height and as such are vulnerable to suffering barotrauma (caused by the sudden changes in air pressure around the spinning blades) and consequent death. Again, there is not much that can be done to mitigate this except to avoid placing them near known roosts of the larger bat species, or in habitat particularly likely to be used by them, such as old grassland. As an arable field, the site is less likely to be used by these larger bat species, but it is still possible. There are no records of any bats roosts within the vicinity of the application site. Most bat species in the UK will use hedgerows and woodland edges to fly and feed along, therefore the Ecology Officer is of the opinion that it is important that a suitable buffer distance is kept from these features.
- 5.54 The guidance produced by Natural England suggests that the minimum distance between any bat feature (such as hedgerows) and the blade tips should be 50m. Using the formula provided within the NE Technical Information Note (TIN051) the Ecology Officer calculated that to provide this minimum clearance distance, the base of the turbines needs to be 60m away from the hedgerow. For this application the clearance distance between the nearest hedgerow and the blade tips is 60m, which is therefore considered acceptable.
- 5.55 Thus, some ecological harm is likely, but officers consider that the proposed turbines would not cause significant ecological harm and the overall benefits of the wind turbines are considered to outweigh this harm.

Community Led Renewable Energy Initiatives

- 5.56 There is a certain emphasis from Government, on encouraging community led renewable initiatives and the fact that other renewable energy developments should provide positive local benefit. However the guidance contained within the Planning Practice Guidance (2014) is directed towards local planning authorities establishing policies which give positive weight to renewable and low carbon energy initiatives and the potential for Neighbourhood Plans to include the communities aspirations or

otherwise towards renewable energy. This guidance relates principally to policy and plan making and it makes no reference to the need to assess community benefits during the consideration of an application. The guidance does highlight the need to have regard to the planning concerns of the local communities. It is considered that the concerns of the local community are considered through the assessment of this application as far as they relate to planning considerations. It is understood that there is some opposition and the material planning considerations raised have been considered and are covered within this report.

Archaeology

- 5.57 The Planning Archaeologist notes that the proposal is located in an area of archaeological potential. The site located in the area of a Roman Villa identified in the 1960s when pottery, roof and flue tiles and dressed stone were found when breaking rough pasture. The actual location of the villa is uncertain although the suggested location of the site is 250m west of the proposed turbine locations. Roman pottery has been recorded 170m south of the application site (PRN 1737) and cropmarks of prehistoric features have been recorded from aerial photographs 240m south east of this proposal (PRN 13470). Two further cropmarked enclosures have been identified 500m to the south east (PRN 17213). This leads the Archaeologist to state that that it is possible that this development could encounter further aspects of these features including aspects of the Roman Villa which if present could require physical preservation.
- 5.58 Initially the Planning Archaeologist noted that the potential impact of this development on any surviving features would need to be assessed before this application is determined and that the applicant should be responsible for the implementation of an archaeological field evaluation. The Conservation Officer also objects to the proposal because there no assessment of the impact this development will have on the anticipated archaeology of the site. The Conservation Officer notes that further analysis is needed to display what archaeology is present and how this proposal will impact on that which is present.
- 5.59 After officers discussed these initial comments with the Planning Archaeologist, the conditioning of a phased Written Scheme of Investigation (WSI) prior to the commencement of the development was instead agreed between the Officers and the Archaeologist. This is in order to safeguard the recording and inspection of matters of archaeological importance on the site. It is considered that this overcomes the Conservation Officer's concern as this WSI will display what archaeology is present and how the proposal will impact upon that which is present.

Public Rights of Way and Equestrian Safety

- 5.60 The Rights of Way Officer notes that access to the site for construction, operation and decommissioning will not directly affect Public Bridleway 101/9, but there will be a visual impact. The Rights of Way Officer states that the visual impact is a subjective matter and opinions can be positive or negative. That said, the Rights of Way Officer is of the opinion that gaps within the hedgerow to the south west of the proposed siting of the turbines should be infilled to help reduce the visual impact from the bridleway which would be approximately 120 metres away from the siting of the turbines and this has been conditioned.
- 5.61 The Rights of Way Officer also notes that consideration should be given to the comments made by the British Horse Society (BHS) and the information within the BHS document 'Wind Turbines and Horses – Guidance for Planners and Developers' should also be taken into account.
- 5.62 The BHS Guidance advises a 'minimum separation distance of 200m or three times

the blade tip height (whichever is greater) will be required between a turbine and any route used by horses or a business with horses'. In this case the height to blade-tip is 35m. The proposed distance from the bridleway is 120m which gives a separation distance of over three times the height but does not satisfy the 200m separation distance. However, It should be noted that the level set at 200m is for turbines up to 65m, some 30m taller than those proposed. However, a minimum separation distance is not the only way of assessing harm in relation to Equestrian Safety.

