OBJECTION TO BROADVIEW ENERGY'S PLANNING APPLICATION TO ERECT WIND TURBINES AT SPRING FARM RIDGE

PLANNING REFERENCE S/2010/1437/MAF

HELMDON, STUCHBURY AND GREATWORTH WIND FARM ACTION GROUP

JANUARY 2011 (revised)

CONTENTS

APPENDICES

A *Landscape and Cultural Heritage:* Alison Farmer Associates

B *Sulgrave Heritage Assets*: Report submitted to SNC by Sulgrave PC

C *Castle Ringwork at Sulgrave - Statement of Significance:* Brian K Davison

D *Impact on Helmdon Viaduct*: HSGWAG

E *Residential Amenity Impacts on Local Villages:* HSGWAG

F *Frontline Properties – Amenity Impacts*: HSGWAG

G *Noise Report: Review of Broadview's Application*: Robert Davies Associates

H *Map of Local Rights Of Way:* HSGWAG

I *Photomontages*: HSGWAG

J *Legal Opinion Statement*: Richard Honey, Chambers of Robin Purchas QC

1.0 INTRODUCTION AND BACKGROUND

This document is a submission by the Helmdon, Stuchbury and Greatworth Wind Farm Action Group (HSGWAG) to South Northamptonshire Council objecting to planning application S/2010/1437/MAF.

The contributors to this document are experienced professionals in a variety of fields including marketing, business, planning law, landscape architecture, acoustics, planning policy and project management. A great deal of research has been undertaken to ensure that the technical content of this report is accurate and is supported by verifiable data.

We are seeking to demonstrate that the proposed site of the wind turbine cluster on Spring Farm Ridge should not be allowed to proceed and to urge South Northamptonshire Council to refuse this application.

We have sought to avoid the cutting and pasting of large sections from well known and much visited anti wind farm web sites. Inevitably some use has been made of material obtained from the internet, though these are planning documents, inspectors' reports and other authoritative documents.

We recognise that there are pressures on the UK Government and local Government to meet the UK's renewable energy commitments. We understand that SNC is not required to consider the merits of wind technology. Whilst we are convinced that some of the political, strategic and economic imperatives driving this commitment are seriously flawed, these are not seen as an issue that can be dealt with in this document other than to demonstrate that the benefits are negligible. We maintain that the amount of electricity produced or C02 displaced would not be sufficient to justify the harm that would be done. The planning authority does have to take into account the detrimental impact of this proposal and weigh it against the theoretical benefits.

A key principle of Government Planning Policy Statement 22 (Renewable Energy) is:

"Renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily."

It is our intention to demonstrate beyond reasonable doubt that in this case the environmental and social impacts cannot be satisfactorily addressed and whilst the technology may be viable in commercial terms the very small contribution to carbon dioxide savings would not outweigh the harm caused.

We believe that the claims of carbon dioxide emissions saved by this scheme are exaggerated. Onshore wind farms, particularly in the south of England operate only at the lower end of theoretical capacity. Burton Wold in Northamptonshire for example only had an efficiency capacity of 19% in 2009.

Finally, we consider that none of the demonstrable harm which would follow the grant of planning permission for this application could be in any way diminished by the imposition of planning conditions.

HSGWAG, January 2011

2.0 EXECUTIVE SUMMARY

HSGWAG believe that the application should be refused due to the great number of issues and impacts identified which conflict with national and local planning policies. We have objections in relation to 15 different subject areas. However, there are five issues in particular which stand out and which we believe are grounds for rejection individually in their own right:

- The impact on the character and amenity of the landscape;
- The adverse impact on the setting of heritage assets (the Sulgrave Conservation Area, the Sulgrave Castle Hill ringwork - SAM, Sulgrave church, Greatworth church, the ancient village at Stuchbury and the Helmdon Viaduct, as well as the historic character of settlements and of the local landscape). This is in direct conflict with local and national policy;
- The effect on the amenity of the local communities and the character of the settlements in which they live, arising from the visual and noise impact of the turbines, including in relation to nearby settlements and public rights of way;
- The effect on the living conditions of the occupants of a number of nearby residential properties, arising from the visual and noise impact of the turbines; and
- The likely and potential effect of the development on bats, including a number of important protected species.

The applicant has furthermore omitted in some cases to give appropriate weight to key planning documents. In view of this it is likely that the proposed development runs counter to national planning policy and local plan policy.

Overall, we believe that as set out in the SPD, “Wind Turbines in the Open Countryside” the proposal would have a detrimental effect on the locality generally and on the amenities that ought, in the public interest, to be protected. We do not believe that this detrimental effect would be outweighed by the small contribution of this proposal to savings in carbon dioxide emissions or electricity generation claimed.

3.0 GENERAL UNSUITABILITY OF THE LOCATION

Unlike sites usually chosen by onshore wind developers, this location is not adjacent to, or near a motorway or “A” road, nor are there any other existing “visual detractors” in the surrounding landscape. It is an unspoilt, peaceful, rural area sandwiched between two conservation areas with important heritage assets. It is not a large scale landscape capable of absorbing turbines of this size.

Despite its rural location, the site is not big enough, nor isolated enough to comfortably house 125 metre high wind turbines without unacceptable effects on the local population. At least two thousand people live within a 2km radius, some of whom would have to spend their working days outside in close proximity to the development in what would be reclassified as a “wind farm landscape”. The turbines do not meet ideal minimum distance standards for footpaths, bridleways and byways which cross in and around the site, nor do they take into account that these routes are regularly used for formal publicised walking groups (Walking to Health initiative), as well as by hundreds of local residents. These detrimental impacts on residential amenity would be keenly felt.

The area is rich in wildlife, and a number of protected species have been identified on the site. The Bat survey undertaken is seriously flawed and raises questions about the validity of the other ecology studies. Local residents walking the site over the last 8-9 months have spotted a variety of protected species which have been missed in the applicant’s studies and so it is likely that there are many more constraints on this site than the applicant has stated. We believe that this is such a small pocket of land with so many site constraints, that the turbines cannot be reconfigured to alleviate the issues raised. Indeed the applicant’s request for the “right to microsite” (ie: to change the turbine positions by 50m in any direction following permission) is of particular concern given the local constraints identified.

In conclusion, this is not a suitable location for an onshore wind development. It is counter to local and national policy and we believe that it should be rejected.

4.0 MAIN ISSUES

There are five impacts which we believe would warrant a refusal in their own right; landscape, the setting of heritage assets, residential amenity, community amenity and bats. Cumulatively they present an unequivocal case for refusal.

4.1 LANDSCAPE

4.1.1 Landscape Issue

The character of the local landscape would be unacceptably affected. It is not a landscape able to accommodate turbines of this size and scale.

The landscape, particularly north of the B4525 is small, contained, intimate and where things are perceived in human scale. The gentle undulations of the land are subtle yet clearly perceived and the area is deeply rural with no visual detractors (eg: pylons) in or around the site. Introducing turbines into this type of landscape will create an overtly dominant effect which will flatten out the subtle valleys and ridges for those 2 km and more away, and serve to create a sole dominating feature which will overpower the landscape at close proximity because of the subtle differences in elevation.

Natural England's guidance is clear that turbines are best located in big, grand and open landscapes. This is not a description that could be applied to the Spring Farm Ridge site, nor the landscape immediately surrounding it. The intimate local landscape would not easily be able to absorb large moving structures of a very different scale.

Bearing this issue in mind, we would like to draw the Council's attention to certain deficiencies contained within the Environmental Statement (ES).

- The applicant has manifestly failed to adequately determine and describe the key characteristics of the area and demonstrate how the development would "respect and fit with them". We believe that this is because they would be unable to do so.
- A number of planning policy documents have not been afforded the appropriate weight in the application.

HSGWAG commissioned a landscape architect with wind farm expertise, Alison Farmer Associates, to advise on the landscape and cultural heritage issues associated with the planning application. The full report can be found in Appendix A. A summary of the key points from this report are included below.

4.1.2 Application Deficiencies

The applicant has failed to adequately characterise the immediate landscape and consequently is unable to demonstrate how the development would "respect and fit" with it. We would like to draw the Council's attention to the following three points.

Design Iteration

In respect of design iteration, it is clear that the applicant does not adequately describe the current landscape, nor take the issue of vertical scale into account. This is a key step in being able to conclude that the turbines work in a given location. Without doing so, it is difficult to see how the conclusion reached in the Environmental Statement is made.

Landscape Sensitivity

In order to reach the applicant's conclusion that the turbines "*fit well in the grain and scale of the surrounding landscape*", it would be reasonable to find a careful analysis undertaken. Good practice would be to consider a range of criteria in making any assessment including:

- Scale
- Landform
- Natural and Cultural Heritage Features
- Cultural Associations
- Amenity and Recreation

Alison Farmer Associates state that "*these inherent sensitivities are not clearly set out in the applicant's Environmental Statement. It is possible therefore that in some cases there has been an underestimation of the magnitude and nature of the change*".

Planning Policy Context

A number of documents relevant in terms of planning guidance for landscape do not appear to have been given sufficient weight within the applicant's Environmental Statement. These include:

(a) SPD: Wind Turbines In The Open Countryside

This document was formally adopted on the 7th December 2010. This document **will** therefore be a material consideration when the application comes to be considered by the Council. This document requires the applicant to consider overall landscape sensitivity to the proposed wind turbine development. An applicant must also demonstrate that the proposal will respect and fit with the key characteristics of the landscape character within which it is sited. Any analysis should also be done with the Council's key objectives in mind which are to:

- To preserve what is special in South Northamptonshire.
- To protect the existing sense of place in our villages and landscape.

We believe that the applicant has been unable to demonstrate this.

(b) Natural England Guidance

Natural England published guidance on wind energy development in 2010[1]. The application does not appear to have made reference to this document.

The Natural England guidance was developed for use in assessing where [wind farm] development might be sustainably and successfully accommodated. Although the guidance was aimed at Natural England staff it was also hoped that it would enable proposals to come forward *"in locations that are more able to accommodate wind energy development".*

4.1.3 Conclusion

Landscape sensitivity has not been properly addressed, nor the nature of impacts clearly set out. The applicant's conclusions therefore on how the turbines fit well into the existing landscape are flawed and cannot be relied upon. As a small scale and intimate landscape, we believe that turbines of this size and scale cannot be accommodated satisfactorily.

This view is further corroborated by the applicant's avoidance of key planning guidance and policy documents. This development would specifically run counter to Policy G3A and Policy EV1 as well as the SPD for Wind Turbines. It also runs counter to PPS22 because the application does not adequately determine that the development is in keeping and in scale with its location, or that it is sensitive to landscape character. No recognized analysis process appears to have been undertaken.

This leads to the view that the applicant's proposal would run counter to both national and local policy and must be refused.

[1] Natural England, *Making Space for Renewable Energy: assessing on-shore wind energy development*, 2010.

4.2 CULTURAL HERITAGE

There are two issues with cultural heritage.

- The effect on the setting of heritage assets has been poorly articulated and potential impacts downplayed. HSGWAG believe that the impacts on the setting of local heritage assets would make this development unacceptable in both national and local policy terms.
- The applicant has not given the appropriate weight to English Heritage's guidance on the setting of heritage assets, nor SNDC's supplementary planning guidance on wind energy development.

Appendix A (the Landscape Architect's report) goes through these issues in more detail.

4.2.1 The Setting of Heritage Assets

English Heritage has prepared guidance on defining the setting of heritage assets which has recently been out to consultation[2]. Whilst this document is only draft at this stage and must be considered in this light, it nonetheless helpfully sets out what factors should be taken into account when defining the setting of a heritage asset. It states that the setting, (paragraph 18):

*"embraces all of the surroundings (land, sea, structures, features and **skyline** from which the asset can be experienced or that can be experienced from the asset."* (our emphasis).

"The contribution of setting to the significance of a heritage asset is often expressed by reference to visual considerations including views."

We believe that the applicant has failed to fully embrace this guidance in making its assessment of local heritage sites. In our view, the applicant has underestimated the impact of the proposal upon the settings of scheduled ancient monuments and listed buildings as we demonstrate in sections 4.2.2 and 4.2.3 below.

