



Appeal Decisions

Inquiry held on May 6–8, 12–15, 19–22,
June 1–2, 2009

Site visits made on May 12, June 16

by **T Cookson MRTPI DipTP FRGS**

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

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Decision date:
15 July 2009

Appeal A:

Appeal Reference: APP/L3245/A/08/2088742

Land at Lower Farm, Bearstone, Market Drayton, Shropshire, TF9 4HH

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Nuon UK Limited against the decision of North Shropshire District Council, now replaced by the Shropshire Council.
- The application (reference: 08/00831/EIA) was refused by notice dated September 2, 2008.
- The development proposed is **erection of 7 wind turbines of a maximum height to blade tip of 110m, together with access tracks, hardstandings, transformer housings, electrical control building, 70m high anemometer mast and temporary construction compound.**

Appeal B:

Appeal Reference: APP/P3420/A/08/2088745

Land at Lower Farm, Bearstone, Market Drayton, Shropshire, TF9 4HH

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Nuon UK Limited against the decision of Newcastle-under-Lyme Borough Council.
- The application (reference: 08/00360/FUL) was refused by notice dated August 22, 2008.
- The development proposed is **access track from B5026 London Road in connection with the construction of a wind farm at Poplar Lane, Bearstone.**

Decisions

Appeals A and B

1. The appeals are dismissed .

Procedural Matters

Appeals A and B

2. The scheme is described differently in the various submitted documents. Following discussions, the descriptions noted above were agreed by the parties at the Inquiry.

Appeal B

3. The appellant sought to submit amended plans identical to those forming part of an application that was granted planning permission granted by the

Newcastle-under-Lyme Borough Council in May 2009. The amendments are substantially different from those submitted originally. Having examined the level and nature of the consultations carried out by the local planning authority, and the responses received,¹ I am satisfied that no one would be prejudiced by the revised plans being considered.

4. Accordingly, I deal with Appeal B on the basis of the following plans:
 - 22990-R22 Planning Application Boundary
 - 22990-R21 Proposed Temporary Construction Access and Associated Footway Works
 - 22990-R24 Proposed Restoration Works
 - 22990-R26 Proposed Re-instatement.

Site and Surroundings

5. The appeal site is located approximately 10km south-west of Newcastle-under-Lyme, about 1km to the west of the villages of Dorrington and Knighton. It straddles the administrative boundaries of Shropshire and Newcastle-under-Lyme, the major part being in the area of the former.
6. The site is generally flat, but rises gently to the north with a slight southern aspect. Most of the land within the site boundary is semi-improved grassland, which is used as pasture for livestock and is generally closely grazed. The land is interspersed with hedgerows, tree/scrub lines and ponds.
7. Poplar Lane, which cuts through the site from north to south, is bordered either side by intact hedges and lines of trees or scrub. Small pockets of broadleaved woodland are also present on and adjacent to the site to the north and west. A dismantled railway to the south-west consists of submersed marshy grassland bordered by embankments with scrub. Two watercourses are located along the western and eastern borders of the site, flowing southwards towards the River Tern. A large number of ponds are present within and around the site. There is an underground fuel pipeline which also crosses the site. Vehicular access to the site is proposed from the B5026.

The Proposed Development

8. The proposal is for the development of a wind farm comprising seven wind turbines with a maximum height to the blade tip of 110m. The minimum rated output is to be 2MW. A meteorological mast of the same height as the turbine hubs, some 70m, and containing monitoring equipment, is also proposed. Each turbine would have foundations some 196m² in area, together with an associated area of hardstanding for a crane. The total area for each of the turbine foundations and crane pads would be some 924m². Turbine transformers are proposed either in the tower sections or nacelles of the turbines, or in kiosks adjacent to the turbines. The kiosk buildings would be 5m x 3m, at a height of some 3.58m.

¹ Document 49

9. Approximately 4km of access track is proposed within the site, including about 0.8km of existing track that would be upgraded. The tracks would be some 5m wide with passing places every 300m or so.
10. A control building housing switchgear would enable the generators to be connected to the electricity distribution system. Connection to the system is subject to consent under different legislation. It is anticipated that the connection would be by way of underground cables to the existing electricity sub-station at Bearstone Mill.
11. To allow construction of the development to take place and provide access the hedge would be removed along a section of the B5026. Temporary traffic signals would be used to allow the westbound carriageway to be closed and for one-way shuttle working of traffic along the highway and into and out of the site. The delivery of abnormal loads would be planned to take place on days and times when traffic flows on the highway are at their lightest. During these times the B5026 would be closed from Irelands Cross to the site access.
12. On completion the construction access would be closed and fenced, allowing a 1.8m wide strip of land along the B5026 to be used as a footway. Within the site the surface of the road would be removed and grassed over. The sub-structure would be retained. Regular maintenance traffic is estimated to be 2 large vans per month.
13. The wind farm would have an operational life of 25 years. At the end of this period the developer may choose to de-commission the wind farm.

Policy Considerations

14. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan, unless material considerations indicate otherwise.
15. In the case of these appeals the development plan comprises the Regional Spatial Strategy for the West Midlands 2008 (RSS); the Shropshire and Telford and Wrekin Joint Structure Plan, the Staffordshire and Stoke-on-Trent Structure Plan, the North Shropshire Local Plan, and the Newcastle-under-Lyme Local Plan.
16. Material policy considerations taken into account include Planning Policy Statement 1: *Delivering Sustainable Development* (PPS1); PPS1 Supplement: *Planning and Climate Change*; Planning Policy Statement 7: *Sustainable Development in Rural Areas* (PPS7); Planning Policy Statement 9: *Biodiversity and Geological Conservation* (PPS9) and its *Companion Guide*; Planning Policy Guidance note 13: *Transport* (PPG13); Planning Policy Guidance note 15: *Planning and the Historic Environment* (PPG 15); Planning Policy Statement 22: *Renewable Energy* (PPS 22) and its *Companion Guide*; and Planning Policy Guidance note 24: *Planning and Noise*.
17. Other material considerations include Circular 11/95: *Use of Conditions in Planning Permission*; the 2007 Government White Paper on Energy: *Meeting the Energy Challenge*; and the West Midlands Regional Energy Strategy 2004.
18. PPS1 establishes the Government's overall objectives for the planning system. It advises that planning policies should seek to achieve a number of objectives

for sustainable development. The promotion of renewable energy resources is identified as being able to help address the potential impacts of climate change. PPS7 urges local authorities to provide for the sensitive exploitation of renewable energy resources in accordance with the policies set out in PPS22.