- 5.63 The BHS were consulted and noted that they welcome the assurance of robust hedging to the south east of the site along bridleway in the Equestrian Statement to help mitigate the effects of shadow flicker. The BHS noted that they were concerned with a horse being ridden out suddenly coming across a moving turbine.
- 5.64 Partial views of the wind turbines would be achieved on the Public Bridleway before the Bridleway runs adjacent with the field where the turbines are proposed to be sited. To the north west, partial views of the turbines would be achieved from the Public Bridleway at a distance of approximately 600 metres away from the nearest turbine and to the south east partial views of the turbines could be achieved at a distance of approximately 500 metres away from the nearest turbine. Considering these distance along with the fact that these turbines are small scale, Officers are of the opinion that this would give the horse a good opportunity to become acclimatised to the presence of the turbines before reaching the section of Bridleway which runs adjacent to the proposed siting of the turbines.
- 5.65 With regard to noise from the turbines the BHS have no objections. However, the BHS noted should the application be granted, lorry drivers and construction workers need to be briefed on how to respond when on site as sudden noises, movements, bangs, clouds of dust and revving engines can all put a horse to flight. A construction method statement has therefore been conditioned prior to the commencement of the development and this should include measures to secure the monitoring and control of noise, vibration and dust caused by construction activity on the site.
- 5.66 Some harm in relation to equestrian safety is probable, but it is considered that the proposed turbines would not cause significant harm in relation to equestrian safety and that the overall benefits of the wind turbines are considered to outweigh this harm.
- 5.67 The BHS have concerns that the Equestrian Statement referred to the Bridleway as a 'footpath' on numerous occasions. Whilst this is unfortunate, it is considered that the needs and safety of horse riders have been addressed in the statement.

Safety

- 5.68 The only source of possible danger would be the loss of a piece of the blade or, in most exceptional circumstances, of the whole blade, but officers consider these scenarios highly unlikely. The Cherwell guidance notes that the build-up of ice on turbine blades is unlikely too. The Cherwell guidance also notes that the 'fall over distance' (the ground to blade tip height plus 10%) will be required between wind turbines and occupied buildings and roads. This equals approximately 40 metres and no properties, roads or footpaths are in or close to this 45 metre radius. It is therefore considered that the proposal is unlikely to be hazardous.

Benefits

- 5.69 The turbines are proposed to be connected to the national grid and it is noted in the Design and Access Statement submitted with the application that one of the proposed turbines could generate in the region of 205,000 kWh of energy per year at a mean wind speed for the proposed site of 5.4 m/s. Although it is not clear what the average

wind speed of the site is in the application, the NPPF sets out that it is not necessary for Applicant to demonstrate the overall need for renewable or low carbon energy and that even small scale projects should be recognised as providing a valuable contribution to cutting greenhouse gas emissions. The DCLG guidance suggests that Government is still committed to new renewable and low carbon energy infrastructure and the Submission Cherwell Local Plan contains policies which supports renewable energy developments. Thus, it is considered that the benefits of the proposed wind turbines are acceptable and would provide a valuable contribution to cutting greenhouse gas emissions.