4.2.2 Designated Heritage Assets

HSGWAG would like to highlight a sample of four designated local heritage assets (although there may be more) for which we believe the impact has been underplayed.

Sulgrave Manor

Sulgrave Manor is a grade 1 listed Tudor manor of high importance. It is the ancestral home of George Washington's family and dates back to 1200 and the reign of Queen Elizabeth I. The house and gardens are open to the public and it receives daily organized tours and individual visitors with many publicised events staged throughout the year. Indeed, many visitors are American who take great pleasure in exploring the local Community, walking around the conservation village and its surrounding countryside.

The applicant rates the impact to this heritage asset as negligible (ES, Vol 4, Appendix C, Table 8.3). However, HSGWAG believe that the setting of the Manor is unacceptably compromised. In trying to

[2] English Heritage, *The Setting of Heritage Assets*, Consultation Draft, 2010.

prove that it is not impacted, the applicant has submitted a photo montage (ES, Volume 3, photo montage 6b) taken at the same elevation as the Manor. However, if one were to take a picture only a few hundred metres further north on a public footpath, the setting of the Manor seen in the context of the conservation village and its wider setting (including the skyline) should be perceived as "significant adverse". From this public viewpoint, the turbines dominate the conservation area as well as the Manor and they take up a large range of the skyline.

Appendix B (a document provided to the Council as part of Sulgrave Parish Council's submission) contains further information which supports this view.

Castle Green Ringwork (SAM), Sulgrave

The ringwork at Castle Green, Sulgrave is the site of a pre-Norman castle and earlier anglo saxon manor house (thegn). The first excavations at the site were carried out in 1960. Thegns are extremely rare in the UK (only around 6 are known to exist) and those with a Norman castle imposed on top are rarer still. The immediate landscape context of the Sulgrave earthworks, with regards to inward and outward views, is crucial for encouraging and assisting a wider and deeper public understanding of the effects on rural England and of our last successful full-scale invasion by a foreign power. The turbines from this location will be clearly visible dominating the open views out of this part of the conservation area, taking up a wide angle across the skyline. Given the high sensitivity of this development to turbines and the visitors and public use it receives, the impact on its setting should surely be described as "significant" and "major adverse" – not "moderate adverse" as the applicant claims. As such, this would clearly be contrary to local and national policy.

Appendix C contains a "Statement of Significance" about the SAM from Brian K Davison, the archeologist who made its discovery and recognized importance, who currently holds the position of Vice President of the British Archeological Institute.

Sulgrave Conservation Area

The village public space (Castle Green) is situated next to the ringwork and it is regularly used for village events eg: summer fairs. The same impact argument as the ringwork equally applies to this open space which is well used by villagers and located within the conservation area. The sensitivity of receptors here is high, but the applicant has incorrectly assessed that the views out to the skyline do not make it adverse. We believe this is incorrect because the skyline in this area is one of only two opportunities to appreciate the wider rural landscape context of the settlement as set out in the Conservation Area Appraisal (undertaken by the Council). The impact would affect the character of the conservation area and would therefore be contrary to planning policy.

Greatworth Church and Conservation Area

The appraisal of Greatworth Church, (Grade II* listed building) and its conservation area also appears to be flawed. The assessment in the ES, (Appendix C, Heritage Assets), appraises the church, its churchyard and the conservation area along with a group of other properties together as a one batch. Some of these heritage assets have very different outlooks to the turbines and so grouping them together is not only odd, but misleading.

The church lies roughly 1.5km south – south west of the proposed site with relatively clear open and direct views from the churchyard towards the turbines and it sits within the village conservation area. In the applicant's appraisal, the church is classed as high in sensitivity to the development, but the magnitude of impact and significance of the effect is classed as "negligible". As can be seen from montage on the following page, this is clearly incorrect and a serious error by the applicant.

The applicant refers in the assessment to "photo montage 2b", taken from the churchyard which can be found in Volume 3 of the ES. This photo montage has not been included in the ES. There is only one montage from Greatworth which is from a public footpath next to Helmdon Road – photo montage 2a (although this photo is incorrectly labelled 2b in another part of the ES).

The applicant however did previously present a photo montage from the churchyard in July at a public exhibition. This montage then became publicly available online. It can be seen below in comparison to an HSGWAG montage taken from exactly the same spot (but using a single frame shot, instead of a panoramic one).

Top Photo: Broadview Montage. Bottom Photo: HSGWAG montage. Both photos are taken from the same location and demonstrate the misleading effects that a panoramic shot creates when it is not necessary to use one.

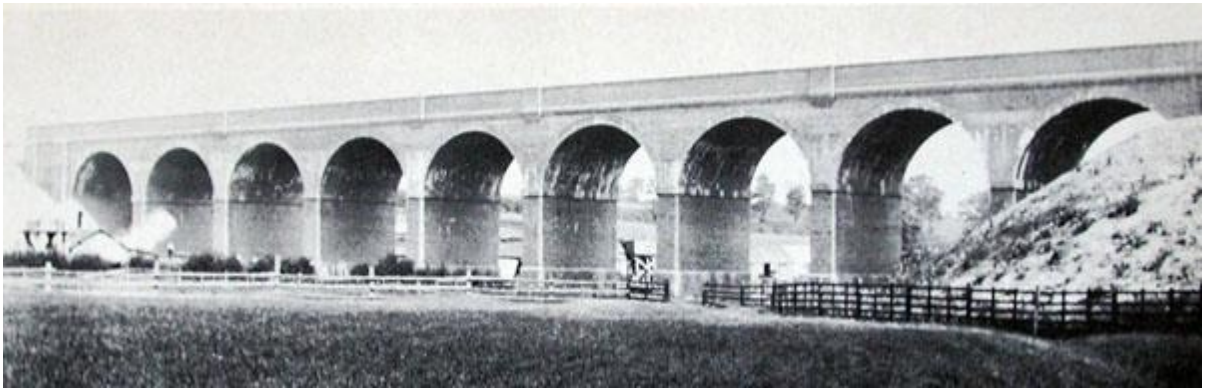
Far from being “negligible”, the visual impact upon the setting of the church, churchyard and this part of Greatworth conservation area is demonstrably major.

The applicant also claims that the character of the conservation area is not compromised because the village is somewhat inwards looking and views would be mainly restricted to upper floor windows. Having not undertaken a full residential visual impact survey, the applicant is not in a strong position to state this conclusion. Indeed, HSGWAG are aware of many conservation area properties that will see the turbines quite clearly from their gardens at ground level. Like Sulgrave, there are not many opportunities to see the wider landscape context of the village setting from within the village boundaries and the Churchyard area is one of them. We believe that the effect on the character of the conservation area would be adversely impacted and therefore contrary to planning policy.

4.2.3 Undesignated Heritage Assets

SNC’s supplementary planning guidance on wind turbines is clear that undesignated sites must also be properly considered and assessed. The applicant has failed to do this. We would like to bring the Council’s attention to two sites in particular.

The Helmdon Viaduct – The Great Central Railway



The Helmdon Viaduct

The viaduct is located approximately 800 metres from the proposed position of turbine 5. It is a well preserved example of the brick structures for which the Great Central Railway was famous. Only 4 of these structures are currently listed as being of “special architectural or historic interest”. It is the only remaining viaduct in the locality, the Brackley viaduct having been demolished in 1978. **Further photos of the viaduct demonstrating how it will be compromised are included in Appendix D.**

The viaduct is a well known local landscape feature which is appreciated from many different publicly accessible locations within the locality. It is viewed from Wappenham Road, Helmdon Road and Weston Road, but also from the school (Station Road) and the many public rights of way which go under and around it.

It is a structure which is synonymous with local identity and as such it is the logo for the school and its uniform, as shown below.

On page 147 of the applicant's Environmental Statement, it is stated that,

"*there are no significant views from or across the site towards any heritage assets*".

In the case of the viaduct, this is clearly incorrect .Both Appendix D and the montage below (produced by HSGWAG) provide an illustration of the likely impact that would be seen from the Helmdon Road, only a stone's throw from the Helmdon War Memorial. Given the proximity to the development and open views towards the site, all views across this heritage asset will be significant.

Point "A" indicates the top of the already constructed meteorological mast. The photo was taken within the curtilage of Priory Farm - a grade II listed building - for which the applicant described the turbine impact as being "moderate" (Vol 4, Appendix C, Table 8.4) . Again this is clearly incorrect. The impact should be described as major and significant leading to an adverse effect.

Alison Farmer Associates report that, "*The applicant assesses the impact on the disused railway line as a whole as "negligible" and "not significant" on the basis that the wind farm site is not significant in the appreciation or understanding of the asset. We would question this conclusion*".

We would like the Council to note that the Helmdon Viaduct is currently under consideration for listing and the outcome of this is anticipated in January.

Manorial fishponds, Moat and the Ancient Village, Stuchbury

The site lies approximately 500 metres from the nearest turbines and it is an undesignated heritage asset. It has not been considered in any detail.

There are no buildings in the location to screen the view and the site has open views towards the site. The site is well within the "wind farm landscape" that the applicant refers to at a proximity of 500 metres to the turbines. The relative angle of elevation will mean that all turbines would be highly visible at close range towering into the sky. This effect can be seen in the montage below of a local archaeological group visiting the "lost village" area of the site.

Photograph taken at Stuchbury Lost Village/Manorial Ponds and Warren

The meteorological mast already erected on the proposed wind farm site can be well seen in this photograph. Turbine No.4 would be located only a hundred metres or so to the east of it.

It can be seen that there would be major visual impact on the setting of this archaeological site and that there would be views across it towards the turbines.

4.2.4 Conclusion

There are serious weaknesses and many omissions in the applicant's assessment which mean that the adverse effects of the proposed development on both designated and undesignated heritage assets are not clearly stated. Taking just a few examples from the surrounding villages demonstrates that the impacts are actually likely to be significant and adverse. This view is validated by the information contained in Appendices A, B, C and D.

Developments that harm the setting of a listed building or Conservation Area generally should not be permitted (EH Guidance, Local Plan Policy EV11, EV12, EV10, and G3 I and J). Equally the application is in contravention of SNC's wind turbine SPD. Specifically, there is no regard to undesignated heritage assets, they have failed to embrace the guidance on setting of heritage assets or visual dominance and the turbines will dominate some local key vistas. As a result the Council should refuse the application.

4.3 RESIDENTIAL AMENITY – IMPACT ON LIVING CONDITIONS

Residential amenity includes the visual and noise Impact on village dwellings and frontline properties. HSGWAG believe that the impact on residential amenity will be unacceptable in terms of both the volume of people affected, but also the specific impacts on frontline properties. Visual impact and noise should not just be considered in isolation, as the applicant has done. An assessment of the combined impacts is essential.

4.3.1 Visual Impact

HSGWAG have four issues with the visual impact on dwellings:

- We believe that the visual amenity impacts to local villages are major, adverse and unacceptable. A full impact assessment on the properties in a 2-2.5km radius has not been conducted. The survey undertaken is limited, is incorrect in parts and seriously under-represents the impact. The conclusions drawn are therefore incorrect and cannot be relied upon.
- We believe that there are five locations (representing 25 individual dwellings) which would experience a particular and unacceptable decline in living conditions as a result of this scheme. The Applicant makes an arbitrary judgement that any dwelling over 700 metres from a turbine would not fall into this category and so by definition does not include many of the locations we believe should be highlighted.
- The Applicant assumes that there are mitigations for visual impact in relation to this scheme. We disagree with this hypothesis.
- The applicant has only submitted three photo montages (out of a total of 19) for the Greatworth, Stuchbury and Helmdon area – yet these are the locations most visually affected. The panoramic nature of the montages are also not necessary and under-represent the impact.

4.3.2 Overview

In our rural locality, villages are no more than 1-1.5km apart. In the small areas of countryside between villages, there are many “dispersed” properties. We believe that this development would create unacceptable living conditions for the closest properties, and undermine amenity for hundreds of other local residents. Open views of the turbines would exist from many areas and the relative angles of elevation due to the undulating and intimate landscape would exacerbate the effect particularly within Helmdon, which in some cases lies 40 to 50 metres below the turbine site at close proximity.

