



Appeal Decision

Inquiry opened on 12th January 2010

Site visit made on 20th January 2010

by **T Cookson MRTPI DipTP FRGS**

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

The Planning Inspectorate

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Decision date:
23 February 2010

Appeal Reference: APP/K0235/A/09/2108506

Land at Airfield Farm, Podington, Bedfordshire, NN29 7JQ

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Nuon Renewables against Bedford Borough Council.
- The application (reference: 08/02692/MAF) is dated 25th September 2008.
- The development proposed is **wind turbines and associated infrastructure**.

Decision

1. In exercise of the powers transferred to me, I dismiss the appeal.

Procedural Matter

2. At the inquiry the description of the development was changed with the agreement of the main parties to: "*erection and operation of 3 wind turbines, associated infrastructure which includes access tracks, crane pads, construction compound and control building, and underground cabling*". I have dealt with the appeal on this basis.

Site and Surroundings

3. The appeal site comprises some 18 ha. of land at Airfield Farm, Podington. The site, which is generally flat and in agricultural use, is located on a plateau and forms part of a former World War II aerodrome. Immediately adjacent to the site, to the north and east, is the Santa Pod Raceway. It comprises large sections of the former runway and taxiways upon which motor sport drag racing and ancillary activities now take place.
4. Other former airfield buildings are used for agricultural and storage uses. The most notable are buildings to the north of the appeal site. There is also open storage, and there are caravans and other structures used for residential purposes. There are two houses in the area around the former control tower, which itself has been converted to a dwelling. Further afield are the settlements of Hinwick and Podington to the north and north-west; Harrold, Odell and Chellington to the south; Souldrop and Sharnbrook to the east; and Bozeat to the west.
5. There are public rights of way in the vicinity of the site. Bridleway 5 crosses the site from north to south, as does Byway Open to All Traffic (BOAT) 2. BOAT 34, also known as the Three Shires Way, runs from west to east close to the northern boundary of the site.

Proposed Development

6. The proposal involves the construction and operation of a wind farm of three wind turbines. The maximum height of the turbines would be 126.5m. The hub height would be 85m. Each turbine would occupy 0.73ha. Dependant on the model of turbine chosen, the development would have a minimum installed capacity of 6MW., generating 14,000 MWhrs. of electricity per year. Ancillary infrastructure would include crane hardstandings, access tracks totalling some 2.56km., and a control building. A temporary compound would be required during construction. The wind farm would have an operational life of 25 years.

Planning Policy Considerations

7. 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.
8. In the case of these appeals the development plan comprises the East of England Plan - Regional Spatial Strategy 2008 (RSS); the saved policies of the Bedfordshire Structure Plan (1997) and the Bedford Borough Local Plan (2002); and the Bedford Core Strategy and Rural Issues Plan (2008).
9. 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 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* (PPG24).
10. Other material considerations include Circular 11/95: *The Use of Conditions in Planning Permissions*; and the Draft National Policy Statement for Renewable Energy Infrastructure (2009) (EN-3).
11. 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.
12. 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. It 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. 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.

13. 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 effect. It recognises that the impact of turbines will vary according to their size and number and the type of landscape involved. And the impact may be temporary if conditions are attached to planning permissions which require the future de-commissioning of turbines.
14. In the RSS, Policy ENG1 deals with renewable energy generation; and ENG2 sets renewable energy targets. By 2010, 10% of the regions energy should come from renewable sources, excluding energy from offshore wind. By 2020, the target is 20%. Policies ENV2, ENV3, ENV6 and ENV7 deal respectively with landscape conservation, biodiversity, the historic environment, and the built environment. None of the saved policies in the Bedfordshire Structure Plan are applicable to the proposal.
15. In the Bedford Borough Local Plan the relevant saved policies are: BE6, which deals with renewable energy; BE7, which lists the criteria by which renewable energy schemes will be assessed; and BE30 which deals with new development. The relevant policies in the Bedford Core Strategy and Rural Issues Plan are: CP2, which establishes sustainable development principles; CP13, which deals with development in the countryside; and CP26, which relates to climate change and pollution.

Main issues

16. 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.
17. I find that the proposed wind farm would make a contribution towards the overall supply of renewable energy, and contribute towards the regional target. However, the relevant policies noted above accept that environmental, economic and social impacts should be satisfactorily addressed in the consideration of renewable energy schemes.
18. 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 this appeal are:
 - 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 in respect of noise and proximity.