Arboricultural Impact

- 5.70 Regarding the construction, maintenance, repair and decommissioning of the turbines, a track of 4 metres in width is proposed for vehicles which enter Quarry Farm. This track would have to pass through two hedge boundaries to access the proposed siting of the turbines. These hedges are composed of shrubs and trees. In these two hedges, breaks exist where the proposed access route is proposed. The proposed route is currently in daily use by large scale and heavy agricultural vehicles.
- 5.71 For the track, the applicant proposes to lay locally sourced Type 1 or Type 2 aggregate for build purposes and this granular material was proposed to be reinforced with a woven geotextile membrane designed. It is proposed that this track would be a depth of 3cm. However, the Landscape Planning Officer noted that the sections of track under the tree canopy would need to be constructed from a cellular load bearing system, not a woven geotextile which would not spread loads and that a depth of 3cm is inadequate. The Arboricultural Officer and Landscape Planning Officer noted that a 'no dig' approach should be used regarding to the installation of an access between the trees and an appropriate cellular confinement system should achieve this. An Arboricultural Method Statement (AMS) has therefore been attached as a recommend condition and this 'no dig' approach should be clearly detailed in this AMS. The applicant has welcomed this recommended condition and stated that they have no issues with a 'no dig' approach.
- 5.72 Regarding the width of the gaps in the two hedgerows, the applicant notes that the proposed turbine would arrive in a container measuring approximately 13 metres long, 2.5 metres wide and 2.6 metres tall. The lorry used to get the turbine on site would have a width of approximately 2.5 metres and a bed height of approximately 2 metres therefore the overall width of the vehicle and load would be approximately 2.5 metres wide and approximately 4.6 metres in height. The agent supplied photographs to display that a vehicle of 5 metres in height and 5 metres in width could pass these gaps without unduly affecting the trees.
- 5.73 For the reasons above it is considered that the proposal would not cause detrimental harm to the arboriculture, subject to recommended conditions.

Other Matters

- 5.74 The Ministry of Defence (MoD) have no objections to the proposal as they do not consider that the wind turbines would create a physical obstruction to air traffic movements and cause interference to Air Traffic Control and Air Defence radar installations.
- 5.75 The site is situated within potentially contaminated land, but the Environmental Protection Officer has no objection to the proposal. The Officer notes that the site is underlain by the Marlstone rock formation and elevated naturally occurring contamination is likely to be present. However, the Environmental Protection Officer is of the opinion that the proposal is unlikely to give rise to unacceptable risk given the scope of the application and the low sensitivity of the likely end users, for example

infrequent industrial site worker visits.

- 5.76 Regarding cumulative impacts, no large scale structures, such as other wind turbines, are within close proximity to the siting of these proposed turbines and as these proposed turbines are considered to be relatively small in scale officers consider that there would not be a detrimental cumulative impact upon the landscape and the setting of any heritage assets within the environs of the wind turbines as a result of the proposal.
- 5.77 Conditions have been recommended to ensure the development is carried out to an acceptable standard.

Engagement

- 5.78 With regard to the duty set out in paragraphs 186 and 187 of the Framework, no problems or issues have arisen during the application. The agent and applicant were contacted as it was considered that sufficient information had not been submitted with the application regarding the proposal's impact upon the landscape, trees and equestrian safety. The agent and applicant later supplied more information so the application could be assessed. It is considered that the duty to be positive and proactive has been discharged through the approval of development that accords with sustainable development principles as set out in the NPPF.

Conclusion

- 5.79 The benefits of the proposed wind turbines are considered acceptable and would provide a valuable contribution to cutting greenhouse gas emissions. It is considered that the proposed wind turbines would not cause detrimental harm the character or visual appearance of the landscape. The proposal is also considered not to have an adverse impact upon the character and significance of the heritage assets, neighbour amenity, highway safety, archaeology, ecology, equestrian and public safety, Public Rights of Way, arboriculture, air traffic or potentially contaminated land.
- 5.80 The proposed turbines would cause some harm, but it is considered that the benefits of the scheme outweigh this harm. The proposal is therefore considered compliant with the policies outlined in section 4 of this report. Overall, the proposal is considered to have no significant adverse impacts, therefore the application is recommended for approval and planning permission should be granted subject to appropriate conditions.