4.3.3 Unacceptable Impact on Local Villages

The three closest villages to the site are all unacceptably impacted by this proposal.

Helmdon

The centre of Helmdon sits in a bowl with the southern and northern edges of the village on higher ground. The significant visual impact of the turbines in this location is a function of the proximity to the village and their height above it, coupled with open westerly views from exposed areas and higher ground.

Greatworth
At such close proximity to the top half of the village, the effect of blade movement would be very noticeable and a distracting feature of daily life because of the open clear views. The conservation area of the village, whilst more inward looking, will still see the turbines and it does not make it any less impactful as turning blades will be seen out of context spinning above rooftops. The one public open view north out of the conservation area will be dominated by the turbines (churchyard).

Sulgrave
There is a strong relationship between this settlement and its landscape setting from the publicly afforded views in and out of the village. These public views are an important part of everyday life and the turbines will have a significant and adverse impact on them.

Appendix E describes the detailed impacts for these local villages.

Inadequate Residential Assessment

The application does not include a fully detailed assessment of village impacts within a 2-2.5km radius. Without it, the conclusions in the application cannot be relied upon. The Applicant's assessment ("The Effects on Dwellings..." page 25, Appendix B) is flawed. Whilst it is clearly stated that the survey is only representative, it is none the less misleading for a number of reasons.

- The survey talks about 27 properties or "groups of properties" being affected. Multiple properties affected need to be independently assessed and counted separately. Each property will have its own individual perspective towards the site. One location with 4 separate dwellings (eg: Grange Farm) should be counted as 4 impacts, not 1. By grouping impacts together, the true impact is under-estimated.
- By not undertaking a full assessment, the Applicant fails to address the many hundreds of other properties located in the nearby villages. Whilst it is true that some dwellings may only be moderately affected, the cumulative impacts of many houses affected in this way have not been considered at all.
- Many of the village properties are closer to the turbine site than the properties highlighted and so the applicant cannot reasonably make any conclusions on the acceptability of their proposal for the immediate residential community.
- In some areas of Helmdon in which you would not expect to see the turbines because of topography and screening (eg: Bell Close), the current monitoring mast (60m in height) is clearly visible and proves beyond doubt that the full turning blades will be visible. The applicant dismisses this area of Helmdon. Greatworth has been similarly under-estimated.
- The combined number of properties across Greatworth and Helmdon is around 500. **27 properties surveyed by Broadview represents only around 5.4% of this number, the percentage less still if dispersed dwellings and Sulgrave are included. This is not a representative survey and cannot be considered acceptable.**

HSGWAG Survey

During the spring and summer of 2010, HSGWAG carried out a residential survey of 587 properties (72 dispersed, 242 in Helmdon, 250 in Greatworth and 23 in the southern part of Sulgrave). Our conclusions are at odds with the applicant's own. Our findings were that:

- 571 properties will be able to see the turbines from their houses and gardens in this range.
- 356 properties would have an impact that would affect amenity.
- 67 of these would suffer substantial amenity issues.

Whilst our survey is not comprehensive, it nonetheless demonstrates that village impacts are much more significant than the applicant claims. It is a substantially different picture to the "*27 properties or groups of properties*" message which the application makes reference to.

4.3.4 Frontline Properties - An Unacceptable Decline in Living Conditions

We have two issues with the way in which frontline properties have been dealt with in the application.

- The assessment of frontline properties is poorly done and underplays the impacts. There are five particular locations that we would like to draw the Council's attention to where we believe an unacceptable decline in living conditions will be experienced.
- The applicant makes an arbitrary judgement that any property beyond 700m is not unacceptably affected. We disagree.

Inadequate Frontline Property Assessment

No dwellings within 700m are considered to be impacted unacceptably by the applicant. We are surprised by this. Specifically;

- **Bungalow Farm** is surprisingly not classed as experiencing unacceptable effects, yet it will have clear direct views at a distance of only 666m. The turbines will take up a substantial viewing angle and the screening is virtually non-existent. The occupants of this property will see the turbines from inside the house, gardens and the access to this property. This does not match with the applicant's description where it is suggested that a 6 foot sparse hedge would help to screen the views. In addition, noise levels at this property would be close to ETSU limits in northerly winds. Noise could be significantly elevated at night (double current levels). We believe this represents an unacceptable decline in living conditions.
- Similarly **Manor Farm** will be only 580m away from turbine 1, yet this is considered acceptable because the views will be oblique. The garden views however are in full view of the development and the residents of this property will spend most of their days working outside (it is a working farm). The farm buildings will not be able screen the turbines as suggested by the applicant. Elevated noise levels will be experienced at this location and we believe the totality of impacts represent an unacceptable decline in living conditions.

We would also like to draw the Council's attention to the fact that some of the properties assessed under 700m belong to landowners with a financial stake in the scheme. As such, they either must not be considered in the assessment (making their inclusion irrelevant) or they should be viewed independently of their owner and seen in that context (which due to their proximity to the scheme would render it unacceptable).
We would also like to draw attention to three other locations, which because of the arbitrary 700m boundary line have been excluded for consideration by the applicant in terms of whether they would experience an unreasonable impact in amenity.

These locations are:

1. Grange Farm (4 dwellings), Helmdon — 812m distance from T4
2. Stuchbury Hall Farm, Stuchbury — 790m distance from T5
3. Astral Row/Helmdon Road (18 dwellings), Greatworth — 780m distance from T1

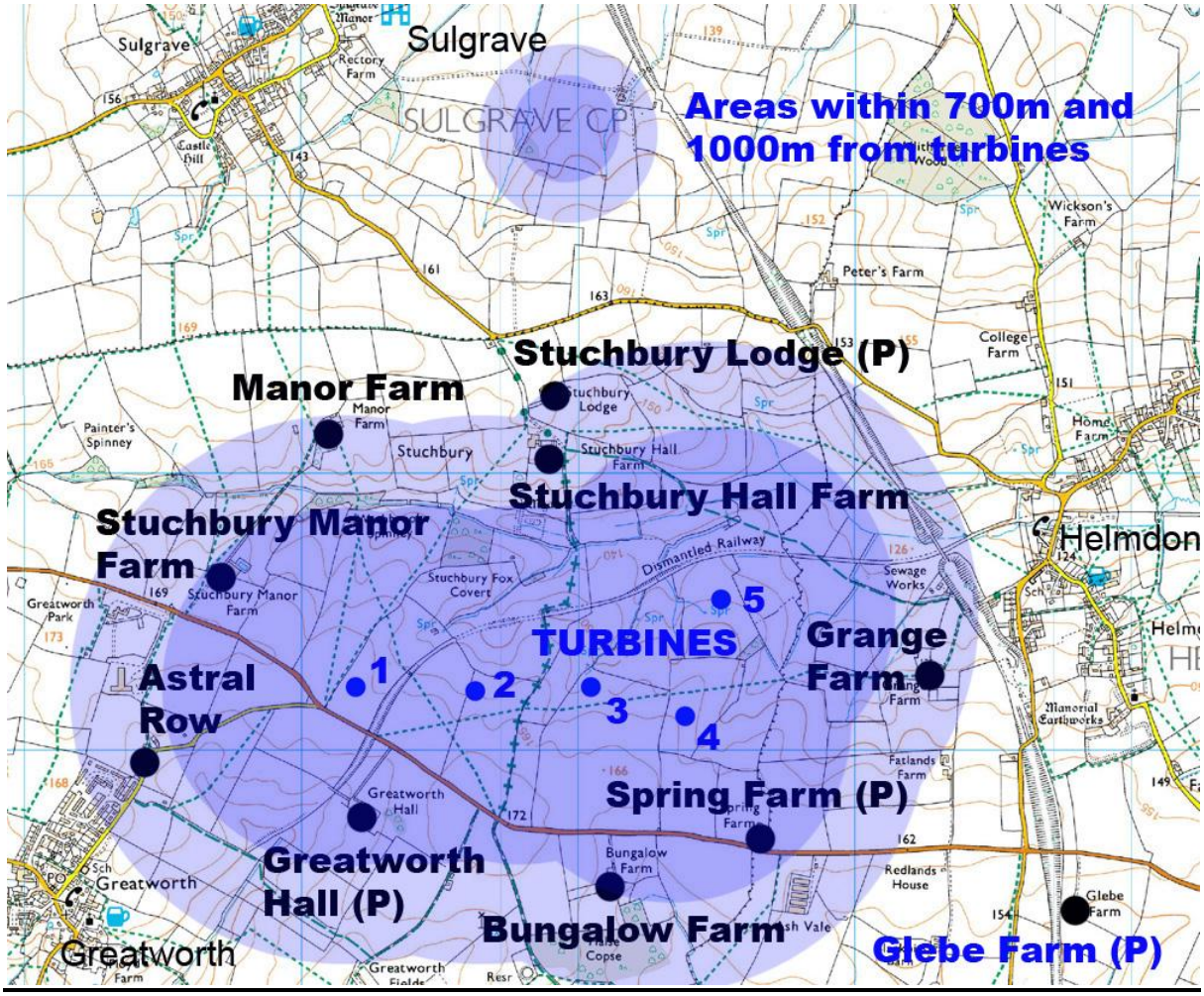
We believe that there will be an unacceptable decline in living conditions at all of these locations due to the totality of visual and noise impacts. The locations of these properties are shown in the map on the next page.

Appendix F contains further detail on why we believed these locations will experience an unacceptable degradation of living conditions.

An Arbitrary Boundary Line

The applicant believes that no property over a distance of 700m is likely to suffer an unacceptable decline in living conditions. The applicant believes this to be justified on the basis of a couple of appeal decisions. The applicant equally states that each case should be judged on its merits and indeed there are other appeals which we have seen which have found in favour of residents over 700 metres. There are many properties where the effects are admitted by the applicant to be "significant" and "major" which are not included in any "frontline assessment".

Distances up to 1km can and have been found to experience unacceptable effects for individual dwellings. We would therefore like to draw the Council's attention to what a 1km radius looks like for this particular development.



NB: Dwellings marked with a P denote a participating landowner.

Given the importance of ensuring compliance with PPS22, ("*renewable energy projects should be in locations where the environmental, economic and social impacts can be addressed satisfactorily*"), one might have expected a company searching for appropriate sites to give careful thought to this 1km distance at an early stage in the assessment process (especially given that twice this distance is the preferable limit from settlements in Scotland). Had this been done, it would have demonstrated the likely unsuitability of this particular location quite early on.

4.3.5 Mitigation

Partial Screening does not necessarily imply Acceptability

Partial screening of turbines, where it does exist in the closest villages, relates mainly to the towers. However the most dominating feature, which is so intrusive to amenity, are the turning blades. Where the towers are not seen, the context to the turbine setting is not clear and so the overall effect of visual dominance is actually in many ways exacerbated. This happens particularly in areas where the turbines are elevated only a short distance away in Helmdon for example, but it will also happen in the conservation areas of Greatworth and Sulgrave.

Reversibility

The applicant argues that the development should be seen as reversible. A recent appeal decision in Derbyshire noted this argument but disagreed with its premise.

"..... to my mind, 25 years is an unreasonable length of time to wait for a respite from harms. It is about a third of a person's lifetime; the span of a generation. In my view, none of the harms that I have identified would be diminished by the long-term prospect of the turbines' removal. In any case, the removal of the turbines after 25 years cannot be guaranteed. In years to come, the wind farm might receive another planning permission which allows it to remain. I therefore give little weight to the reversibility of the scheme".

Source: Matlock Moor – APP/R1038//A/09/2107667 and APP/P105/A/09/2108037

We believe that this sentiment is applicable in the Spring Ridge situation, especially in respect of the frontline properties which will experience unacceptable decline in living conditions as a result of their farming lifestyle being dominated by the turbines.

Height

The turbines would be so much higher than everything else in the area that little can be done to mitigate the impacts. Despite the applicant's contention that the "careful design process" has limited the impacts of the development, the site is so constrained that changes in turbine layouts will make little difference.