Reasoning

Issue 1: The Effect of the Development on the Character and Appearance of the Area

18. I have taken note that the life of the proposed development has been stated to be 25 years. I accept that 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.
19. The Companion Guide to PPS22 states that local planning authorities should agree with developers how the latter will undertake landscape and visual impact assessments. Landscape Character Areas (LCAs) are indicated as being a factor to consider in analysing the impact of a scheme. I find that they provide an established, objective basis on which to assess a proposal such as this. The Environmental Statement (ES) was prepared on this premise. The officer's report to the council committee has appraised the scheme in relation to the ES, and the officer's findings on the ground.
20. For the inquiry the council commissioned work to be undertaken to assess the proposal within 2.5km. of the site, and specifically views from the public rights of way. The assessment involved sub-dividing the LCAs into further, smaller zones devised by the consultant. It concentrated on providing a very detailed appraisal of visibility and then equating it with a detailed and allegedly accurate means of determining the effects on landscape character.
21. The presence of such tall structures is inevitably going to produce significant landscape effects. The question is whether these effects are such that the nature and appearance of the area would be so adversely affected that the particular characteristics would be harmed to an unacceptable degree. I find that the most appropriate way is to evaluate the proposal having regard to both the local impact and the wider effect having regard to the LCA in which the turbines are located. The approach adopted by the council for the inquiry fails to address the impact of the development on the LCAs as a whole. In this respect it provides me with information that is of limited use only.
22. In terms of landscape the appeal site is within two LCAs. The majority of the site, in its northern part, is within the Riseley Clay Farmland LCA. Two of the three turbines would be located in this area. The key characteristic of the LCA is that it is rural and peaceful with a remote feel. It has small to medium-sized fields around villages, as well as larger geometric fields. Airfields are specifically mentioned as being a feature of this LCA. The absence of field boundaries emphasises the empty character of these areas and their vulnerability to urban influence. Stone-built churches are key features, forming landmarks and creating a sense of place. The LCA is considered to have moderate to high sensitivity.
23. The LCA is extensive in area. Notwithstanding the presence of villages surrounded by medium-sized fields, the large geometric fields and airfields, together with the relatively flat terrain, make for a landscape that is open and expansive. I have considered the photographic evidence submitted by the

- parties and I have viewed the site, both accompanied and unaccompanied from various points: for example from near Wollaston, Hinwick Hall, Higham Park, Podington, and Bozeat. Although the turbines would be tall, they are few in number, and in this landscape setting I consider that they would be assimilated into long distance views with elements such as the chimney of the biomass plant in the distant background. Accordingly, I do not regard their effect on this landscape to be excessive.
24. The smaller part of the appeal site lies in the Hinwick Wooded Wolds LCA. The principal characteristic of this LCA is a rolling and gentle-sloping land form. It is a small to medium-scale landscape which is enclosed and peaceful, with significant woodland cover, medium-sized fields and thick hedgerows. The LCA is judged to be of high sensitivity. One turbine is located in this LCA, immediately adjacent to the Riseley Clay Farmland LCA.
25. This LCA is undulating and contains mature hedgerows and most notably several substantial woodlands. Again I have considered the submitted photographic material and observed the site from various viewpoints. In the northern part of this LCA views of the turbines would be prominent, for example, from Harrold Odell Country Park and points around and about Chellington. However, the nature of the terrain, the woodland, the hedgerows and hedgerow trees would mean that even here views of the turbines would be interrupted, or would be such that they would only be described from many points. Whilst the landscape impact is likely to be significant in some locations, overall, such views would be distant or infrequent and on balance, would be acceptable in this landscape.
26. Closer to the site, the context in which the development would be located is the semi-industrial uses around the appeal site and the various buildings, gantries and viewing stands within the raceway. This area is broad and extensive. The buildings and the uses associated with the former aerodrome have a horizontal appearance in visual terms. The turbines would be highly visible in this landscape. Yet because of the large scale and open nature of the appeal site and the surroundings of the old airfield I consider that the landscape is able to absorb a wind farm development of the size proposed. Accordingly, I find that the proposal does not conflict with Policy ENV2 of the RSS and saved Policy BE7 of the Local Plan.

The Effect of the Proposed Development on the Amenities of Nearby Residents in respect of Noise and Proximity.