6. Recommendation

Approval, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents:
 - Site Location Plan submitted with the application;
 - Site Location Inclusive of Access Route submitted with the application;

- Design, Access & Planning Statement submitted with the application;
- 'Northern Power 100; Community Wind Turbine for Businesses, Schools & Farms' submitted with the application;
- Drawing Number 1013417 Revision C submitted with the application;
- UWMBL0001805 Quarry Farm Photomontages received on 9th January 2014;
- UWMBL0001805 Quarry Farm Additional Photomontages received on 28th January 2014;
- UWMBL0001805 Quarry Farm Additional Wirelines received on 28th January 2014;
- UWMBL0001805 Quarry Farm Shadow Flicker Map received on 28th January 2014;
- UWMBL0001805 Quarry Farm Noise Plot Map received on 28th January 2014;
- Equestrian Statement received on 10th February 2014;
- Landscape & Visual Impact Assessment received on 10th February 2014;
- Access Route Clearance Dimensions and Crane Dimensions received on 18th March 2014;
- 'Wind Turbine Acoustic Noise Test Report Noise Test Report NPS 100-24-UK' dated 12th December 2013 by Cadmus received on 19th March 2014;
- Northern Power Systems 100-24 Noise Information dated December 2013 received on 19th March 2014;
- NPS 100-24 UK Warrant Letter dated 29th January 2014 received on 19th March 2014;
- E-mail from applicant regarding container received on 19th March 2014;
- E-mail from applicant regarding the access track received on 25th March 2014;
- E-mail from applicant regarding the access track received on 9th April 2014.

Reason – For the avoidance of doubt, to ensure the development is carried out only as approved by the Local Planning Authority and to comply with Government guidance contained within the National Planning Policy Framework.

3. No development shall take place until details of the external colours and finishes of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out as approved and the agreed colours and finishes shall not be change without the prior written consent of the Local Planning Authority.

Reason – To ensure the satisfactory appearance of the completed development and to comply with saved Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

4. No development shall take place until details of the form of the foundations of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out as approved and the agreed colours and finishes shall not be change without the prior written consent of the Local Planning Authority.

Reason – To ensure the satisfactory appearance of the completed

development and to comply with saved Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

5. Prior to the commencement of development, a construction traffic management plan must be submitted to, and approved in writing by, the District Planning Authority. The construction works must be carried out in accordance with the details approved in the construction traffic management plan.

Reason - To mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times and to comply with Government guidance contained within the National Planning Policy Framework.

6. No development shall take place until a construction method statement has been submitted and approved by the Local Planning Authority, including measures to secure:
 - i. The monitoring and control of noise, vibration and dust caused by construction activity on the site;
 - ii. Control of pollution or sedimentation and responding to any spillages or contamination during the construction phase, including among other things oil interceptors to serve vehicle parking and hardstanding areas;
 - iii. That no construction machinery shall be operated on the site, no process carried out on the site and no construction related traffic shall enter or leave the site other than between 08:00 and 13:00 on Saturdays or between 07:30 and 18:00 on Mondays to Fridays unless previously approved in writing by the Local Planning Authority, with no deliveries on Sundays or on Bank or other public Holidays;
 - iv. Details of wheel washing equipment to ensure that no material is deposited on the nearby roads from vehicles travelling from the site;
 - v. The use of impervious bases and impervious bund walls to areas used for the storage of oils, fuels or chemicals on the site;
 - vi. Removal of the construction compound and all temporary buildings and the reinstatement of the whole of the site not subject to built development all within 6 months of the date on which the development first provided electricity;
 - vii. The use of only approved routes to and from the site by traffic associated with the construction of the development hereby approved, or its decommissioning, and arrangements for parking and access at the site and for the storage of plan and materials there;
 - viii. Arrangements for outdoor artificial lighting (if necessary) so as to prevent nuisance to surrounding properties.

The development shall be carried out in accordance with the approved construction method statement.

Reason – In the interests of highway safety, equestrian safety and to safeguard the amenities of the occupants of the adjacent dwellings during the construction period and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

7. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, all works on site shall be carried out in accordance with the approved AMS.

Reason – To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

8. Prior to the commencement of the development hereby approved, full details of a scheme of supervision for the arboricultural protection measures, to include the requirements set out in a) to e) below, and which is appropriate for the scale and duration of the development works, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the arboricultural protection measures shall be carried out in accordance with the approved details.