This lack of room for manoeuvre is well illustrated in the applicant's "Statement of Community Engagement" which states, *"... turbines were positioned further away from the village of Helmdon to minimise visual impacts and noise levels…..to protect residential amenity"*. Clearly, locating a turbine 850 metres from the nearest properties in Helmdon was considered by the applicant at that time to be unacceptable. However, in revising the layout to deal with this point, the applicant then moved the turbines closer to Greatworth, the nearest turbine being only 780 metres away!

This contradictory aspect of the "careful design process seeking to minimise impact", simply demonstrates the impossibly constrained nature of the site boundaries relative to villages and habitations but also the disregard for local communities.

Scheme Design and Composition

The Applicant claims that the layout is the most satisfactory from a visual perspective. HSGWAG disagree. As residents constantly move around the local area, the relative appearance of the turbines to one to another will change. In some views the composition would be cluttered with turbines slightly out of line and blades overlapping. This irritating conjunction of turbines would be apparent in many views to the West but also views to the East.

The “balanced composition” claimed for the final layout of the turbines could only be appreciated from a limited number of viewpoints and can therefore not be claimed as one of the schemes “benefits”.

4.3.6 Photo Montages

Only 5 out of 19 montages supplied with the ES are taken from Helmdon, Greatworth or Sulgrave, yet in order to conclude on village impacts, close proximity shots should have been a priority.

Appendix I contains our critique of the applicant’s photo montages and also a selection of HSGWAG’s own montages. Whilst we appreciate HSGWAG’s montages can only be classed as illustrative, we are confident that they present a more realistic view for local residents in terms of understanding the visual amenity issue at stake.

4.3.7 Conclusion

The applicant fails to adequately describe and assess the true impacts on both village and dispersed dwellings. The nature of the visual impact is downplayed and the survey presented is highly limited. The conclusions of the applicant therefore cannot be relied upon.

Having undertaken our own assessment of both village impacts and frontline properties, it is clear that this development will significantly affect many hundreds of local residents, some of whom due to the contained and intimate nature of the landscape will feel the visual impacts are exacerbated. Equally, there are five locations (25 dwellings) which we believe would experience an unacceptable decline in their living conditions with little or no respite from this development.

As such, this development would not only be contrary to PPS22, but also SNC’s local wind policy and Adopted Local Plan policies (G3).

4.4 NOISE

HSGWAG have four key issues with noise:

- Compliance with the ETSU-R-97 noise limits does not imply that there will be no adverse noise impact. Indeed there are a number of frontline properties that will experience a significant elevation in night time noise levels.
- The number of residents adversely affected is significant.
- Amplitude modulation cannot be discounted.
- There are some technical points which we would request the Council look into, further to an initial review by an acoustics expert HSGWAG commissioned.

HSGWAG commissioned Robert Davies Associates, a consultant in acoustics and noise control, with extensive experience over 20 years on wind farm noise to review the application. **His report can be found in full in Appendix G.**

4.4.1 Compliance with ETSU-R-97 does not mean impacts are not adverse.

The degradation to local amenity caused by wind farm noise should be viewed in relation to the noise levels that are currently experienced. This part of South Northants is very quiet, particularly at night. It is not adjacent to any major road or other transport infrastructure.

We would specifically like to draw the Council's attention to a recent Court Of Appeal Decision relating to a case in Wales (APP/R6830/A/08/2074921) which recognised that ETSU-R-97 limits were a matter which an Inspector was required to bear in mind, but "he was not bound by them". The decision in this case stated that ETSU regulations were only one view of the balance to be struck, but that the planning judgement of the individual making the decision was equally valid. We would also like to highlight appeal decision P/PPA/250/675 (Rossie, Auchtermuchty , where an inspector found that despite all noise limits being well within the guidelines, a proposal was still deemed unacceptable on amenity grounds due, in part, to the large numbers of people likely to hear the turbines.

The results from TNEI's survey indicate that the wind farm will not just be audible at a number of dispersed dwellings surrounding the site, but also in the villages of Greatworth and Helmdon. This cannot be seen as a "small impact" in a rural location when up to 2000+ people will hear them.

A 10dB(A) increase in noise would double the noise experienced and, according to BS 4142:1997 "Method for rating industrial noise affecting mixed residential and industrial areas", noise complaints are likely under such circumstances. Greatworth and some dispersed properties may experience close to this level of noise difference at night time in certain wind directions.

The table on the next page provides a summary of the night time noise differentials in a range of locations at the wind speeds most likely for this area (given the applicant's prediction of annual mean winds being 6.7 metres per second). We have specifically picked out dwellings which we believe will experience an unacceptable decline in living conditions because of the visual and noise impacts. The data is taken directly from the application (Environmental Statement, Appendix G, Noise).

Night Time Noise Impact for Frontline Properties

Location	Existing range of background night noise (averaged out)	Predicted turbine noise at 7 m/s wind	Difference in decibles	Potential with =/- 3d B(A) margin of error
Stuchbury Hall Farm	31.9dB(A)	38dB(A)	+ 6.1	41dB(A) **+9.1**
Grange Farm	30.7	35.7	+5.7	38.7 **+8.7**
Stuchbury Manor Farm	31.6	36.2	+4.6	39.2 **+7.6**
Greatworth (Astral Row)	29.2	34.7	+5.5	37.7 **+8.5**
Bungalow Farm	30.4	39.4	**+9.4**	42.4 **+12.4**
		Predicted turbine noise at 6m/s wind		
Stuchbury Hall Farm	29.7	37.1	7.4	40.1 **+10.4**
Grange Farm	28.4	34.8	6.4	37.8 **+9.4**
Bungalow Farm	27.6	38.5	**10.4**	41.5 **+13.4**
Greatworth (Astral Row)	27.0	33.8	6.8	36.8 **+9.8**

The table has also considered the effects of adding in the worst case scenario of a +/-3dB(A) margin of error. If this is taken into account, the increases of sound become double the levels currently experienced for all properties listed above and Bungalow Farm experiences a 13dB(A) increase.

This means that Bungalow Farm, only 666m away from the nearest turbine, would experience more than a doubling of sound without any margin of error in northerly winds. Stuchbury Hall Farm, which sits in the path of the prevailing winds would hear the turbines more often than not. Adding in the margin of error, this location would also experience a doubling of sound. Relative to the existing background noise levels, we would argue that this impact on public amenity is not acceptable.

We would also like to point out that the sound predictions in the application are based on averages. ETSU averages noise out over night time, so although 11pm to 4am may be at 20dB(A), birdsong may raise it to 45dB(A) from 4am – 7am. By taking an average, the predicted noise limits will not be 5dB(A) above existing noise levels, but could actually be up to 20dB(A)a higher at certain times of night. This is on the basis that during the quietest hours of the early morning, readings have been taken to show that the noise levels could be as low as 20dB(A) or under. This should be a serious consideration in any assessment on amenity.

4.4.2 Significant Number of Residents Adversely Affected

The fact that the northern end of Greatworth could experience a doubling of sound in average wind conditions presents an unacceptable impact on the wider local community. However due to the prevailing winds, it will be Helmdon that hears noise more often than not. Wind farm developers often argue that it is only a handful of residents at dispersed properties who are disadvantaged, but in this application the proximity to villages means that the impacts are more widely felt.

The issues of local topography also lead to a risk that Helmdon will hear the turbines more than currently is forecast. It is well understood that undulating land and more complex topography can result in noise occurring that had not been forecast. Noise propagation models are based on flat land. Many residents for example at the northern end of Helmdon hear some noise from "Tanks A Lot" (a business based over 2km away) much more clearly than Helmdon residents over 1km closer to the noise source. The noise can also sound as if it is coming from the West and not the East. It is these complexities that the applicant cannot account for. Indeed it presents an uncertainty which has been has recognised and given weight before at appeal (eg: Matlock Moor). The only solution is one of greater setback distance which given the constraints on site would not be possible.

4.4.3 Amplitude Modulation (AM)

The applicant's environmental consultants (TNEI) suggest that the possibility of AM occurring in this location can be ignored on two counts:

- Government advice, following the Salford University Report of 2007, is that the occurrence of AM is so infrequent that it can be ignored (ES para. 3.3)
- Although the causes of AM are not understood, a number of contributory factors have been identified (para.3.4). TNEI suggest that none of the five factors listed are present at Spring Ridge.

HSGWAG have some issues with the view taken by the Applicant on this topic. Firstly, the current industry position is that the causes of AM are not understood, and there is no up-to-date evidence on how prevalent the problem may be. There is therefore no certainty that enhanced AM will not occur at Spring Ridge.

Secondly HSGWAG believes that some of the factors which the applicant states are possible contributory factors to AM might be present at the Spring Ridge Site. Turbines 1-4 are in a line running east to west and our topography (gentle undulations) has also been noted as a potential issue. This is because the standard methods of noise prediction are not designed for this type of environment (thus it creates an element of uncertainty over the reliability of the noise predictions).

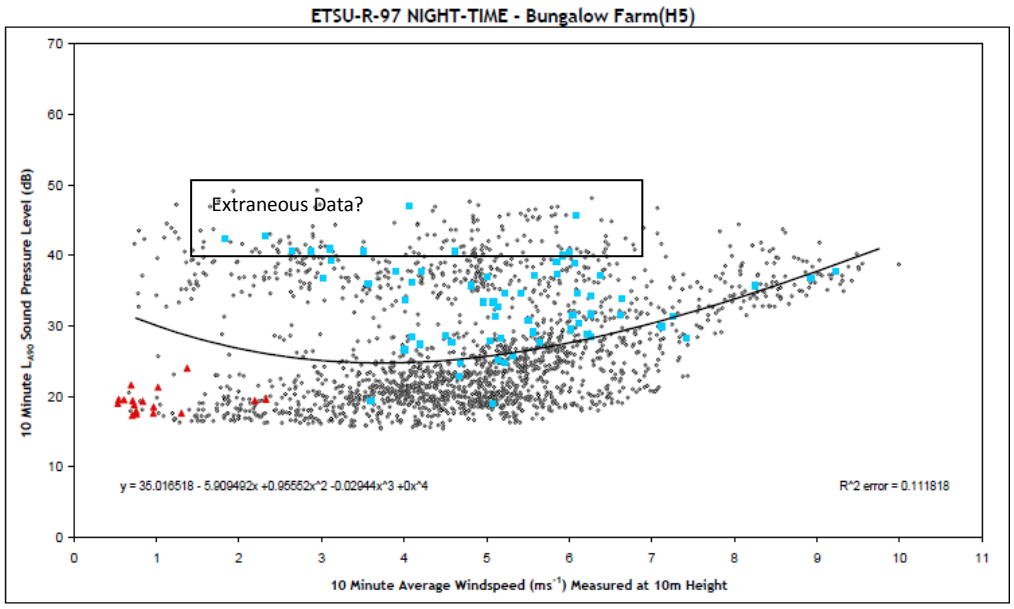
Broadview's application states that aerodynamic noise is usually perceived when the wind speeds are fairly low. Given that Broadview predict our area is only just above the threshold (6.7m/s predicted) of being commercially viable, most winds in this area will be low and so the likelihood of this problem is greater according to the applicant's own assumptions.

The only solution is for much greater setback distances, but as previously stated in this constrained site, this is not a possibility.

4.4.4 Technical Points

The acoustics consultant used by HSGWAG has pointed out a number of other technical points which the Council may wish to look at in more detail. These are that:

- Fixed limits are not appropriate for our location. Lower limits should be used.
- A rain gauge to detect rainfall on site was not used.
- There may be uncertainty over the reliability of noise levels and limits: For 'marginal' houses the reliability of the background noise data becomes important – if the background noise levels are set too high, so will be the ETSU noise limits. Looking at the **night-time** noise data for Bungalow Farm (Referred to as H5 in the application– Figure 5.11 from Appendix G of the ES) the noise levels fall into two groups at low wind speeds – between 20-25 dB and 35–45 dB, with few intermediate data points. This is an unusual and the reason should be investigated. These points are more fully discussed in Appendix G.



4.4.5 Conclusion

Residents across a wide area will hear the turbines and the noise will be more noticeable at night. For some, the noise level relative to the current background noise will be significant and in ordinary circumstances, would lead to complaints. Given that this is an area with low average winds, the noise of the turbines will be heard more often than not and will be particularly noticeable for "frontline properties" – all of which we believe would experience an unacceptable impact on their amenity. Although the applicant meets ETSU limits, we believe that in this case the degradation of amenity from current levels is unacceptable and is contrary to national (PPS22) and also local policy.