19. PPS22 is the principal Government guidance on renewable energy. It emphasises the importance of the development of such energy, recognising that the increased development of renewable energy resources makes a vital contribution to the Government's sustainable energy strategy. The 2007 White Paper² stated that whilst renewable energy projects may not always appear to convey particular local benefits, they provide national benefits.
20. PPS22 indicates that renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable, and environmental, economic and social impacts can be satisfactorily addressed. It states that regional spatial strategies and local development documents should contain policies designed to promote and encourage, rather than restrict, the development of renewable energy resources. Also, it stresses that the wider environmental and economic benefits of such proposals, whatever their scale, are material considerations that should be given significant weight in determining proposals. Small-scale projects should not be rejected simply because the level of output is small. The PPS indicates that proposals should demonstrate any environmental, economic and social benefits, as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures.
21. With regard to the last point, PPS22 appreciates that the landscape and visual effects of a renewable energy development will vary on a case by case basis according to the type of development, its location and the landscape setting. It acknowledges that wind turbines are likely to have the greatest visual and landscape effects. It recognises that the impact of turbines on the landscape will vary according to the size and number and the type of landscape involved, and the impacts may be temporary if conditions are attached to planning permissions which require the future de-commissioning of turbines. The PPS requires the establishment of regional targets in regional spatial strategies for renewable energy capacity. The targets should be in terms of megawatts or in terms of electricity consumed or supplied.
22. Policy EN1 of the West Midlands RSS requires development plans to encourage proposals that use renewable energy resources, including onshore wind power, and to provide locational guidance. The policy also encourages authorities to identify the environmental and other criteria to be applied in determining the acceptability of proposals. The criteria deal with, inter alia, the impact on the landscape, visual amenity, and areas of ecological or historic importance; the impact on surrounding residents and other occupiers; traffic implications; the extent to which proposals help to achieve wider environmental benefits such as reducing harmful emissions; and the way in which proposals assist in achieving national targets for new electricity generating capacity from renewable energy resources.

² Core Document 26

23. Based on the resources considered available in the region, the non-statutory West Midlands Regional Energy Strategy seeks to increase the use of renewable energy resources and generation from a baseline of 1% in 2001 to 5% of electricity consumption in 2010, to 10% by 2020.
24. There are no saved policies of direct relevance to the proposal in the Shropshire and Telford and Wrekin Joint Structure Plan. In the North Shropshire Local Plan saved Policies D1 and D8 seek to ensure that development respects existing land uses and has regard to sustainable development principles, does not adversely affect the character of the area by virtue of its visual appearance, and retains and respects landscape features. Saved Policy C1 requires development in the countryside to protect the visual quality of the landscape and minimise visual intrusion.
25. In the Staffordshire and Stoke-on-Trent Structure Plan there are several saved policies that relate to development in the rural area. With regard to Appeal B Newcastle-under-Lyme BC accepts that the impact on the landscape by the access and track works would be limited. The policies of particular note relate to local roads and transport and development (Policies T12, T13 and T18a respectively). Also of relevance is Policy N18 which deals with the protection of the setting and historic context of listed buildings. In the Newcastle-under-Lyme Local Plan saved Policy B5 indicates that the authority will resist development proposals that would adversely affect the setting of a listed building.
26. It is evident that the national policy approach is to encourage the generation of power by the use of renewable energy resources, with onshore wind turbines being one source. The Climate Change Supplement to PPS1 makes it clear that developers are not required to demonstrate the overall need for renewable energy and its distribution, nor should authorities question the energy justification as to why a proposal must be sited in a particular location. There is thus a clear acceptance in principle of the benefits of schemes such as the one proposed here. Accordingly, I find that the proposed wind farm would make a contribution towards the overall supply of renewable energy, and contribute towards the regional target.
27. However, the relevant policies noted above accept that environmental, economic and social impacts should be satisfactorily addressed in the consideration of renewable energy schemes. As expressed at the inquiry, it is a question of weighing the all the relevant material considerations in the balance in order to determine the suitability of the scheme

Main Issues

28. Accordingly, from my consideration of all the evidence and representations, and my inspection of the site and surroundings, I consider that the main issues in these appeals are:

Appeal A:

- 1) The effect of the development on the character and appearance of the surrounding area.

- 2) The effect of the proposed development on the amenities of nearby residents
- 3) The effect of the proposal on the setting of conservation areas and listed buildings in the vicinity.

Appeal B

- 1) The suitability of the access arrangements for the site, having regard to road safety, the free flow of traffic on the highway, and the relationship to the proposed wind farm.

Reasoning

Appeal A

Issue 1: The effect of the development on the character and appearance of the surrounding area

29. I have taken note of the fact that the life of the proposed development has been stated to be 25 years. Certainly, the effects of the scheme are reversible, in that the turbines and much of the infrastructure could be removed after that period and the land restored to its former condition. Even so, the impact of the development during its long lifetime is the main consideration. I am of the view that, in general, development which is unacceptable cannot be made acceptable by limiting the duration of planning permission.
30. In terms of landscape the site is within the Shropshire, Staffordshire and Cheshire Plain Natural Character Area as identified by the Countryside Agency (now Natural England). In the Shropshire Landscape Typology 2006³ the site straddles two landscape types. The majority of the site lies in the Timbered Pastures. A small part is in the Principal Settled Farmlands. The access road is in the Sandstone 'Estatelands' area of the Staffordshire Landscape Assessment⁴. However, the main area of concern is the effect on the Timbered Pastures due to the extent of the site in this category.
31. The key characteristics of the Timbered Pastures are: rolling lowland; a dense network of hedgerow trees; ancient woodland character; pastoral land use; and a small to medium-scale landscape with filtered views. This landscape type occurs only in this part of Shropshire, around Woore, although it continues into Cheshire. It is a lowland landscape of rolling glacial tills, where the soils support dairy farming. One of the landscape's defining features is the dense line of trees along hedgerows and watercourses, together with blocks of ancient woodland, such as at Wet Butts Plantation and Bellaport Wood, wet flushes and numerous small field ponds. The landscape is also characterised by a varied field system and a complex settlement pattern of dispersed farmsteads, wayside cottages and occasional villages.
32. The Environmental Statement (ES) prepared by the appellants has used accepted methodology contained in the 'Guidelines for Landscape and Visual

³ Core Document 109/Document 9.3

⁴ Core Document 5, paragraph 6.5.1

Impact Assessment⁵. The Landscape and Visual Impact Assessment (LVIA) has assessed impacts on the landscape character of the landscape types found within 10km of the site, as well as on regional character areas (Countryside Agency Joint Character Areas) within 20km of the site. The former North Shropshire authority carried out its own assessment of landscape sensitivity using landscape architects, in accordance with the advice in PPS22.