- a) Written confirmation of the contact details of the project arboriculturalist employed to undertake the supervisory role of relevant arboricultural issues;
- b) The relevant persons/contractors to be briefed by the project arboriculturalist on all on-site tree related matters;
- c) The timing and methodology of scheduled site monitoring visits to be undertaken by the project arboriculturalist;
- d) The procedures for notifying and communicating with the Local Planning Authority when dealing with unforeseen variations to the agreed tree works and arboricultural incidents;
- e) Details of appropriate supervision for the installation of load-bearing 'structural cell' planting pits and/or associated features such as irrigation systems, root barriers and surface requirements (eg: reduced dig systems, arboresin, tree grills).

Reason – To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

9. Prior to any demolition on the site, the commencement of the development and any archaeological investigation, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare a first stage archaeological Written Scheme of Investigation, relating to the application area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with Government guidance contained within the National Planning Policy Framework.

10. Prior to any demolition on the site and the commencement of the development and following the approval of the first stage Written Scheme of Investigation referred to in condition 9, a programme of archaeological evaluation,

investigation and recording of the application area shall be carried out by the commissioned archaeological organisation in accordance with the approved first stage Written Scheme of Investigation.

Reason - In order to determine the extent, character and significance of the surviving remains of archaeological interest and to safeguard the recording and inspection of matters of archaeological importance on the site in accordance with Government guidance contained within the National Planning Policy Framework.

11. Prior to any demolition on the site, the commencement of the development and following the completion of the archaeological evaluation, investigation and recording referred to in condition 10, a report of the archaeological evidence found on the application site and full details of a second stage Written Scheme of Investigation based on the findings, including a programme of methodology, site investigation and recording, shall be submitted to and agreed in writing by the Local Planning Authority.

Reason - To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with Government guidance contained within the National Planning Policy Framework.

12. Prior to any demolition on the site (other than in accordance with the second stage Written Scheme of Investigation) and prior to the commencement of the development the further programme of archaeological investigation shall be carried out and fully completed in accordance with the second stage Written Scheme of Investigation approved under condition 11. All post excavation work including all processing, research and analysis necessary to produce an accessible and useable archive and its deposition, and a full report for publication, shall be submitted to the Local Planning Authority in accordance with the second stage Written Scheme of Investigation approved under condition 11 as soon as practically possible after the completion of the on site investigation.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with Government guidance contained within the National Planning Policy Framework.

13. No development shall take place until details of a nominated representative to act as a point of contact for the public and be available by convenient means on at least six days each week shall be submitted to and approved in writing by the Local Planning Authority. The applicant shall notify the Local Planning Authority of any change to the nominated representative. The approved representative shall work within the approved details and shall have responsibility for liaison with the Local Planning Authority in dealing with any noise complaints arising from the development during the period from start of work to completion of final site restoration. In the event that the Local Planning Authority has given written notice to the wind farm operator three times in any 12-month period that it finds the nominated representative to be not working within the approved details, the wind turbine operator shall replace the nominated representative, within two weeks of receipt of the third written notice, with an alternative who has been approved by the Local Planning Authority.

Reason – In order to safeguard the amenities of the area and to comply with saved Policy ENV1 of the adopted Cherwell Local Plan and Government

guidance contained within the National Planning Policy Framework.

14. Within the first available planting season following the occupation of the building, or on the completion of the development, whichever is the sooner, the existing hedgerow along the south west boundary of the field in which the turbines will be sited shall be reinforced by additional planting in accordance with a detailed scheme which shall firstly be submitted to and approved in writing by the Local Planning Authority. Thereafter, any plant/tree within the hedgerow which, within a period of five years from the completion of the development dies, is removed or becomes seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species in accordance with BS 4428:1989 Code of practice for general landscape operations (excluding hard surfaces) or the most up to date and current British Standard). Thereafter the new planting shall be properly maintained in accordance with this condition.

Reason - In the interests of the visual amenities of the area, to provide an effective screen to the proposed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

15. The development hereby approved shall not be brought into use until written notice, signed by a Member of the Institution of Structural Engineers, has been provided to the local planning authority to the following effect:
- I. That the manufacture of the wind turbines conforms to European Standard IEC61 400-1; and
 - II. That the design and installation of the installation as a whole has been carried out in compliance with BS EN 61400-1:2005 Wind turbines Design requirements.

The maintenance operation and removal of the installation as a whole shall comply with BS EN 61400-1:2005.

Reason - In order to ensure the safe operation of the turbines and to comply with Government guidance contained within the National Planning Policy Framework.