Noise

27. Paragraph 10 of PPG24 indicates 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.
28. Government policy in the form of 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.
29. PPS22 and the *Companion Guide* state that '*The Assessment and Rating of Noise from Wind Farms*' (ETSU-R-97) should be used when assessing and rating noise from wind energy development. 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. Although not yet Government policy, the Draft National Policy Statement for Renewable Energy Infrastructure (EN-3) re-iterates the Government policy that ETSU-R-97 should be the method of assessing the impact of noise from a wind farm on nearby residents.
 30. The appellant has carried out two noise assessments of background noise levels. The first formed part of the ES and was carried out in 2008. The data arising from it has subsequently been discarded in favour of data derived from a second assessment carried out between August and September 2009.
 31. As stated above, the appropriate methodology for the assessment and rating of noise from a wind farm is ETSU-R-97. It involves three stages. First, is the assessment of background noise through obtaining background noise levels within the amenity areas of buildings at quiet times, excluding atypical noises. These measurements should then be correlated with wind speeds measured at the wind farm site at a height of 10m. The resulting best fit curve then establishes the prevailing background noise environment.
 32. Second, appropriate noise limits should be determined for noise-sensitive properties by reference to threshold values and the prevailing background noise. Third, a prediction should be made as to the levels of noise from the turbines at different wind speeds. They should then be compared with the applicable noise limits to determine whether or not there is compliance with ETSU-R-97. 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.
 33. The appellant has stated that the ETSU-R-97 methodology has been adopted in its assessment. However, modelling has been used based on a recently-published article by a number of noise consultants in the Institute of Acousticians' Bulletin. The model is based on the analysis of wind data which indicated that the level of wind shear at the site is higher than that assumed by manufacturers of turbines when quoting turbine noise emissions. The conclusion is that turbine noise emissions would be higher than would ordinarily be expected relative to the wind speed measured at 10m. height. Thus to reflect this, the appellant has correlated the background noise levels with a

- calculated hub height wind speed which is derived from anemometers at various heights, and then converted back to a 10m. height wind speed utilising the wind shear level used by the turbine manufacturers. It is claimed that this approach is the latest best practice.
34. Using this approach the predicted noise levels were carried out for four properties: Tower House, Santa Rosa, Santa Maria, and Unit 11. All predictions show margins under the noise limit for these properties which the appellant classifies as being 'financially involved in the scheme'. The appellant notes that if it were necessary to operate the scheme to comply with the more stringent noise levels for occupiers without a financial interest in the development, it would be relatively straightforward to constrain the operation of the turbines in order to achieve this level.
35. However, the approach used by the appellant does not represent Government policy and stipulated practice, and it does not appear to be supported by further research. Furthermore, the later assessment is based on information obtained from a meteorological mast that was away from the appeal site and used in connection with an earlier proposal for a larger wind farm. I also share the Council's concern that background noise level measurements were limited only to the closest properties to the site. Moreover, I consider that the period during which the later assessment was carried out was too brief. Altogether I find the overall lack of compliance with the stated Government policy approach creates such a degree of uncertainty over the assessment that I cannot rely on its findings. I have considered whether or not conditions could be imposed on any approval detailing noise levels not to be exceeded at specific points. However, I find that I have insufficient evidence before me to be satisfied that such conditions would be enough to mitigate any noise impacts.
36. I have taken note of the appellant's reference to an earlier appeal decision (APP/Q1153/A/06/201762) where the Inspector accepted the above-noted methodology and considered that 'it would be misguided not to amend and refine the procedure (ETSU-R-97)...when this will improve the value of the exercise'. I do not have before me the evidence that was relied upon by the Inspector in that case that warranted going against the accepted Government approach. I note, though, unlike this case, the issue of concern related to the use of ETSU-R-97 with regard to the effect of atmospheric stability upon the calculations.
37. There is another matter that causes me concern with regard to the issue of noise and this proposal. ETSU-R-97 states that both day- and night-time lower fixed limits can be increased to 45dB(A) to increase the permissible margin above background where the occupier has some financial interest in the wind farm. I consider that a reasonable and proper interpretation of the term 'financial interest' is those occupiers of properties who own the land on which a wind farm is proposed, or who have invested money in the project in some way and seek to gain a financial reward from it.
38. The occupier of Tower House is the owner of part of the wind farm site and is a shareholder in the limited company that is involved in the site ownership. The occupiers of Santa Rosa and Santa Maria are relations of the owner and are residual beneficiaries of the will trust that has an interest in the site. Thus I find that these occupiers have a financial interest in the scheme in accordance

with the guidance. The occupiers of the wooden building, known as Unit 11, and the caravan near the aforementioned dwellings do not have an interest in the appeal site. They simply live nearby. They will, however, receive annual payments from the appellant company under agreements dated November 2009, after the noise assessment was made. It seems to me that these payments run counter to the spirit and intention of the guidance and have been designed specifically to circumvent the noise limits.