33. The LVIA found that the relatively small-scale landscape pattern, sense of tranquillity and lack of visible man-made structures enhance the sensitivity of the area to wind farm development. However, it found that the scale of the landform to be large, with the skyline not prominent, and there is no inter-visibility with nationally-designated landscapes. There are also tracks and buildings in the landscape. The Council's assessment concluded that the landscape has a medium sensitivity to changes of the type proposed.
34. In contrast VORTEX considers the landscape sensitivity to be high, and that it should be conserved. This view is based on data from the Shropshire CC Landscape Description Unit (LDU) assessment. The management vision is recorded as being 'conserve', with the visual sensitivity classed as moderate.
35. With regard to visual impact the appellants have produced computer-generated Zones of Theoretical Visibility (ZTVs) to identify areas from which the wind turbines could be visible. The ZTVs do not take account of screening by vegetation and buildings, and they thus produce a 'worst-case' scenario.
36. The information shows that views from distant locations such as The Wrekin and Oat Hill in Cannock Chase, for example, would be such that the degree of visual change would be negligible due to the distances involved.
37. With regard to the impact on the closest settlements and locations I undertook visits to view the site from several points, generally within 3km of the site. From my visits and assessing the LVIA and ZTV information I consider that the impacts from points near the site, including Bearstone, Knighton, Dorrington and Norton-in-Hales would be significant because of the prominence of the turbines and the distances involved. From points within 2km of the wind farm, for example, from Bellaport Home Farm, Dorrington Lane Lodge, and the White Lion in Knighton, and in views from footpaths and bridleways, including those running from Woore and along Poplar Lane, I find that the impact would be more significant.
38. I accept that there would be instances where part of the turbines would be screened by the intervening trees and woodland, and by the topography. I accept also, that although some 148m of hedgerow would be removed, with the loss of some 12ha. of improved and semi-improved grassland, some 300m of new hedgerow would be planted. And I acknowledge that it is inevitable that wind turbines would have some adverse impacts in a wider landscape as the ineluctable consequence of the need to accommodate onshore wind energy generation.
39. Yet this area is set within a discrete area of countryside well to the west of the M6 motorway that is characterised by its field pattern, trees, woodland and

⁵ Core Document 61

hedgerows. To me, it is a small-scale modest, unpretentious and relatively unspoilt rural area. There are no sizeable pylon lines, large-scale buildings, or significant intensive uses. It does, however, contain small settlements, farmsteads and occasional large houses set amongst its gently rolling topography. It may not be an example of Arcadian perfection, but with its particular well-documented features it is understandably regarded by some as a close approximation.

40. I have considered the appellant's assessment, the Council's work and the views put forward by VORTEX. I note also that Natural England recognises that the wind farm would have an impact on the local landscape, but has no objection to the scheme. It is self-evident that the proposed wind farm would introduce a large-scale element into the landscape. It would change the landscape character in the area around the site, especially as the landscape pattern is small-scale and the turbines would be at a height greater than the trees in and around the site. The turbines would clearly introduce new, large-scale elements that would result in a significant change in the character of the site itself, and in this landscape character area. Due to the unique nature of this landscape type in Shropshire I agree with the LDU assessment that the landscape should be conserved. Altogether, I consider that the net effect of the development would be to cause unacceptable diminution to the fundamental, key contributory characteristics of the Timbered Pastures landscape character area
41. In terms of appearance in this setting the turbines would be seen as large, alien features in their surroundings. The impact would be compounded by their disposition over a large area on the appeal site. Apart from their height the movement of the blades would draw the eye and be a constant reminder of their presence. To me, the nature and topography of this pleasant tract of countryside means that it would not be capable of absorbing this wind turbine development satisfactorily.

Issue 2: The effect of the proposed development on the amenities of nearby residents

42. This issue is considered threefold: the effect on the outlook of residents; the effect of noise; and the effect of shadow flicker.

Outlook

43. Paragraph 39 of the Companion Guide to PPS22 reaffirms that the planning system exists to regulate the development and the use of land in the public interest. The outlook from a private property is a private interest, not a public one. However, as voiced by the Inspector in the appeal decision for a wind farm in Dover district⁶, when turbines are present in such number, size and proximity that they represent an unpleasantly overwhelming and unavoidable presence in main views from a house or garden, there is every likelihood that the property concerned would come to be regarded as an unattractive and thus unsatisfactory (but not uninhabitable) place in which to live. It is not in the public interest to create such living conditions where they did not exist before.

⁶ Document 14.2

44. From the north-east and east the wind farm would be fully visible from College Fields Cottages, Dorrington Hall, and Dorrington Hall Farm. The cottages are modest dwellings on Dorrington Lane whose main aspect from the living rooms and front gardens is towards the proposed development. The Cottages would be some 750m from the nearest of the 110m high turbines. Dorrington Hall is a large residence where several of the habitable rooms face westwards towards the site. It is around 700m from the nearest turbine. Dorrington Hall Farm also has its main aspect views to the west looking towards the appeal site. It, too, is a little over 700m from the nearest turbine. As well as the farmhouse, this property has educational facilities for schoolchildren who visit on a regular basis.
45. In terms of these three properties, all 7 turbines would be visible with no significant screening by vegetation or topography. Due to the relative proximity of the turbines and the lack of screening, or the potential to mask the turbines effectively, I consider the panorama of rotating turbines would be overwhelming, obtrusive and unavoidable to the residents of these properties.
46. Disregarding Bellaport Old Hall, which is associated with the development, I consider that the same applies to the amenities of the residents of The Grove. This is a detached property with outbuildings sited a little over 700m to the west of the nearest turbine. The residents of this property, too, would experience a grave diminution in their amenities caused by the clear vista of turbines.
47. Bearstone Cottage, at some 690m from the nearest turbine, is the closest property to the development other than those concerned with the scheme. It is on the opposite side of the road and has an oblique view of the site, which would be partially screened by trees and hedgerows. As a result I do not consider that the effect would be as significantly obtrusive. Other properties, such as Orchard House Farm and The Brockhouse would obtain more distant or oblique views of the turbines, or views that would be partially screened by trees and woodland so that some turbines would only be descried. Nevertheless, because of the juxtaposition of the turbines in relation to the nearby properties, the outlook of many dwellings, and views from within the settlements of Knighton and Bearstone, would be dominated by the unavoidable presence of the turbines. This would make these settlements less satisfactory places in which to live. Overall, however, it is those properties at Dorrington Lane, Dorrington Hall, Dorrington Hall Farm and The Grove where the full height and maximum spread of the turbines would be seen at their greatest and most proximate effect.