16. Written confirmation of the date on which the development first provided electricity shall be given to the local planning authority within one month of that event. The development hereby permitted shall be removed on or before the twenty-fifth anniversary of the date on which the development first provided electricity, and the land restored to its former condition in accordance with a restoration scheme submitted not later than the twenty-fourth such anniversary to and approved in writing by the local planning authority. The restoration scheme shall include, among other things, a timescale for the restoration of the site after the removal of the development, a description of the measures to be taken in the demolition and removal of the development hereby permitted and of the measures to be taken to ensure that contemporary standards of pollution control and protection of public and neighbouring interests will be met.

Reason – To ensure that the turbines are removed from the site at the end of their operational life in the interests of protecting the character of the countryside from derelict and unkempt structures and to comply with Policies C7 and C28 of the adopted Cherwell Local Plan.

17. If any wind turbine hereby approved fails to provide electricity for a continuous

period of 9 months then a scheme for the decommissioning and removal of the failed turbine and any other ancillary equipment and structures relating solely to that turbine shall be submitted within 2 months to the local planning authority for their written approval. If the turbine remains failed at the end of a continuous 12-month period (including the initial 9 months previously mentioned) then it shall be removed in accordance with the approved decommissioning scheme. The decommissioning scheme shall set the timescale for removal.

Reason - To ensure that the turbines are removed from the site should they become obsolete in the interests of protecting the character of the countryside from derelict and unkempt structures and to comply with policy C7 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

18. All turbine blades shall rotate in the same direction.

Reason – To ensure the satisfactory appearance of the completed development and to comply with saved Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

19. All cabling on the site and from the wind farm shall be underground.

Reason – To ensure the satisfactory appearance of the completed development and to comply with saved Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

PLANNING NOTES

- 1 Prior to commencement of development, a separate consent must be obtained from OCC Road Agreements Team for amendments to the highway vehicular access under S278 of the Highway Act. Contact: 01865 815700; RoadAgreements@oxfordshire.gov.uk.
- 2 Regarding Condition 5, the Local Highways Liaison Officer notes that the Construction Traffic Management Plan will need to include the following as a minimum: identification of the principal construction phases and the volume and type of vehicles that they are likely to generate; origins of construction vehicles and proposed routes to be followed, taking in to account the substandard visibility along the A4260 from the farm access to the south; identification of abnormal loads and arrangements that will be made for their passage through the network; required upgrades to the farm access to be shown on a plan together with swept path analysis demonstrating that the access can accommodate the largest identified construction vehicles.
- 3 The applicant is advised that if further advice is required in relation to conditions 9-12, contact should be made with the County Archaeologist on 01865 328944 or by writing to Richard.Oram@oxfordshire.gov.uk or Historic and Natural Environment Team, Infrastructure Planning, Speedwell House, Speedwell Street, Oxford, OX1 1NE, who can provide advice in terms of the procedures involved, provide a brief upon which a costed specification can be based, and provide a list of archaeological contractors working in the area.
- 4 It is known that in some areas of the northern part of Cherwell District elevated concentrations of naturally occurring arsenic, chromium and nickel and in

Souldern, Somerton, Upper Heyford, Lower Heyford and Kirtlington elevated levels of naturally occurring arsenic exist above soil guideline values produced by DEFRA. A risk may occur to building site workers during construction, due to dermal contact and inhalation of potentially contaminated soil and dust. The applicant is requested to ensure that all site workers are informed of this potential risk and that appropriate health and safety requirements are used to protect the site workers. For further information please contact the Council's Environmental Protection Officer.

- 5 Regarding condition 6, consideration should be given horse in relation to noise, vibration and dust caused by construction activity on the site.
- 6 Planning permission only means that in planning terms a proposal is acceptable to the Local Planning Authority. Just because you have obtained planning permission, this does not mean you always have the right to carry out the development. Planning permission gives no additional rights to carry out the work, where that work is on someone else's land, or the work will affect someone else's rights in respect of the land. For example there may be a leaseholder or tenant, or someone who has a right of way over the land, or another owner. Their rights are still valid and you are therefore advised that you should seek legal advice before carrying out the planning permission where any other person's rights are involved.

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report.