39. To conclude on this issue, I find that I cannot place sufficient reliance on the noise assessment to conclude that nearby occupiers would be unaffected by noise from the wind farm. I consider, therefore, that the proposal fails to satisfy the terms of saved Policy BE30 of the Local Plan and Policy CP21 of the Core Strategy. The matter has not been helped by the lack of agreement between the parties on matters relating to noise and its assessment, and it is here where I found the Council's approach to be far from constructive.

Proximity

40. The ES concluded that 10 residential properties or groups of properties would be likely to sustain significant visual effects from the proposed development. Of these dwellings it was concluded that there would be a high magnitude of change and substantial negative impacts on Tower House, Santa Rosa, Santa Maria and Unit 11. The caravan north of Tower House was not part of the assessment as it did not benefit from planning permission.
41. Tower House is the former aerodrome control tower. It is some 520m. from turbine 3, and about 610m. from turbines 1 and 2. Its outside amenity area is situated on the airfield side of the dwelling. Owing to its position and design one or more of the turbines would be visible in all views from the southerly aspects of the house. Most views would see the turbines in array. I consider that the occupiers would have no respite from the turbines during daylight hours.
42. Santa Rosa is positioned some 480m. from turbine 3 and 630m. from turbine 2. The main frontage is on the southern elevation, facing the appeal site. The living room has an aspect in this direction, with doors opening onto a patio. A bedroom faces south. Views of turbine 3 would be partly screened by vegetation within the curtilage. All three turbines would be seen in array from the patio.
43. Santa Maria would be about 502m. from turbine 3, 680m. from turbine 2 and 760m. from turbine 1. The main elevations face west and east. There is a garden on the building's south side, and there are a patio and a grassed area to the east. Vegetation along the eastern boundary would ensure that there would be limited visual impact on the north and north-east sides, but views would be possible of the tops of turbines 1 and 2. Turbine 3 would be highly visible.
44. Unit 11 is a small, former airfield building that has been converted into a residential property. It is some 550m. from turbine 1, 670m. from turbine 2, and about 600m. from turbine 3. All the windows in the property face west-south-west. There would be no views of the turbines from within the building. However, I note that there is evidence that the occupiers use the area in front

- of the building on the south side for sitting-out. Clear views would be obtained of all three turbines from this position.
45. The caravan north of Tower House, although discounted in the ES because it does not have planning permission, has had council tax paid on it for some 17 years. The question of whether or not the caravan has an established use is outside the remit of this appeal. For the purposes of this case, however, I believe it to be both reasonable and realistic to consider the effects of the development on the occupiers of this caravan. The main elevation of the caravan faces south-east. There are three windows in this elevation. Turbines 2 and 3 would be prominent in all views from this side, some 610m. and 510m. respectively.
46. I find that the scale of the three turbines and their proximity to these dwellings would make them significant and overpowering features when viewed from habitable rooms and outside amenity areas as described above. The effect on Santa Maria would be less so, being of a minor nature internally, and more so externally. The impact on Tower House and Santa Rosa would be significant. However, this effect has to be weighed against the fact that the occupants of these three properties have an interest in the proposed development, with the dwellings also being tied to the land. Thus the occupants' perception of the effects of the turbines on their amenities would be less than if they had no involvement in the scheme.
47. With Unit 11, I find that the effect on the residents when inside the building would be very limited or even non-existent because of the position of the windows. The scale, massing and proximity of the turbines, however, would cause harm to the amenities of the occupiers when using the outside sitting area on the south side of the building. I find this to be unacceptable.
48. Although the caravan would be partially obscured from turbine 1 by the outbuildings and Tower House, the upper part of the rotating blades would be visible to the occupiers. Turbines 2 and 3 would be clearly seen, notwithstanding odd trees and telegraph poles. Altogether I find that the juxtaposition of the caravan and the turbines, and the scale and height of the latter, would result in an unacceptable diminution in the living conditions of the residents therein.
49. Accordingly, I conclude that the proposal would be contrary to Local Plan Policy BE30.