Noise

48. Paragraph 10 of PPG24 asserts that much of the development which is necessary for the creation of jobs and the construction of infrastructure will generate noise. It cautions that the planning system should not place unjustifiable obstacles in the way of such development but advises that local planning authorities should ensure that development does not cause an unacceptable degree of disturbance.
49. The PPS22 Companion Guide states that well-specified and well-designed wind farms should be located so that increases in ambient noise levels around

noise-sensitive developments are kept to acceptable limits with regard to existing background noise. This will normally be achieved through good design of the turbines and through allowing sufficient distance between the turbines and any noise-sensitive development so that noise from the turbines will not normally be significant. The Guide also indicates that the noise levels from turbines are generally low and, under most operating conditions, it is likely that turbine noise would be completely masked by wind-generated background noise.

50. The Guide commends the use of '*The Assessment and Rating of Noise from Wind Farms*' (ETSU-R-97)⁷. It describes a framework for the measurement of wind farm noise and gives indicative noise levels calculated to offer a reasonable degree of protection to wind farm neighbours. Among other things, this document states that noise from wind farms should be limited to 5dB(A) above background noise for both day and night-time periods. PPS24 advises that a change of 3dB(A) is the minimum perceptible to the human ear under normal conditions. Thus it is not intended that with developments there should be no perceptible noise at the nearest properties, rather the 5dB(A) limit is designed to strike a balance between the impact of noise from turbines and the need to ensure satisfactory living conditions for those individuals who might be exposed to it.
51. The appellant has undertaken an assessment of operational noise impact in line with ETSU-R-97. Background noise levels were established through monitoring at several locations, which were deemed to be representative of the closest residential properties surrounding the site. The locations were also representative of shifts in wind direction. Hence noise at properties further from the site would be less than the noise levels modelled for the 'worse-case' locations.
52. Day-time and night-time results were predicted operating the now-proposed Repower MM82 turbine. The results showed that together with the values of the measured background noise curve, the ETSU-R-97 derived noise limit and subsequent margin were well within the noise limits. Additionally, following the submission of the Environmental Statement, information was gathered regarding the wind shear at the site. Information was correlated and converted to reflect wind shear effects. This addressed the potential for enhanced wind shear by ensuring that background noise levels corresponded to the turbine emissions which would be encountered on site.
53. The results were a consequence of the number, layout and type of turbine, and their distance from the properties. Whilst some noise may be discerned under certain conditions, I regard it as being acceptable, and not significant.
54. The question of infrasound and low-frequency sound was raised at the inquiry. Work carried out undertook a review⁸ of various sources and concluded that levels of such sound lie below the threshold of perception even for those particularly sensitive to such noise. The PPS22 Companion Guide also asserts that there is no evidence that ground transmitted low frequency noise is at a sufficient level to be harmful to health. Following this review the Government

⁷ Core Document 84

⁸ Core Document 87

re-stated that ETSU-R-97 should be used for the assessment and rating of noise from wind farms. The same advice pertains to the phenomenon of aerodynamic modulation.

55. Having considered the design of the scheme based on the Repower turbine proposed, I am satisfied that the development would comply with the noise levels established in the ETSU-R-97 guidelines. Such compliance could be ensured by condition. In this regard I am aware of the concerns raised about securing compliance with any conditions. However, securing compliance with noise limit controls at wind farms, in the event of a breach, is not as straightforward as with most other forms of noise generating development. This is because noise from turbines is affected primarily by external factors such as topography and wind strength, a characteristic that distinguishes them from many other sources of noise.
56. With the customary form of planning condition governing turbine noise in place, it would be open to anyone who found themselves affected by suspected turbine noise to register a complaint with the local planning authority. The authority, having satisfied itself that the turbines might be culpable, would require the developer to undertake measurement of the noise being experienced at the particular property concerned. If the limit is being exceeded, there may be instances where the cause can be simply identified and swiftly remedied. However, in some cases, further investigation might be necessary. This may require some considerable time to undertake, identify the cause and, if the turbines were found to be at fault, to agree and initiate any necessary mitigation. As with many other conditions attached to planning permissions, the authority is reliant on local residents to be vigilant and monitor whether or not conditions are being complied with. Lengthy though it may be, I am satisfied that this approach is sound and such a condition would satisfy the tests in Circular 11/95.

Shadow Flicker

57. A residential property must be within 10 rotor diameters of the turbine, some 800m in this case, in order to experience shadow flicker. The appellant has identified 13 properties that could potentially experience shadow flicker, based on a shadow flicker monitoring exercise. This exercise is based on worst-case assumptions. The frequency and duration of shadow flicker would probably not be as intense as shown in the modelling work. If it does occur I am satisfied that agreed measures would provide appropriate mitigation, the most suitable being computer programming of the relevant turbines to cease operation at times when shadow flicker would occur.

Issue 3: The effect of the proposal on the setting of the conservation areas and the listed and historic buildings in the vicinity.

58. Sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard shall be paid to the desirability of preserving listed buildings or their settings, or any other features of special architectural or historic interest that they possess. Section 72(1) of the Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. And PPG15 includes, as a material consideration, the handling of development proposals that are

outside conservation areas but which would affect the setting or views into or out of the area.