4.5 CUMULATIVE IMPACT

4.5.1 The Combined Effects of Visual Impact and Noise

The application takes no account of the combined impacts on the amenities of nearby residents. To those who experience significant and major changes to their views, the issue is not just one of visual dominance to their properties or a major change to the landscape view, but also one of being able to hear the turbines. When an individual is against the proposal, these impacts may seem worse still.

There will be five frontline locations (representing 25 individual dwellings already mentioned) which we believe will suffer an unacceptable decline in living conditions as a result of visual impact and noise.

However, due to the location of this proposal, its close proximity to three local villages, local topography and the small scale of the local landscape, the number of residents who will have substantial visual and noise impacts would potentially run into thousands. Cumulatively this presents a much wider unacceptable amenity impact.

As such, we believe this proposal runs contrary to the local policy of “preserving what is special about South Northants” and,“ being satisfied that the living conditions of local residents would not be unreasonably affected” (13.6 –SPD; Wind Turbines in the Open Countryside). As a result the proposal should be rejected.

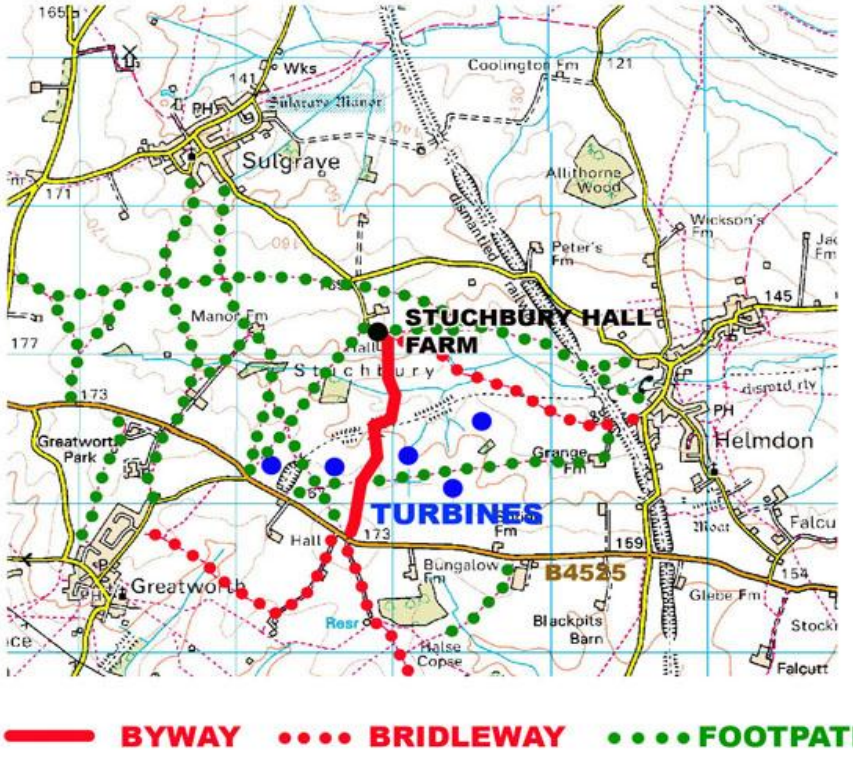
4.6 COMMUNITY AMENITY

Community amenity is the general affect on local residents who wish to enjoy their surrounding landscape and countryside. It relates to footpaths and bridleways and general enjoyment of the area.

HSGWAG would like to raise four issues. These are as follows:

- The impact on community amenity will be unacceptable to the locality. The proposed site has a well used network of local public rights of way. They are well used not just by informal dog walkers, horse riders and the like, but also by the formal, publicised walking groups which run regularly all year round.
- Preferred minimum distances have not been adhered to for footpaths, byways or bridleways. In many cases the turbines are located at a distance where the blade would almost oversail the path. This proximity is unacceptable given the extensive usage of routes in this area.
- The application focuses on paths which can be classed as “strategic routes” which are not in the immediate vicinity of the proposed site. The application has undertaken no proper analysis of the paths on and immediately around the site, despite the applicant describing the impact as “major” and “significant”.
- The constraints are such that reconfiguring the turbine positions to avoid any issues for local public rights of way will be impossible. The applicant has inconsistently applied the buffer zone to try and detract from this problem.

Appendix H contains a published map of the local rights of way with codes on for each route.



4.6.1 Impact on Local Amenity

The area is valued for its peaceful and pleasant views and at a stone's throw from three local villages, it is regularly used for both organised and informal leisure pursuits. However the applicant fails to describe or discuss the local rights of way other than to state that the impact upon them is a "major and significant". Instead the focus is placed on national walking and cycling routes further away. Whilst some of these more distant routes will indeed be impacted, the impact of community amenity will be most keenly felt on the paths in and around the site itself.

The applicant recognises that the impact upon the rights of way is of the highest level, but does not acknowledge these routes are well used, are publicised for regional walking groups, nor have they supplied any montages (which would be required had they placed weight on the local Wind Turbine SPD). In not undertaking this analysis, the applicant has underestimated the usage and importance of these local routes and applied insufficient minimum distances.

Minimum Distance

As a result of the applicant's position on this matter, it appears that the "buffer zone" or "minimum distances" applied are woefully inadequate as can be seen from the table below.

The ideal minimum recommended distances from footpaths are fallover distance plus 10 per cent, which in this case would be 137m. For bridleways and byways, best practice would be to locate the turbines at a distance of 375m (this would be four times overall height, as recommended by the British Horse Society), although the Applicant states 200m (this is an outdated figure).

Using the Constraints Map supplied with the application, Four of the turbines (T1,2,3 and 4) are all located considerably under these recommended distances. A summary is included below.

Distance From Local Rights Of Way

Turbine	Distance AN9	AN7	AN8	AN10	AN36 Byway	AP15 Bridleway	B4525 Route used by horses
T1	62m	90m					150m
T2			125m	90m			
T3				62m	187m		
T4				90m			
T5						250m	

nb: HSGWAG would like to note a concern that there are many discrepancies on distance within the ES. The distances above have been measured using the applicant's Constraints Map, but we notice that the ES states in some cases that distances are less than specified above.

In light of the guidance above, none (bar T5) of the turbines meet the recommended guidelines for distance separation. T1 and T3 are incredibly close to oversailing the nearest footpath. Even if you take Broadview's less rigid distance of 200m for routes open to horses, only one route out of three achieves it.

Instead the applicant has applied a buffer of only 50m from footpaths. These distances are not appropriate in this location because of the importance and usage of the routes to the local community. This is further explained in the following section.

4.6.2 Importance and Usage of Local Routes

Health Walks

As part of the national **"**Walking The Way to Health" initiative by Natural England, the British Heart Foundation and local partners, South Northamptonshire Council has led the development of walking groups in this area. The aim is to promote free, easy-to-join schemes to encourage people to walk safely in their local areas for the benefit of their health.

Helmdon, Greatworth and Sulgrave are three of over 500 communities offering regular walks led by trained volunteers. Helmdon's group operates once a week during the day throughout the year for about one hour, and there are longer weekly evening walks between June and September.

Several of the regular walking routes will be seriously impacted by the turbines as the group often uses three well used paths to the west of Helmdon; these are shown on the County Council's Definitive Map as paths AP14/AN15, AP15/AN32, and AP16/ AN10 (the initials change at the Helmdon(AP)/Greatworth(AN) parish boundary).

Numbers walking on each group session vary, but 15 is not an unusual number. Regular walkers who join the group are often from nearby towns such as Brackley and Towcester who come out to enjoy our countryside. The walk leaders have expressed concern and believe that this plan will adversely affect the human enjoyment and health benefits of these walks.

Informal Walking and Leisure Pursuits

This area is well used by locals from all three villages to walk dogs and go on family walks. As an intersection between three villages, it is also historically important. The general view of the Community is that by building turbines on this site, the public amenity of the area will be destroyed. People will avoid the area as a result of the unappealing thought of walking through and literally underneath the turbines. The enjoyment of the countryside is critical for people who choose to live in this locality. This development cannot be screened at this proximity. Walkers will see them, be overshadowed by them and hear them. It will become an unpleasant experience and this area will be lost. The contribution that the Applicant states this proposal will make to CO2 targets cannot justify the impact to such a large number of people.

Horse Riders

In a survey conducted by a local horse rider, analysis of the Byway AN36 and Bridleway AP15/AN32 shows that **over the month of October 2010 alone these two routes were ridden on by approximately 180 horse journeys.** The wind farm will create an unacceptable impact on local amenity.

A recent survey undertaken by HSGWAG found the following numbers of horses living within a 3 mile radius of the wind farm site:

Location	Number of Horses
Sulgrave	64
Helmdon:	55
Astwell:	16
Weston:	31
Lois Weedon:	21
Culworth:	130
Greatworth:	23
Falcutt:	6
Wappenham:	12
Total	**358**

A horse has the natural instinct of a prey animal and will be wary of unfamiliar or unnatural shapes, movements and noises. Horses may therefore react adversely to the following:

- Blades Starting to Turn
- Noise
- Construction and Maintenance

Horses are an integral part of the pleasure and enjoyment of the Helmdon, Stuchbury, Weston, Sulgrave and Greatworth area. They are also an important source of employment and the £2000-£3000 cost per horse per year directly supports many local Northamptonshire businesses such as farriers, farmers, vets, feed merchants and tack suppliers.

It is also noted that an access track will directly cross the byway. During construction this would completely eliminate the possibility for horse riders to use this route.

One of the great pleasures of riding a horse is to canter the horse. Byway AN36 and bridleway AP15/AN32 form an important off road route where it is currently safe to canter a horse. Currently only three other routes offer safe off- road cantering in the Helmdon, Astwell, Stuchbury and Falcutt area. The proposed wind farm development will therefore lead to a 25% reduction in safe off road riding routes suitable for cantering to local riders. This is important because of the number of racing horses in the site.

With such a large local horse population and a high number of riding journeys within the proposed site, the loss of this area will be a huge blow for many horse riders who will feel unable to continue using this area.

4.6.3 Conclusion

The impact on walkers and riders is a serious concern for this proposal. The visual and noise effects for those wishing to walk or ride on the site, or even adjacent to it will be off putting for most people, particularly given the overwhelming opposition to them. The applicant has taken the

minimum distances guidance to its limit, but offered no explanation or analysis of why this is acceptable given the importance of these routes to the local area and the usage they experience for both informal and formal publicised outings.

Furthermore the turbines will not be viewed in the context of a grand open large scale landscape because that is not the nature of the local topography. As an “intimate landscape”, the enjoyment of this local network of paths will be utterly intrusive and dominating. The tranquillity and rural outlook of this part of South Northants will be destroyed by the turbines which will dominate this area to such a degree that we believe the impact on community amenity will be unacceptable.

4.7 BATS

Bats are a highly protected species and wind turbines are a recognised threat to them. In seeking permission for the Spring Ridge turbines, the applicant has carried out what is now concluded to be an inadequate survey. In light of this, it is clear that the development is likely to have an impact on important local bat populations and this should not be permitted.

HSGWAG understand that the local bat expert (a statutory consultee) has concluded the following in relation to the application:

"*The area is known to have a rich and diverse bat population and that requires careful mitigation to avoid any development that would harm it. The bat surveys failed to accurately determine bat activity across the site and any effects the turbines would have on local bat roosts and populations. Guidelines for carrying out such surveys are readily available, but were not followed in a number of important instances. The Guidelines produced specifically by Natural England (TIN 081) were not followed in a number of areas. It would be unwise to safely place any turbine on this site until the failings and omissions in bat survey have been rectified and a proper set of mitigations designed. Until that time the application should be rejected or a condition applied to turn the turbines off at night*". (*our emphasis*)

There appear to be several issues which the Northants Bat Group has identified. The study was not carried out in accordance with the appropriate guidelines and as such there seem to be a long list of issues which include:

- Unqualified individuals undertaking surveys.
- Poor methodology leading to inadequate surveying locations and techniques.
- Rare bat species were not properly assessed (they require slightly different survey methodology if detected).
- Concern over the use of electronic monitoring equipment which was on some occasions faulty and so has not provided an accurate picture across all seasons.
- The results maps and text give no indication that any flight lines or flight directions were recorded.
- No monitoring has taken place at height as is usually required. This is a major failing of the survey as it will not take migrating bats into account.
- No specific methodology has been used to investigate the population of "Quiet bats" in the field.
- Roost surveys are inadequate and have not followed best practice.
- Minimum distance regulations have not been followed.