Other Matters

50. In terms of heritage matters, references have been made to Hinwick House and its parkland, Hinwick Hall, the Podington Conservation Area, and Chellington Church. There would be some views of the turbines over and through trees and woodland from these places. However, I find that the distances would be such that their settings would not be adversely affected. I note that neither English Heritage nor the Council have raised objections on heritage grounds.
51. Several public rights of way pass through and around the appeal site. The Council has stated that significant visual effects would be experienced by people using some sections of the public rights of way. Owing to the transient nature of the use of these routes, I subscribe to the opinion that the footpaths

and bridleways are not so close to the turbines that people in general would be deterred from using the routes, or would be so intimidated by their scale and proximity, perceived safety risks, or noise, so as to seek alternative ways.

52. As to horse-riders, no information has been provided on the numbers using the bridleways. Nonetheless, the distance between the turbines and the bridleways is over 200m., the recommended distance by the British Horse Society. Therefore I am not persuaded that there would be an unacceptable effect on horses and riders from the turbines.
53. Turbine 1 would be some 300m. from the fishing ponds to the west of the site. The turbine would be visible over trees and vegetation from some positions by fishermen. However, because of the occasional, recreational nature of the activity, the intervening vegetation and the distance involved, I consider that those fishing would not be so daunted by the turbine as to have their enjoyment unacceptably compromised.
54. Distraction to drag racers on the Santa Pod Raceway from the turning turbine blades has been raised. However, this objection was not from either the operators or the racing drivers. It was promoted without evidence or knowledge of the racing conditions experienced by the drivers. I therefore apportion it little weight.

Conclusion

55. For the reasons given above I conclude that the appeal should be dismissed. In reaching this conclusion I have had regard to all matters raised in the evidence and the representations. However, none is sufficient to outweigh the considerations I deem to be paramount.

TCookson

Inspector

Appearances

For the Local Planning Authority:

Mr Thomas Cosgrove, of Counsel instructed by Head of Legal Services, Bedford BC

He called:

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Mr J Baly CMLI DipLA Ian Stemp Landscape Associates
Dip Con Pol

Mr P White BA(Hons) MA Bedford BC
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For the Third Party (Podington Parish Council) and the Rule 6 Party (CLOWD):

Mr Tina Douglass, of Counsel Instructed by Mr I Kelly

She called:

Mr A Tubb BSC(Hons)
Mr E Reeves, Solicitor Bromborough Estate Company
Mr B Skittrall CPRE Northamptonshire

Mr S Chambers

Mr M Webb

Mr I Kelly MRTPI Graham and Sibbald

Mrs A Ivory Podington Parish Councillor

For the Appellant:

Mr John Houghton Partner, Messrs. Bond Pearce, Solicitors

He called:

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Mr D Kenyon BA MA Entec

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Interested Persons:

Mr N Bowerman

Mr T Mitchell

Mr M Billinton

Mr D McMurdo

Mr N Charlsley

Mr P Scott

Mr A Burt MP

Col. K Woodrow

Mr R Wilson
Mr S Schofield
Mr P Vann
Mr D Rowland
Mrs C Gibson

Documents

- 1 Lists of persons present at the Inquiry
- 2 Copy of letter of notification of the Inquiry and list of persons notified
- 3 Responses to the notification letter (36)
- 4 Bundle of papers regarding suggested conditions
- 5 Appeal Decision APP/Q1153/A/06 2017162
- 6 Aerial photograph of properties at Airfield Farm and others
- 7 Document and photographs produced by Friends of the Earth
- 8 Photographs submitted by CLOWD
- 9 Additional explanatory material submitted by Mr A Tubb
- 10 Extract from Draft National Policy Statement for Renewable Energy Infrastructure
- 11 Written Submission by Lt Cmdr Gillard RN
- 12 DVD: The Age of Stupid
- 13 Bundle of documents (13.1-13.14) submitted by Mr White
- 14 Bundle of documents (14.1-14.4) submitted by Mr Baly
- 15 Bundle of documents (15.1-15.4) submitted by Mr Stigwood
- 16 Bundle of documents (16.1-16.2) submitted by Mr Kenyon
- 17 Bundle of documents (17.1-17.6) submitted by Mr Gates
- 18 Bundle of documents (18.1-18.5) submitted by Mr Parnell
- 19 Critique of the Environmental Statement submitted by Mr Kelly
- 20 Bundle of documents (20.1-20.16) submitted by Mr Tubb
- 21 Paper on Potential Risk Events submitted by Mr Skittral
- 22 Photomontages (22.1-22.6) submitted by CLOWD
- 23 Photographs of CLOWD balloon 2005
- 24 Map of public rights of way in vicinity of appeal site
- 25 Bundle of documents (18.1-18.5) submitted by Mr
- 26 Copy of appeal decision APP/Y6930/A/05/1189610
- 27 Descriptions of Riseley Clay Farmland and Hinwick Wooded Wolds Landscape Character Areas