59. There is no evidence or suggestion that the proposed development would physically affect the fabric of a listed building or conservation area. I am concerned here with the question of the effect on setting only. There is no statutory definition of setting. Setting may be very confined to, for example, a listed building which can only be seen from short distances as a result of its proximity to other buildings. Setting may be concerned also with distant views out from a feature or views towards it. English Heritage⁹ defines setting as the surroundings in which a space is experienced, its local context, embracing past and present relationships to the adjacent landscape. It is upon this basis that I consider the following.
60. *Bearstone Grange* is a distinctive 17th century timber-framed house on the south-east side of the settlement, not far from the appeal site boundary. It would be about 750m from the nearest turbine, and views of it and others would be possible to a degree, although interrupted by other properties which I understand are associated with the development. Its setting is very much limited to its immediate surroundings in the settlement. Consequently, I consider no harm would result from the proposal.
61. *Bellaport Old Hall* dates from the 17th century or earlier and was listed after the preparation of the Environmental Statement. Its origins are in an earlier medieval moated site, although now it dates largely from the 19th and 20th centuries, with some 17th century detailing. It is approached by a farm road to the south-west and lies immediately within the appeal site. Its owner is connected with the development. The turbines would be seen in views towards the front elevation of the farmhouse when approaching from the south-west. This would result in a detrimental effect on the setting of the building.
62. *The Brookhouse (or Brockhouse), Knighton* is a dwellinghouse which was moved to its present location about 25 years ago, having been dismantled in the 1970s. The original timber structure dates from the 16th or early 17th century, although much of the fabric has been modernised. It is an attractive building which is very much enclosed by the vegetation planted around its curtilage. The effect is to restrict the setting to an area set closely around the building. For this reason, and the juxtaposition between the house and the wind farm, I do not find that the development adversely affects the setting of this building.
63. *Doddington Hall* is a large country house built in the late 18th century. It is listed as Grade I because of its particular internal and external architectural features. The associated stable and boat house are also listed, as Grade II, again because of their architectural detailing and design. Doddington Park is on the Register of Parks and Gardens of Special Historic Interest. It contains woodlands and a lake designed by Capability Brown.
64. The house and park are some 6km and 5km distance respectively to the north of the appeal site. There are long distance views to the south from the drive

⁹ Core Document 71

alongside the lake. There would be distant views of the turbines over trees and woodland on the horizon from the house and from the drive alongside the lake. However, whilst the main aspect of the house is to the south, the principle interest, and hence the setting of the hall and park is essentially the interrelationship between the two. Due to their juxtaposition and alignment, and the distance from the development, I do not consider that their setting would be adversely affected.

65. *Highfields* is a Grade I, 16th century, timber-framed manor house set in extensive grounds which contain a ha-ha. It is some 3.2 km from the nearest turbine on the appeal site. Views of the whole site are interrupted by vegetation and intervening higher ground. Although views of some of the turbines would be obtained the setting of this building is limited, I consider, to its immediate surroundings, principally its grounds. For this reason, and the distance from the appeal site, I do not consider that the setting of the building would be adversely affected by the development.
66. *Mucklestone Conservation Area* comprises the major part of the settlement, which is a collection of dwellings and outbuildings dominated by the church. In view of the some 2.5 km distance from the appeal site I do not consider that the setting of the conservation area would be harmed.
67. *St Chad's Church and Norton-in-Hales Conservation Area* are located about 1.2km south of the proposed wind farm. The church dates from the 13th and 14th centuries, with alterations carried out in the 19th century. I consider that the setting of the church is primarily contained within its churchyard, and does not extend beyond the village. Any impact on the setting would be negligible. The village is a nucleated settlement of classic form with the church and a public house facing each other across the village green. Former farms are readily identifiable within the settlement and it contains a wide diversity of domestic buildings. In addition to the village green is a cricket and recreation ground on the periphery of the settlement. Although views of the turbines would be obtained from the cricket field and various points within the settlement, the setting of the conservation area is somewhat concentrated, in my opinion, around the nucleus of the settlement. Therefore, because of this and the distances involved, I do not consider that the proposal would affect the setting of the conservation area.
68. *102 London Road, Knighton* is a modest house set amongst other dwellings. Its setting is very local and limited to its immediate surroundings. Although it has westerly views over the development site, I consider that its setting would be unaffected by the proposal.
69. *123 Smithy Lane, Knighton* is a listed 18th century house which is set amongst other dwellings and buildings within the village confines. Views of some turbines would be possible from within the settlement, but because of its location the setting of the building would be unaffected.
70. *Willoughbridge Lodge* is a Grade II* former hunting lodge that is now used as a farmhouse. It dates from the 16th century and has 19th century additions. It is constructed of dressed sandstone rubble with ashlar dressings. Its main feature, and earliest part, is a square tower with flanking gable wings. Two front gabled wings were added later. Farm buildings and other properties are

nearby but on slightly lower ground. There is an extensive sweep of open ground to the north, running down to the lane from Winnington to the A51.

71. Much evidence at the inquiry was devoted to the extent of the setting of this building, with the fact that it had been a hunting lodge with extensive views to the north and north-west, over the appeal site, being paramount to the arguments of the local authorities, English Heritage and VORTEX. In effect, the argument is that the development would have an intrusive and adverse presence in views across the landscape of the chase.
72. It seems to me that the special interest of the building is a combination of its design, age and its relationship with the former parkland in which hunting took place. It is an unusual, yet attractive, structure located in a position to take advantage of the views over the Cheshire Plain. Whilst its setting originally was associated with the distant landscape, time has changed this area to the north and north-west. Settlements have been developed and extended. Fields have been created and enclosed. And the railway has come and gone. Consequently, I do not regard the setting of the listed building as flowing out infinitely as far as the eye can see. Whilst I do not consider its setting to be limited to the lane at the foot of the hill, it extends little further beyond the road. To me, the element of its setting which is important is views of the building from the surroundings. It was placed where it is to create an impression and to take advantage of the high ground for its original purpose as a hunting lodge. It is views of this setting towards and around the building that should be preserved or enhanced. This would mean careful control of development within the orbit of the hill. In this regard, although the turbines would be seen from the Lodge, they are sufficiently distant to have no effect on the setting of the building as I have described.
73. To conclude on this issue, I consider that only the setting of Bellaport Old Hall, within the appeal site, would suffer a detrimental effect as a result of the development.

Other Matters

74. Surveys undertaken to ascertain the nature of activity on the site by bats revealed that common and widespread species were using the site in low numbers, with activity concentrated along linear habitat features such as trees and hedges. A derelict cottage within the site appeared to support a roost. This would be retained under the development proposals.
75. Natural England has raised concerns about the effects of the development on bat populations, but considers that post-construction monitoring would be the most appropriate measure. I have no reason to disagree. Accordingly, given the low level of activity, coupled with the fact that the most numerous bats present tend to forage around woodland edges and hedgerows and at low heights, and that the turbines are to be sited away from such features, I consider that the risk to the bats is not significant.
76. Although neither the RSPB nor Natural England raised any concerns regarding birds, barn owls were cited by the Shropshire County Ecologist. However, none were found breeding on the site. In any event I note that only a very small amount of their habitat would be lost to the development. I do

consider, however, that a habitat management plan would enhance the site for barn owls.