The failings of the survey undertaken present a situation where the conclusions of the application cannot be relied upon and should therefore be dismissed. The expert view is that the bat population on site is both much higher in number and diversity than is claimed. As such the applicant should be made to fully re-assess the site before the application is considered further.

We would urge to Council to consider this as an issue for refusal in its own right.

5.0 SECONDARY ISSUES

There are four secondary issues. These are issues of concern which present an increasing cumulative argument for refusal, but we recognise in isolation they would not be sufficient to warrant refusal.

5.1 SAFETY

There are two issues with safety in relation to this application:

- The applicant has not undertaken a risk assessment with regard to public safety and therefore fails to demonstrate the acceptability of the turbines in this locality.
- The applicant dismisses the risk of structural/blade failure and “ice throw” when these are real risks posed which do happen.

5.1.1 Wind Turbine Failure

It is true that no UK member of the public has yet been injured by a wind turbine, however many construction and maintenance workers have been. For general members of the public it is probably due to the fact that turbines have to date been in more isolated places, away from humans that we have not seen a tragedy, but the probability is that it will happen.

The Spring Farm Ridge site is very close to dwellings and the site is well used by walkers and horse riders alike. The site is traversed by a number of public rights of way (some of which are barely 50m away), a bridleway and a byway. A business at Spring Farm will involve members of the public driving tanks underneath and around the turbines. Dispersed properties are as close as 586m (excluding landowners) and substantial numbers of residential dwellings are only 780 metres away.

Worldwide records show that blades and blade fragments have travelled up to 1.3km. Blade fragments have gone through the roofs and walls of nearby buildings and landed on footpaths and roads. In the last 18 months alone, the UK has seen two major turbine accidents which could have caused a public injury had anyone been walking nearby.

The Caithness Wind Farm Information forum (http://www.caithnesswindfarms.co.uk/accidents.pdf) provides a summary of accidents recorded and also a full breakdown of each accident (http://www.caithnesswindfarms.co.uk/fullaccidents.pdf) . It is not a comprehensive list, but indicates that the risk to public safety requires assessment.

The table below highlights a small selection of recent turbine accidents, some of which are in the UK. HSGWAG have picked these specific incidences as we believe they have the most relevance for our particular locality.

Location	Date	Description of Accident
Kings Dyke, Whittlesey, Cambridgeshire	1.12.2008	Shards of melting ice fell onto local homes and gardens from the 45m blades of a 125m turbine. Some pieces were up to 2 foot long. The incident lasted 4 hours.
Eemshaven, Holland	17.12.2008	Ice throw onto local roads.
Conisholme, The Fens, UK	04.01.2009	45 metre blade shears off from the turbine hub in the night. Mechanical stresses to blame.
Chatham, Ontario, Canada	12.02.2009	Blade smashes into neighbouring home.
Lelystad, Holland	27.05.2009	Turbine blade falls off and onto a highway. Police report amazed that there were no accidents.
Hundammerfjellet, Norway	01.11.2009	45 metre blade shears off in the night. There had been a previous accident at this location (20.01.2006), where blade parts were thrown up to 1.3km away.
Oxhult Wind Park, Sweden	03.11.2009	2 wind turbines self destruct in one week. Blades shear off and one lands on a hiking path.
Whitelee Wind Farm, East Kilbride, Scotland	19.03.2010	150ft blade snaps off. Falls feet from public footpath.
Rochefort en Valdaine	19.09.2010	Two turbines catches fire 3km apart. Debris scattered over a wide area.
Lem, Western Jutland, Denmark	13.09.2010	Part of a turbine blade breaks away and falls. Pieces that fell are are 6-7 metres wide.

GCube, an insurer for the wind turbine industry, said at the time of the Conisholme accident that a simple mechanical failure was the most likely explanation. "*You get three or four cases of things like this a year. They are machines and machines are going to break*".

However most interesting of all is that in an operation manual for its turbines, Vestas (the world's leading wind turbine manufacturer), is very clear on the dangers posed:

"*Do not stay within a radius of 400m (1300ft) from the turbine unless it is necessary. If you have to inspect an operating turbine from the ground, do not stay under the rotor plane, but observe the rotor from the front*".

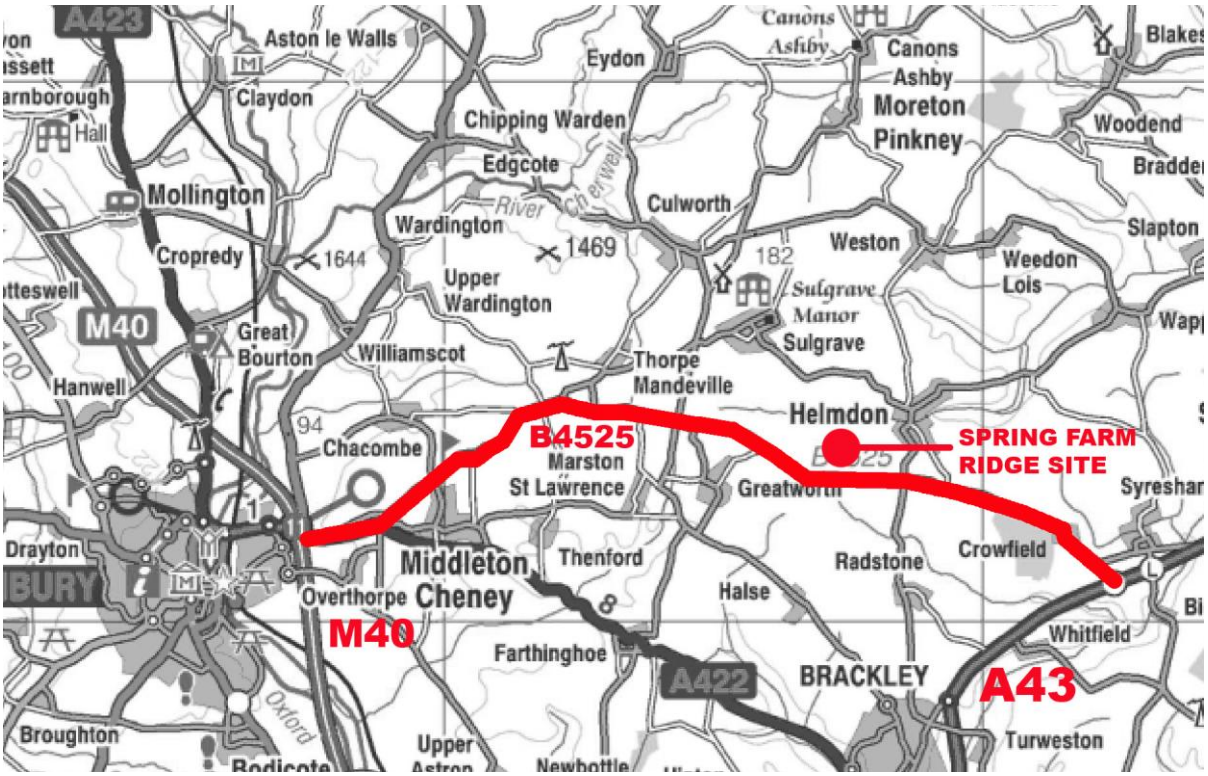
Walkers and horse riders will not get this luxury on site as the turbines are positioned so close to public footpaths that they will almost oversail them.

It is clear that there are risks. These risks have not been properly assessed or explained by the applicant and we would urge the Council to request that this is done prior to any decision being made.

5.2 HIGHWAYS

There are two issues with highways safety.

1. The application dismisses the risk of distraction to drivers.
2. The accident data for the B4525 shows that the stretch of road running parallel to the turbines has experienced many accidents and when examined relative to the whole stretch of road, there is a higher concentration of accidents along the stretch from Greatworth to Helmdon than in other locations (with the exception of Middleton Cheney/Chacombe).



As shown in the map above, the Spring Ridge Farm site lies immediately to the north of the B4525 (known locally as the Welsh Lane), between the villages of Helmdon and Greatworth.

5.2.1 Driver Distraction

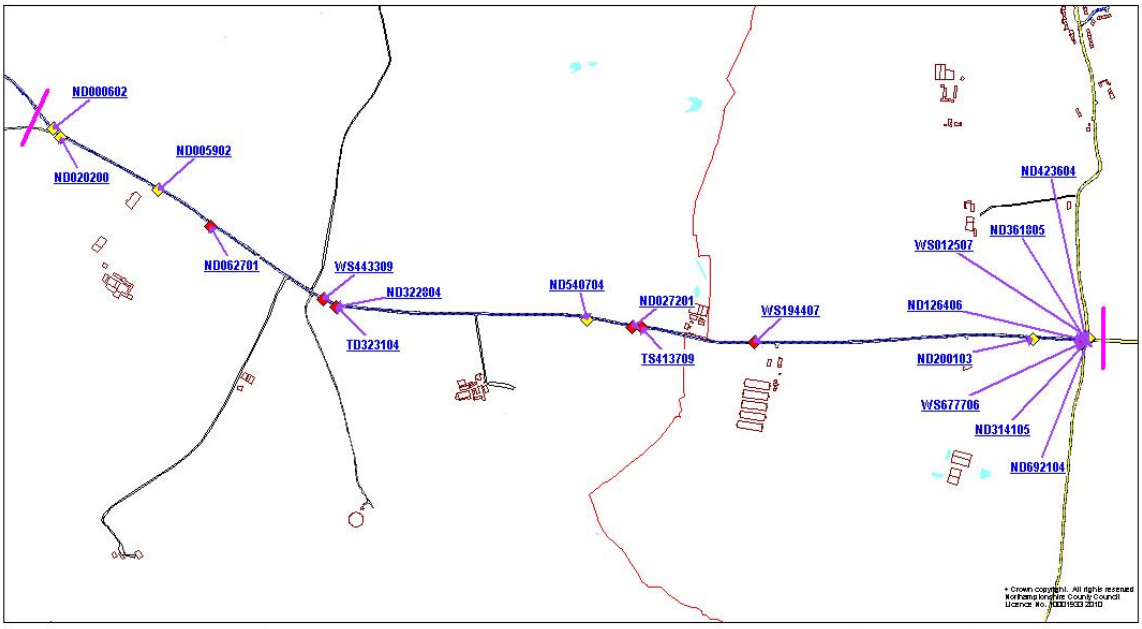
The five turbines would be aligned alongside the road and as close to it as 150 metres. The B4525 is a direct link between the M40 and the A43 and carries a mix of heavy goods vehicles and cars frequently travelling well above the speed limit despite two speed cameras. It is sub-standard in vertical and horizontal alignment with many known danger points. Indeed a good deal of concentration is necessary to negotiate it and the presence of a row of tall randomly moving objects close to it could cause a potentially disastrous lapse in attention.

In its “Highways and Windfarms Good Practice Guide” the Highways Agency makes the following statement in respect of assessing local road conditions with regard to wind turbine applications:

"*The accident record, and the complexity of the road surrounding a proposed wind farm development needs to be assessed when considering the likely impact of a wind turbine or wind farm. Whilst no correlation has been found between wind farms and accidents, wind farms themselves and construction activity have the potential to distract. If the wind farm is located close to a particularly complex or hazardous section of road the application should be treated with caution because any accident that results from distraction will cause disruption to the local road network and have a cost implication for the local economy".*

The applicant dismisses the risk of distraction to drivers, yet has only looked at three years worth of accident data for this particular road, concluding that this is not an area with a cluster of accidents.

If 10 year accident data is considered, the picture is different. There are three clusters of accident data; Middleton Cheney to Chacombe turn, the Marston crossroads and the stretch of road running from the Greatworth turn off to just after the Helmdon crossroads. Indeed the stretch of road running parallel to the proposed site has suffered 19 accidents in total, a good proportion of them serious and many have been caused by inattention or distraction. This can be seen from the map below.