Core Documents

- | | |
|------|---|
| CD1 | Planning application |
| CD2 | Environmental Statement, September 2008 |
| CD3 | Officer report to Planning Committee |
| CD4 | Consultee responses |
| CD5 | Other representations |
| CD6 | Entec letter to LPA dated 13.11.08 regarding British Horse Society representation |
| CD7 | <i>Unallocated</i> |
| CD8 | <i>Unallocated</i> |
| CD9 | Statement of Common Ground |
| CD10 | Regional Spatial Strategy |
| CD11 | Extracts from East of England AMR |
| CD12 | East of England Renewable Energy Statistics, June 2009 – Renewables East |
| CD13 | Bedford Borough Local Plan, 2002 |

- CD14 Bedford Borough Annual Monitoring Report, 2007-2008
- CD15 Core Strategy and Rural Issues Plan, 2008

Landscape Documents submitted by the Appellant

- NL1 Guidelines on the Environmental Impacts of Wind Farms and Small-Scale Hydro-Electric Schemes, 2001
- NL2 Landscape Character Assessment – Guidance for England and Scotland, 2002
- NL3 Visual Assessment of Wind Farms: Best Practice, 2002
- NL4 Landscape Character Assessment Series: Topic paper 9 – Climate Change, 2003
- NL5 Natural England Draft Policy on Climate Change, 2007
- NL6 Techniques and Criteria for Judging Capacity and Sensitivity; Topic Paper 6, 2004
- NL7 Visual Representation of Wind Farms; Good Practice Guidance, 2006
- NL8 The Visual Issue; An Investigation Technique into the Technologies and Methodology used in Wind Farm Computer Visualisations, 2007
- NL9 Bedford BC Landscape Character Assessment, 2007

Noise Documents submitted by the Appellant

- NN1 The Assessment and Rating of Noise from Wind Farms, 1996 (ETSU-R-97)
- NN2 A Critical Appraisal of Wind Farm Noise Propagation
- NN3 Government statement re: the findings of the Salford University report into Aerodynamic Modulation of Wind Turbine Noise, BERR, 2007
- NN4 British Standard 5228:2009 Noise and Vibration Control on Open Sites. BSI. Annex E pages 117-121.
- NN5 British Wind Energy Association (2005): Low Frequency Noise and Wind Turbines
- NN6 EN 61400-11:2003 Wind turbine generator systems - Part 11: Acoustic noise measurement techniques.
- NN7 Bowdler, D., Bullmore, A., Davis, B., Hayes, M., Jiggins, M., Leventhall, G. & McKenzie, A. (2009) Prediction and assessment of wind turbine noise. Acoustics Bulletin Volume 35 Issue 2. Institute of Acoustics.
- NN8 Advice on findings of the Hayes Mackenzie report on noise arising from wind farms
- NN9 Hayes Mackenzie Partnership (2006): The Measurement of Low Frequency Noise at 3 UK Wind Farms
- NN10 ISO 9613-2 (1996) Acoustics- Attenuation of Sound during Propagation Outdoors
- NN11 Unallocated
- NN12 Research into Aerodynamic Modulation of Wind Turbine Noise, 2007
- NN13 Van den Berg, G. P. (2004) Effects on the wind profile at night on wind turbine sound. Journal of Sound and Vibration. Abstract only.
- NN14 Guaranteed values of the sound power level for the E-82 with 200kw rated power
- NN15 Extract from test report
- NN16 Letter from Bond Pearce re: FOI request
- NN17 Minutes of telephone conversation 16/6/2009, between C. Woodfine and N. Parnell

- NN18 Minutes of telephone conversation 17/6/2009, between P Bull and N. Parnell
- NN19 Minutes of telephone conversation 15/9/2009, between B. Williams and N. Parnell
- NN20 Wind Tunnel Testing of Microphone Windscreen Performance Applied to Field Measurements of Wind Turbines, 2009
- NN21 Memo from N Parnell outlining results of noise monitoring and data analysis
- NN22 Sections 60, 61 of the Control of Pollution Act 1974
- NN23 Extract from Nun Wood Environmental Statement
- NN24 Wind Farm Noise Predictions and Comparison with Measurements
- NN25 Wind Farm Noise Predictions: the Risks of Conservatism
- NN26 Analysis of Noise Impact Assessment in relation to ETSU-R-97 (M Stigwood)