77. With badgers I am satisfied that any effects would be mitigated by pre-construction survey work and appropriate measures to avoid any harm, as required by law. Similarly, any potential impact on Great Crested Newts could be mitigated through an appropriately-approved strategy. Natural England has indicated that it would be satisfied with such an approach.
78. Bearstone Stud has objected to the proposal on the grounds that it would affect the financial viability of its operation, which is concerned with the breeding and raising of thoroughbred racehorses. It is stated that the thoroughbreds are highly strung, and sprinters, in which the stud specialises, are particularly sensitive to noise. The Stud is located on two sites: one to the south of Bearstone, about 1km from the nearest turbine; and the other between Dorrington and Woore, also about 1km from the nearest turbine.
79. I appreciate that racehorses, by their nature, can be particularly responsive to their environment and I have no doubt that an animal can be startled by the presence of the sight and sound of turbines. And whilst the animals can acclimatise to their surroundings, many visiting horses would not have time to become used to the surroundings given the presence of a wind farm close by. I do not have categorical information as to the appropriate separation distance a stud should be from a wind farm. However, I note that The Thoroughbred Breeders' Association¹⁰, draws a parallel with hot air balloons, whereby they are not allowed to fly below 500ft (0.15km) minimum in the vicinity of a stud. The PPS22 Companion Guide advises that the British Horse Society normally recommends a 200m separation distance. Accordingly, in the light of the distances involved, and the presence of roads near the stud, I am not persuaded that this is a sufficiently robust reason to weight against the proposal.
80. As to public rights of way, there are several near the site, and Poplar Lane traverses it. The lane is well-used for walks and for horse-riding. The turbines would not physically obstruct or prevent these activities from continuing, and any judgement about the effect of the turbines on the enjoyment of the use of the rights of way by walkers and riders would be subjective. For horses, as stated above, the PPS22 Companion Guide recommends a separation distance of 200m. This is not a statutory separation distance between turbines and public rights of way, the minimum distance often being taken that the turbine blades should not oversail the right of way, and separation distances should be subject to negotiation. The 200m dimension applies to all but two of the turbines as shown on the proposed layout. Turbine 3 is a little under 200m from Poplar Lane. Turbine 5 is about 165m from the lane and ideally should be re-sited. However, I note that it is so positioned in order to avoid an area identified as exhibiting features of ridge and furrow. In the circumstances, I see no reason to insist that it be re-sited.

¹⁰ Document 47

Appeal B

81. The amended scheme is identical to a later, separate application which has been approved by Newcastle-under-Lyme Borough Council, subject to conditions, one of which stipulates that the development shall not be undertaken unless permission is granted for the wind farm.
82. The scheme now is to construct a 6m wide access track leading from the B5026 to the proposed wind farm. This access is to accommodate all construction deliveries to the site with the exception of the abnormal loads associated with the delivery of the turbine components. These loads would utilise an over-run area adjacent to the highway. The access would be used during the construction of the development only and would be closed and the land re-instated once the wind farm is operational. A new footway would be created within the highway verge on the eastern side of the carriageway over the former railway bridge. Operational access would be from Poplar Lane.
83. The highway authority now has no objection to the proposed works which involve the use of temporary traffic lights and other traffic management controls measures at the point of the access during the construction works, and which would be encapsulated in a traffic management plan. It is satisfied also with the use of Poplar Lane as the access to the operational wind farm.
84. Objections from interested persons are concentrated essentially on the disruption to their lives and businesses when the road is closed temporarily for the passage of large vehicles carrying abnormal loads. The Bearstone Stud, for example, is concerned that the veterinary surgeon might have difficulty reaching the stud in cases of emergency during foaling.
85. I accept that these are real and legitimate concerns. However, I am aware of the highway authority's acceptance of these arrangements after much analysis and discussion. And whilst the alternative nearby routes for vehicles are narrow, they would only need to be used for a relatively short period of time for a relatively few occasions over a period of several months. On balance, therefore I consider the principle of these arrangements to be satisfactory.
86. However, this proposal self-evidently forms part of the scheme as a whole, the major part of which lies in the area of the neighbouring local authority. It is a proposal that is not severable from the scheme, either physically or functionally. It is not capable of being built and then used sensibly without the wind farm. For this reason, I conclude that the appeal must fail.

Conclusions

87. I accept that the proposed wind farm would make a contribution towards the overall supply of renewable energy, and contribute towards the regional target. However, with regard to Appeal A, in terms of appearance in this setting the turbines would be seen as large, alien features in their surroundings. The nature and topography of this pleasant tract of countryside is such that it would not be capable of absorbing this wind turbine development satisfactorily. In terms of the effect on residential amenity, the residents of College Fields Cottages, Dorrington Hall, Dorrington Hall Farm and The Grove would experience a marked and unacceptable reduction in

their amenity. As the effect on listed buildings and conservation areas, I consider that only the setting of Bellaport Old Hall, within the appeal site, would suffer a detrimental effect as a result of the development.

88. As to Appeal B, although the details are satisfactory in principle, the proposal is not severable from the scheme, either physically or functionally and is therefore not acceptable.
89. In reaching these conclusions I have had regard to all other matters raised, including the suggested 25 year life of the development, the suggested minor re-siting of the turbines ('micro-siting'), and the proposal to develop a wind farm in the Maer Hills. However, none is sufficient to outweigh the considerations I deem to be paramount.