The local SPD " Wind Turbines in the Open Countryside" specifically states that for a trunk road, commercial turbines should be set back at a distance equal to their height plus 50m (in this case 175m). This does seem to be achieved by all the turbines (apart from T1), however HSGWAG believe that the issue of screening , the proximity of junctions and the activities along this stretch of road make it unsuitable and contrary to National Highways Agency Guidance.

5.2.2 Views Experienced by Road Users

The applicant does not articulate the view that would be experienced in approaching the turbines from either east or west on the Welsh Lane or north on the Radstone Road.

Mature trees alongside the Welsh Lane and the undulating nature of the contours in this location mean that the turbines would be intermittently screened to varying degrees right up until a driver reaches the Helmdon crossroads or just before the Greatworth turn. The temptation to turn and look up in such close proximity will be overwhelming.

Equally road users travelling north on the Radstone Road towards the Helmdon crossroads will (due to undulating topography) experience no full clear views until they reach the Helmdon crossroads junction.

The Highways Agency Advice note (SP12/09) is critical in this case as it refers to good siting in terms of the scheme's visibility and that clear continuous views are preferable to screening.

5.2.3 Road Junctions

The Highways Agency Advice is also clear that, "*Wind Farms should not be located where motorists need to pay particular attention to the driving task, such as the immediate vicinity of road junctions, sharp or unexpected bends and crossings for pedestrians and cyclists*".

The applicant's proposal seems to be in direct conflict with this advice. We would specifically like to draw attention to the fact that the Greatworth turn (already dangerous due to its location on a bend) is in the immediate vicinity of turbine 1. There are also a reasonably high number of trucks which use the junction at the Blackpits recycling centre (in the vicinity of turbine 4) and the Helmdon crossroads will be able to see the whole development clearly (whereas approach roads to this junction will not).

5.2.4 Conclusion

HSGWAG believe that the B4525 alongside the turbines is a hazardous section of road of the kind referred to by the Highways Agency. This is something which the local Wind Turbine SPD talks specifically about, but the applicant has given no weight to it.

The site should not be considered suitable for a wind farm on the grounds of road safety and driver distraction.

5.3 GRID CONNECTION

The application states that should permission be granted for the wind farm, the applicant will make a further application for connection to the grid. Three options are mentioned but we believe that is is highly likely given the costs differential, that pylons not underground cabling would be used.

This is an additional visual impact issue for the locality and HSGWAG find it odd that Broadview cannot commit at this stage to their preferred option or at least discuss the implications of all three options.

For the proposal to be considered, it should be presented in its entirety which would include the grid connection. If the applicant is unable to determine which option at this stage would be the preferred, then all three options should be further explained, so the worst case can be considered.

The option of most concern to the locality would be where pylons are required as this would introduce further substantial visual detractors into the skyline and the landscape.

The applicant must make it clear where these pylons would go and assess their impact on the landscape. They have failed to do this and as such the proposal is incomplete. **This is a matter referred to in Appendix J – a statement of legal opinion provided by a planning barrister, Richard Honey.**

5.4 COMMUNITY OPINION & STAKEHOLDER ENGAGEMENT

HSGWAG has put a great deal of effort into informing local people of the potential implications of the proposed wind farm by holding meeting in affected villages, distributing information leaflets and the creation of a dedicated website. In doing so, the group sought professional advice early on where necessary and has used every endeavour to ensure that the information made available to the public is properly researched, accurate and justifiable.

HSGWAG has specifically steered away from scare mongering with regards to house prices and health issues despite media attention on them. We have sought in every aspect to present a professional case to the locality.

5.4.1 HSGWAG Public Engagement

During July 2010, Broadview held a public open meeting in Helmdon for residents to drop in and view the plans and photo montages. HSGWAG took an exit poll at this event. Over 250 people attended from the surrounding villages. The results were:

		%
Against	219	87%
In favour	11	4%
Undecided	23	9%
Total	**253**	**100%**

A door to door survey was also conducted in Greatworth by a concerned resident. 386 home owners were available and responded. The results were as follows:

		%
Against	325	82.2%
In favour	15	3.9%
Undecided	46	11.9%
Total	**386**	**100%**

Seven public meetings have been held in total across Greatworth, Helmdon and Sulgrave. These have been well attended and the unanimous view at each one has been opposition.

Local people feel frustrated that despite the well publicised issues with onshore wind's poor contribution to electricity generation and C02 savings, the applicant insists that this is a "green development". It is widely understood that the financial gains are immense for onshore wind developers and their investors. As the impacts are acknowledged to be severe for the local community, this has lost the applicant much support, not just for this proposal but for onshore wind in general.

5.4.2 Broadview's Community Engagement

The applicant has also carried out a public consultation exercise in respect of the proposal. In making a planning application for a scheme of this magnitude, the applicant is required to demonstrate compliance with the local planning authority's "statement of community involvement".

The applicant's conclusions on its public consultation exercise, as set out in the application document "Statement of Community Engagement", is that the local planning authority's requirements in this matter have been met. However no comment in the application has been made about the success of the applicant's engagement.

This is of course because the applicant would be unable to demonstrate any meaningful support for this proposal and is fully aware of the widespread discontent that exists. Indeed a questionnaire sent to over 7000 households (and included residents as far away as Banbury) only resulted in 31 favourable responses – the applicant does not state where these responses came from and so there is no indication of how many of this small number came from the communities that will be directly affected by this proposal.

The applicant makes no comment in the Planning Statement on this lack of support or indeed that 119 people responded to this questionnaire objecting to the development.

5.4.3 Conclusion

Broadview cannot provide any evidence to show that the local communities affected support this proposal. HSWGAG on the other hand can demonstrate that the overwhelming majority of locals are against it.

These facts are significant against the background of the Coalition Government's "localism agenda" where increasing emphasis and weight is being placed on the view of local people for planning issues affecting their locality.

We hope that South Northants Council will attach weight to this lack of local support when deciding whether to approve or refuse the application.

6.0 ISSUES FOR OTHERS

There are four issues we would like to bring to the Council's attention. We feel these issues are important and possibly reasons that could lead to refusal in isolation but it may be more appropriate for others with expertise to make their own representations. We would however like to reserve the right to raise these matters at a later date.

6.1 HYDROLOGY AND DRAINAGE

Helmdon has suffered from serious flooding twice in recent times. Despite the mitigation measures the applicant intends to take, we are not reassured that the risk of surface water flooding in Helmdon will not be exacerbated. We believe that the finely balanced hydrology environment makes this location inappropriate for development.

6.1.1 Inadequate Consultation Process

The applicant's Environmental Summary states that stakeholders have been consulted on Ground Conditions and Flood Risk Assessment. With regards to hydrology, it is indicated that Helmdon Parish Council have reported instances of flooding to Anglian Water but the reasons for the flooding are (11.7.2.1) "*unknown*".

The applicant has at no point approached Helmdon Parish Council for details of the issues surrounding local flooding, despite the Parish Clerk informing them during the July Public Consultation that plenty of information was available. The Environment Agency itself also recommended to the Applicant that they should approach local sources of knowledge (as set out in an email on Page 70, Part F, Hydrology). Local information including photos and video footage (from the Parish Council) highlights two things:

- Firstly, that surface water run-off is a problem in a village nestling at the bowl of a small valley, surrounded by source streams.
- Secondly, that there is a specific issue with run-off from the direction of the turbine site which eventually ends up in Station Road and The Green.

6.1.2 Mitigation Issues

The applicant is generally aware of the run-off issue and indeed section 11.7.2.1 and 2 of the ES states that:

" during periods of heavy rain levels of high water in the brook (River Tove) restrict the discharge from the public surface water drainage systems in Helmdon"

"that most rainfall from the site will flow along ditches into the River Tove ***upstream*** *of Helmdon*.

Given the low porosity of the site especially middle and north (non-liquefier) and the fact that attenuation ponds are deemed necessary, it seems odd to be able to summarise the impact on hydrology as minor or negligible and not significant.

Indeed we note that the addition of attenuation ponds was a rather last minute addition to the ES. It only appears to have been added at the insistence of the Environment Agency in an email dated 7th October (page 65 of Appendix I of Part F, Volume 4).

New ditches are also proposed which seem to join into existing water courses rather than going into the attenuation pond (for example south west of turbine 5 (map on page 62 of Appendix II of Part F Volume 4). This will surely add to the amount of water entering the Tove which the applicant denies elsewhere in the documentation (5.2.9 of Part F Volume 4).

Whilst the turbines themselves are not on land at high risk of flooding, it is noted that the pond for turbine 5 seems very close to flood zone 3. HSGWAG would like to understand if the applicant has considered the following points:

- How will the developers ensure that the pond itself is not swallowed into any flood plain?
- Page 60 of Appendix II of Part F (Volume 4) shows the high volume of natural springs on the site – how will the developer ensure these are not displaced and indeed how will any new spring which appears during construction (as seems likely) be dealt with?
- The likelihood of finding a new spring at all seems to have been dismissed by the developer (5.2.12) – who, whilst conceding that there are springs in the centre of the site states "*there is little potential for groundwater emergence" and groundwater flooding is not a significant risk*.
- Section 5.2.13 states that the turbines would not affect the surface water regime at the site nor flow in the River Tove. How can this be the case with the creation of new ponds and drains which will drain into the water course as shown in Appendix II of Part F?
- What happens if the ponds fill to capacity? This does not seem to have been addressed by the applicant at all.

All documentation indicates that the whole area is finely balanced with regard to the hydrology and geology – as the Environment Agency pointed out to the developer their email dated 7th Oct 2010 (page 70 of Part F).

"*it must not be assumed that a small percentage increase on the flows in the receiving watercourse would be of negligible impact"* and goes on to state..."*even a perceived small increase in runoff from the site may have severe consequences downstream*."

6.1.3 Conclusion

Given the poor investigation of local flooding events, the last minute addition of attenuation ponds and the remaining unanswered points set out above, it is clear that the developer has failed to prove that adverse effects are sufficiently reduced. This is contrary to local Wind Turbine policy (point 10.3

SPD “Wind Turbines in the Open Countryside) and as such we would urge the Council to consider asking the applicant to undertake further work in this area before any decision can be considered.

6.2 EMERGENCY SERVICES RADIO

The application states that, "significant localised interference may be experienced in the village of Helmdon". The applicant has not resolved this issue with the operator of the service prior to submitting the application.

Whilst we acknowledge that the applicant has engaged a consultancy firm to investigate, it must remain for the operator of this service, not the applicant, to determine whether the conclusions of that consultation are correct and fit for purpose.

It would be unacceptable for Helmdon residents to experience any degradation in service with regards to this issue**.** The operator of this service must be consulted and provide a response back to SNC.

6.3 AVIATION

6.3.1 Radar

The applicant mentions the potential for an issue relating to commercial aircraft radar systems based on theoretical visibility to the NERL Clee Hill PSR. Although we recognise that the client has employed a consultant to investigate this further, the applicant has not as yet obtained confirmation that this is indeed the case.

6.3.2 Local Aviation

Although the applicant has previously consulted with Turweston airport and believed there to be no issue, HSGWAG understand that Turweston have provided a response to the Council which outlines their concern for the safety of pilots using their slightly unusual and enlarged circuit pattern. The circuit flown is uncomfortably close to the turbine site and therefore is deemed to present a hazard for pilots.

HSGWAG would also like to highlight that recreational pilots spend much of their time at weekend doing acrobatics and the like over the proposed site - at turbine height. Some local pilots within the community have also raised concerns that in bad weather or low cloud conditions a northerly approach would be dangerous given the proximity of the airport.

6.4 ECOLOGY: WILDLIFE ON SITE

Following an expert review on the applicant's bat survey, it was clear that the applicant's assessments were poorly done in a number of respects, leading to conclusions that could not be relied upon. We feel based on our own limited studies that the same is likely to be the case for other wildlife in and around the site that has been assessed.