TCookson

Inspector

Documents

- 1 List of persons present at the Inquiry
- 2 Copy of letter of notification of the Inquiry
- 3 Replies received
- 4 Statement of Common ground
- 5 Bundle of Documents (5.1-5.4) submitted by Mrs H Moriarty for Shropshire Council
- 6 Bundle of documents (6.1-6.2) submitted by Ms L Wallace for Newcastle-under-Lyme BC
- 7 Bundle of documents (7.1-7.6) submitted by Mr D Kenyon for the Appellant
- 8 Bundle of documents (8.1-8.5) submitted by Mr N Parnell for the Appellant
- 9 Bundle of documents (9.1-9.3) submitted by Mr J Welch for the Appellant
- 10 Bundle of documents (10.1-10.9) submitted by Mr R Hollins for the Appellant
- 11 Bundle of documents (11.1-11.11) submitted by Dr J Edis for the Appellant
- 12 Bundle of documents (12.1-12.5) submitted by Mr G Powell for Adderley, Audley, Buerton, Norton-in-Hales and Woore Parish Councils
- 13 Bundle of documents (13.1-13.2) submitted by Mr G Parry for VORTEX
- 14 Bundle of documents (14.1-14.10) submitted by Miss M Bolger for VORTEX
- 15 Bundle of documents (15.1-15.7) submitted by Mr J Roberts
- 16 Copies of correspondence from English Heritage to Appellant's agents
- 17 Photographs of The Brockhouse, Knighton
- 18 Shropshire Landscape Character Assessment: Coding and Matrices
- 19 Extract from DCLG Circular 03/2009: Costs Award in Appeals and Other Planning Procedures
- 20 Appeal Decision: Re-determination of development of 2 wind turbine generators, Shipdham, Norfolk
- 21 Secretary of State's Rule 6(12) letter regarding an appeal by Nuon UK Limited concerning land at Swinford.
- 22 Draft Statement of Common Ground, March 2009
- 23 Listing details for Doddington Hall, Cheshire
- 24 Woore Parish Plan 2006, Part 2: Action Plan
- 25 Plans and notes submitted by VORTEX showing site constraints
- 26 E-mail from N Hayes, English Heritage to Mrs T May regarding Bellaport Old Hall
- 27 Details of distances of Bellaport Home Farm and The Grove from Turbines 4 and 3 respectively.
- 28 Extract from 'A Critical Appraisal of Wind Farm Noise Propagation'
- 29 Graphs showing noise measurements
- 30 English Nature report: 'Development of Good Practice Guidelines for Woodland Management for Bats'
- 31 Extract from ODPM Circular 01/2005
- 32 English Heritage document: 'Historic Landscape Characterisation Taking Stock of the Method'
- 33 Scottish Natural Heritage/The Countryside Agency: 'Landscape Character Assessment – Guidance for England and Scotland'
- 34 East of England Assembly: 'Placing Renewables in the East of England'
- 35 Saved Policies – Advice for Inspectors
- 36 West Midlands Regional Climate Change Action Plan, December 2007
- 37 Shropshire Council Internal Memorandum dated May 22, 2009.

- Subject: Noise
- 38 Suggested conditions submitted by VORTEX
- 39 Note by Miss C Gettingby in respect of VORTEX plan and text on turbine siting (Document 25 above)
- 40 Response by Mrs T May and Mr S Ellsmoor to Miss Gettingby's note in respect of VORTEX plan and text on turbine siting
- 41 Written statement of Dr J Lovett
- 42 CPRE Position Policy Statement: Onshore Wind Turbines
- 43 Written rebuttal statement of Miss C Gettingby
- 44 Written statement of Master James Ellsmoor
- 45 Written statement of Mr R F Baylis
- 46 Written statement of Mr J Morris and Mr R Vernon on behalf of Wyche Anglers
- 47 Letter dated May 5, 2009 from The Thoroughbred Breeders' Association
- 48 Suggested conditions
- 49 Amended plans for Appeal B and associated documents
- 50 Bundle of Documents submitted on behalf of VORTEX
- 51 Bundle of High Court decisions

Core Documents

These documents were compiled by the Appellant. The documents below which are highlighted were specifically referred to during the course of examination of the witnesses

- | | |
|------|--|
| CD1 | Poplar Lane Wind Farm Environmental Statement (Vols 1-3) and Non-technical Summary, March 2008 |
| CD2 | Poplar Lane Wind Farm Planning Statement March 2008 |
| CD3 | Poplar Lane Wind Farm Design and Access Statement March 2008 |
| CD4 | NSDC request for further clarification of 20 June 2008 and Appellant's response 9 July 2008, Appellant to NSDC 13 August 2008, Appellant to NSDC 21 August 2008. |
| CD5 | NSDC report to Special DC Committee 2 September 2008 |
| CD6 | NULBC report to Planning Committee 19 August 2008 |
| CD7 | NSDC Appeal Questionnaire |
| CD8 | NULBC Appeal Questionnaire |
| CD9 | PPS1 Delivering Sustainable Development |
| CD10 | PPS1 Supplement on Planning and Climate Change |
| CD11 | PPS7 Sustainable Development in Rural Areas |
| CD12 | PPS9 Biodiversity and Geological Conservation |
| CD13 | PPG15 Planning and Historic Environment |
| CD14 | PPG16 Archaeology and Planning |
| CD15 | PPS22 Renewable Energy, and the Companion Guide |
| CD16 | PPG24 Planning and Noise |
| CD17 | Volume 1 IPCC 4th Assessment Report Climate Change 2007: The Physical Science Basis, Feb 2007 |
| CD18 | Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change. Summary for Policy Makers, February 2007 |

- CD19 Launch of Programme of Action to Tackle Climate Change 13 February 2007, Presentation by First Minister.
- CD20 UK International Priorities 2003: A Strategy for the FCO
- CD21 EU Directive Energy from Renewable Resources 2008
- CD22 Wind Power in the UK. Sustainable Development Commission (2005)
- CD23 UK Energy White Paper - Our Energy Future 2003
- CD24 DTI The Energy Challenge Energy Review 2006
- CD25 Stern Review: Economics of Climate Change (October 2006)
- CD26 Meeting the Energy Challenge DTI 2007
- CD27 Energy Supply Outlook December 2008, DECC
- CD28 UK Renewable Energy Strategy Consultation 2008.
- CD29 Climate Change Bill 2008
- CD30 Planning Act 2008
- CD31 West Midlands RSS
- CD32 West Midlands Energy Strategy 2004
- CD33 West Midlands Regional Energy Strategy Monitoring Report 2006
- CD34 West Midlands Annual Monitoring Report 2007
- CD35 DTI Energy Stats 2006 – 2008
- CD36 Updated Wind Resources Study for the West Midlands, April 2008, Halcrow.
- CD37 Shropshire and Telford and Wrekin Joint Structure Plan
- CD38 Shropshire AMR 2007
- CD39 Shropshire LDF Climate Change Topic Paper
- CD40 North Shropshire Local Plan 2005
- CD41 Land Use Consultant's Planning Application Review of the Poplar Lane ES – June 2008
- CD42 Staffordshire and Stoke-on-Trent Joint Structure Plan
- CD43 Newcastle-under-Lyme Local Plan 2011
- CD44 Section 70.51 Determination of Applications
- CD45 Maer Hill Proposed Wind Farm NULBC Committee Report
- CD46 Knabs Ridge Appeal Decision (Appeal reference: APP/E2734/A/04/1161332)
- CD47 Thackson Well Appeal Decision (Appeal reference: APP/E2530/A/08/2073384)
- CD48 Den Brook Appeal Decision (Appeal reference: APP/Q1153/A/08/2017162)
- CD49 Elsham Appeal Decision (Appeal reference: A/Y2003/A/05/2005388)
- CD50 Aston Grange Appeal Decision (Appeal reference: APP/L0635/N07/2047477)
- CD51 Hirwaun Appeal Decision (Appeal reference: APP/L6940/A/07/2058755)
- CD52 Baydon Meadow Appeal Decision (Appeal reference: APP/VV0340/A/08/2077166)
- CD53 Woore Ward Profile, Nomis
- CD54 The Planning System: General Principles ODPM
- CD55 Renewable Supply Chain Gap Analysis 2004. DTI
- CD56 BWEA Tourism Briefing Sheet
- CD57 Impact of Wind Farms on Tourism, Biggar Economics for Airtricity 2006.
- CD58 The economic impacts of wind farms on Scottish tourism. A report for the Scottish Government 2008.
- CD59 Positive Planning for Onshore Wind - Expanding onshore wind capacity while Conserving Nature. March 2009 RSPB
- CD60 Direction Letter from Government Office for West Midlands under S1(3) of Schedule 8 of the Planning and Compulsory Purchase Act 2004.