Our concerns with the general ecology studies are twofold:

- We believe that there has been an underestimation of the volume and type of species on site leading to conclusions that could be questionable. This view is based on the fact that the applicant has not carried out rigorous methodology and HSGWAG's own limited studies have led to greater numbers of sensitive species being spotted.
- Some of the data is now out of date and does not use the most up to date methodology.

It is difficult for anyone other than the applicant to assess the quality and quantity of the wildlife on site - because it requires access to the land belonging to participating landowners. However HSGWAG have spent the last 9 months surveying the site where possible and also the area around it.

6.4.1 Old Data

The surveys undertaken are over 2 years old. We are concerned that the data is out of date and that the methodologies carried out are not up to current standards (SNH 2205 was used which has now been superceded by TIN069).

6.4.2 Survey Quality

We would like to draw the Council's attention to what we believe represents an underestimation of important species on site. Specifically:

- Due to various limitations of accessibility on site, local topography limiting views and less than the recommended number of visits, the robustness of the surveys during 2007/2008 could be brought into question.
- Those birds recorded, although extensive, do not include species now present on and around the site, including red kite, sparrowhawk, tawny owl, swan, cuckoo and raven.
- The applicant's study concluded only that a single flight of lapwings was recorded but not seen breeding on site. However members of the local Community have seen at least two breeding pairs on site during the 2010 season. They are also present at Peters Farm (8-900m north east of the turbines) and in the fields around Allithorne wood. Given that this type of bird is classed as "high sensitivity" to turbines, it calls the applicant's survey into question.
- Similarly peregrine falcons have been spotted breeding close to the site and passing over it during 2010. This is at odds with the applicant's survey which considers them a scarce winter visitor.
- Barn owls have been equally dismissed as a "thinly distributed resident in Northamptonshire". Individual barn owls were spotted on specific days in October and November of 2007 by the applicant. However partly due to the Barn Owl Trust, the population locally has somewhat increased recently. Barn owls now nest in the area at

Stuchbury Hall Farm, Allithorne Wood, Fatlands Farm, Greatworth Fields and Bungalow Farm in particular. These locations completely surround the applicant's site at close range (600 metres to 1km).

HSGWAG believe that there is a need for more recent data, but also for a more rigorous assessment. Without these two things having been properly conducted, an informed decision for the suitability of the site for wind turbines and any mitigating factors that need to be taken are not possible.

7.0 CONDITIONS

There are two issues which we think must be covered by conditions should permission be granted.

7.1 TELEVISION RECEPTION

There are a number of cases in the UK of wind farms affecting both terrestrial and digital TV reception. Our issue with the application is twofold:

- The application has not conducted proper site specific surveys in advance to adequately prepare for the problems that will occur.
- The applicant must commit to paying for whatever remedial action needed, even if that is the installation and ongoing financial commitment of satellite services.

7.1.1 Absence of Site Survey

Based on the standard BBC online tool, the applicant has received feedback that in the region of 580 households could be affected, 9 of those for which an alternative service is not available. The BBC clearly state however that this is no substitute for a proper site assessment and that one should be carried out. The applicant has not done this.

In relation to wind farms, OFCOM have advised wind farm groups that:

"*If the BBC tool identifies the possibility of problems, or if there is any other reason to believe that TV reception may be affected, the developer would need to engage a private consultant to carry out a more detailed analysis or survey work. The planning authority would then need to satisfy themselves that all environmental impacts, including TV Reception, have been considered*".

Without undertaking this assessment, the applicant cannot reasonably state what its detailed intentions and remedial action need to be.

For residents, the issue is one of amenity. Not having access, even for a short while to TV is unacceptable and the reality of undertaking remedial changes to the volume of houses identified will take a long time. This would be unacceptable to local residents.

7.1.2 Specific Conditions Are Required

It is essential that any planning consent safeguards the interests of television viewers. The developer must be legally committed to this and strict timescales for resolution imposed and sanctions detailed. Also there must be an independent assessment as to whether reception has been materially affected to avoid protracted arguments.

Whilst the issue of television reception may be solvable, this is not a minor or short term issue. The Companion Guide to Planning Policy Statement 22 (PPS22) states that any likely TV Reception difficulties are predictable and should therefore be properly investigated.

In conclusion, we object on the basis that the application lacks detail in respect of television interference and no specialist in the field has been consulted.

7.2 SHADOW FLICKER

There are two issues that arise with shadow flicker in the application:

- Several locations affecting 50 or more residents will experience shadow flicker at varying times of the year and at varying times of the day. The B4525 will also be affected.
- The applicant is prepared via the use of “planning conditions”, to turn the turbines off during these periods if required. However the applicant fails to acknowledge that this further reduces the proposed benefits of the scheme.

Shadow flicker is predicted to occur at a range of properties in Greatworth, Grange Farm, Helmdon and Stuchbury. Moreover the proposed site is adjacent to land farmed by some of the affected properties. It would be unacceptable that a farmer should be working in his fields and having to deal with such conditions. The B4525 will also be impacted.

It is never acceptable that shadow flicker should occur in or around the curtilage of a private dwelling, nor on a road such as the B4525. Any planning conditions must ensure that the turbines should be switched off during these periods.

8.0 BENEFITS AND THE NEED

We have a number of issues with the benefits claimed by the applicant:

- The contribution of this proposal to C02 emissions is negligible and we believe that the figure for electricity generated is misleading. Benefits cannot be corroborated by location-specific winds on site because monitoring has only been in place for 10 months.
- The applicant (in not confirming the type of turbine to be used) has not been able to confirm the installed capacity of this scheme, stating that it will lie somewhere between 10 and 15 megawatts. With such variability, it is difficult to know how much weight to give the benefits of this development.
- The 2010 regional target has already been exceeded and there is no pressing need to permit this scheme in order to meet the target for 2020 either (as wind projects already in planning will more than contribute).

8.1 WIND DATA

Without site specific wind data, no reasonable assessment can be made on whether the proposal outweighs the wide ranging "major and significant" impacts which the applicant admits to. We would also like to make the point that monitoring at the site has only been in place for around 10 months. This is not long enough to make a proper assessment. As such the conclusions of C02 emissions and electricity benefits cannot be concluded to be reliable.

We note that the predicted winds at this location are on the margins of commercial acceptability. The application states that the commercial viability of a wind farm can be assured when the annual mean wind speed is 6.5 metres per second at a height of 45 metres. The application then goes on to state that the predicted annual mean wind speeds here are 6.7 metres per second. This is based on generic regional wind data.

In written correspondence with Broadview, a Helmdon resident requested to know how long it would typically take the applicant to know whether a site was viable or not from the point of view of wind speeds. The written answer back was that it could take 5 or more years to show whether or not the site was sustainable in the long term. In the least windy part of the UK, this begs the question why they feel this application can be so strongly justified with the "planning balance" of renewable energy outweighing the impacts.

It is by Broadview's own admission and one which is publicly available that our area is the least windy part of the UK. Local residents are therefore unconvinced that Broadview's motives are anything other than commercial. When the applicant fails to disclose wind data, they cannot be surprised when there is derision and suspicion.

The severity of the impacts on the local Community is not justifiable for marginal winds and consequent insignificant contributions to C02 savings targets. We would welcome further wind monitoring by Broadview and for its data to be shared. Only then can locals judge how much of a contribution it could actually make and the benefits truly assessed.

8.2 THE COMMUNITY FUND

In reality no wind farm in our area is likely to work at the capacity used in the application's calculations, as recent efficiency figures from Burton Wold (19%) show us. The figure is particularly meaningless with only 10 months of wind data. The medium to long term effectiveness of this wind farm quite simply cannot be calculated and as such Broadview are not in a position to accurately predict any of their figures on electricity generated, nor local monies available.

The other issue of the fund is how it would be spread. With so many villages and people affected badly by this proposal, once the pot of money is shared it would amount to no more than a few hundred pounds and in no way make up for any impacts.

8.3 THE PLANNING BALANCE

The applicant's environmental analysis demonstrates that the proposal would have a significant impact over a very large area and would be in conflict with a number of local planning policies. HSGWAG believe that the disbenefits are such that the only conclusion to be drawn is that they outweigh the wider benefits of the scheme.

Government policy is that when local planning authorities are considering renewable energy applications they should attach significant weight to the wider environmental benefits of the proposal in reducing CO2 emissions.

Local planning authorities are advised not to refuse planning applications for renewable energy projects simply because they are small. However, in concluding whether the weight to be attached to the wider environmental benefits is so significant as the outweigh the sum total of the identified disbenefits, it must be reasonable to have regard to the actual contributions that the project will make to the reduction of CO2 emissions.

In promotional literature distributed to the Community in June, Broadview stated that the "*Spring Farm Ridge Renewable Energy Project, while small in size can still play a significant part in reducing CO2 emissions*". In the Environmental Statement accompanying their planning application, they stated the savings would be at most 14,000 tonnes per annum which is **a contribution of 0.0026%** to the savings needed.

Broadview have not explained why this contribution (which can only be described as negligible) could be described as significant in any way. Instead the application suggests repeatedly that it should be seen as sufficiently significant for the planning authority to conclude that it outweighs the identified disbenefits.

The recently adopted policy by South Northants Council, "Wind Turbines In The Open Countryside" states clearly that "*The net environmental benefit is not the electricity produced, it is the electricity produced and C02 production avoided*".

In these terms, it cannot reasonably be concluded that the amount of C02 not produced a national benefit outweighs whatever local environmental disbenefits arise from the proposal.

8.4 CONCLUSION

It is incumbent on the applicant to show a counter balancing benefit. Broadview have tried to show that the scheme does not do significant harm – in doing so have skimmed over the issue of visual impact and residential amenity, of landscape, cultural heritage and ecology.

The applicant does admit that the scheme would be in conflict with a number of planning policies, but the premise is that the contribution of this scheme trumps all impacts. A close examination of the C02 savings as calculated by the company themselves however, reveals them to be miniscule when compared with the government's targets to cut emissions by 80% by the year 2050.

The unspoilt character of a large area of South Northamptonshire countryside would thus be totally changed for at least a generation and probably forever in return for little in the way of tangible benefits to the wider community.

9.0 LEGAL ISSUES

In wishing to get a professional view on the legal aspects of the development, HSGWAG engaged Richard Honey, a planning barrister to undertake a review of the application. The legal opinion provided can be found in full in Appendix J.

The key conclusion of this legal opinion is that the Environmental Statement submitted by the applicant is deficient in terms of the Environmental Impact Assessment regulations and consequently it would be unlawful to grant planning permission for an application based upon it. This view is based on the finding that there are a number of important omissions and failures in relation to compliance in the ES with the EIA regulations. These relate in principal to:

- Bats – the material presented within the ES is not sufficient to allow the local planning authority to discharge its legal obligations in relation to a European protected species and grant permission. It is likely that protected species would be at risk.
- Noise – impacts have not been considered beyond the question of compliance to ETSU derived noise limits. There is a failure to describe properly the likely significant effects of the development on the environment. A recent case in the Court of Appeal confirms the position that it is necessary for decision makers to consider the acceptability of noise impacts more generally.
- Understatement of the significance of environmental impacts generally. These impacts include (but are not limited to) noise, visual impact, community amenity, local character, cultural heritage and the absence of "impact interactions".
- Other omissions and concerns including the lack of information on the grid connection, insufficient information on design or scale iteration process and the poorly articulated benefits of the proposal.

It is also highlighted that there is no pressing need for this scheme given the achievement of the East Midlands 2010 target and the volume of wind projects already in planning would more than meet the 2020 target.

In respect of the overall planning balance, Richard Honey considers that the adverse environmental effects of the development are such that it is likely that the local planning authority would conclude that they outweighed the wider environmental benefits of the scheme and consequently would refuse the application.

10.0 CONCLUSION

Whilst the need for, and the benefits of the development are to be given significant weight, they are outweighed by the significant adverse impacts on the local area and its inhabitants.

Even if the deficiencies within the ES were corrected or the applicant reduced turbine numbers, the site is so constrained and badly located in relation to local residents, settlements and heritage assets that the significant impacts could never be addressed satisfactorily.

The small scale and intimate landscape in this region cannot reasonably accommodate turbines of this scale or size.

We request for all the reasons laid out in this document and its appendices that the application be refused.