CD61	Guidelines for Landscape and Visual Impact Assessment (2002) (2nd edition)
CD62	Visual representation of wind farms. Good Practice Guidance - Scottish Natural Heritage (2007)
CD63	SNH Guidance – Cumulative Effect of Wind Farms (Version 2 - 2005)
CD64	Planning Advice Note 45 (PAN 45)
CD65	Topic Paper 9 Climate Change and Natural Forces – the Consequence for Landscape Character, Scottish Natural Heritage and the Countryside Agency
CD66	Natural England's Draft Policy on Landscape - December 2007
CD67	Bradwell Appeal Decision (Appeal reference: APP/X1545/A/06/2023805)
CD68	Kiln Pit Hill - Appeal decision (Appeal reference: APP/R2928/N08/2075105)
CD69	Middlemoor Appeal Decision (Appeal reference: ELEC/2005/2004 – GDBC/001/00245C)
CD70	English Heritage, "Climate Change and the Historic Environment" (2008)
CD71	English Heritage, "Conservation Principles, Policies and Guidance for the sustainable management of the Historic Environment" (2008)
CD72	Anon (1995). Biodiversity: The UK Steering Group Report (2 volumes). HMSO, London.
CD73	Mitchell-Jones, A.J & McLeish, A.P, (2004) The Bat Workers' Manual
CD74	Bat Conservation Trust (2007) Bat Surveys – Good Practice Guidelines Bat Conservation Trust London.
CD75	English Nature (2001). Great crested newt mitigation guidelines.
CD76	Natural England (2007). Badgers and Development: A Guide to Best Practice and Licensing
CD77	EUROBATS: 5th Session of the Meeting of Parties, Ljubljana, Slovenia, 4-6 September 2006. Draft Resolution 5.6: Wind Turbines and Bat Populations
CD78	Bat Conservation Trust (2006) The State of the UK's Bats.
CD79	Institute of Ecology and Environmental Management (2006). Guidelines for Ecological Impact Assessment in the United Kingdom, July 2006.
CD80	Joint Nature Conservancy Council (1993). Handbook for Phase 1 Habitat Survey. Peterborough, UK.
CD81	Natural England (2008). Bats and Onshore Wind Turbines: Interim Guidance - May 2008.
CD82	Natural England (2009). Bats and Onshore Wind Turbines: Interim Guidance Natural England Technical Information Note TIN051 – First Edition 11 February 2009.
CD83	Shropshire Biodiversity Plan
CD84	The Working Group on Noise from Wind Turbines (1996) <i>The Assessment and Rating of Noise from Wind Farms</i> . ETSU Report ETSU-R-97.
CD85	World Health Organisation (1999) <i>Guidelines for Community Noise</i>
CD86	ISO 9613-2 (1996) Acoustics - Attenuation of sound during propagation outdoors - Part 2: General method of calculation. International Standards Organisation, van den Berg, G. P. (2004) Effects on the wind profile at night on wind turbine sound. Journal of Sound and Vibration. Number 277, pp 955 - 970
CD87	British Wind Energy Association (2005) <i>Low Frequency Noise and Wind Turbines</i>
CD88	Hayes Mackenzie Partnership (2006) <i>The Measurement of Low Frequency Noise at Three UK Wind Farms</i> . Department of Trade and Industry.
CD89	DTI (2006) <i>Advice on findings of the Hayes Mackenzie report on noise arising from wind farms</i>
CD90	University of Salford (2007) <i>Research into aerodynamic modulation of wind turbine noise</i> . Department of Business Enterprise and Regulatory Reform.

- CD91 BERR (2007) *Government statement regarding the findings of the Salford University report into Aerodynamic Modulation of Wind Turbines Noise*
- CD92 Van den Berg, G. P. (2004) *Effects on the wind profile at night on wind turbine sound*. Journal of Sound and Vibration. Number 277, pp 955 - 970.
- CD93 DMRB TD9/93 Highway Link Design
- CD94 IEMA Guidelines for the Environmental Assessment of Road Traffic
- CD95 DMRB TD 79/99 Traffic Capacity of Urban Roads
- CD96 Letters 9/05/08 Entec to SCC & SCC reply 13 May
- CD97 External to Vehicle Driver Distraction (Human Factors Analysis Ltd)
- CD98 Faber Mansel Study of Wind Farm and Driver Distraction
- CD99 DfT Guidance on Transport Assessment (Para 2.11)
- CD100 Traffic Signals Manual Chapter 8, Para D5.13 & Appendix H extract.
- CD101 DTI – "Our Energy Challenge" January 2006
- CD102 BS5228-1:2009 "Code of Practice for noise and vibration control on construction and open sites – part 1: Noise" British Standards Institute.
- CD103 Claymoss Properties Ltd, Maer Hills Wind Development Cumulative Impact Assessment, October 2008 (Supplementary Environmental Information).
- CD104 English Heritage Guidance – "Wind Energy and the Historic Environment", 2005
- CD105 Extracts from the Statutory list of Buildings of Special Architectural or Historic Interest
- CD106 DoE Circular 11/95 The use of conditions in planning permissions
- CD107 ODPM Circular 05/2005 Planning Obligations
- CD108 Shropshire Landscape Character Assessment (see Document 9.3)
- CD109 The Shropshire Landscape Typology (see Document 9.3)