



Appeal Decision

Inquiry opened on 10 January 2012

Site visit made on 4 September 2012

by Richard Thomas BA, Dip Arch, RIBA, IHBC

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

Decision date: 28 November 2012

Appeal Ref: APP/C1625/11/2155923

**Agricultural land at Standle Farm, bounded by the M5 and A38,
Stinchcombe, Gloucestershire, GL13 9HD**

- 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 Ecotricity (Next Generation) Ltd against the decision of Stroud District Council.
 - The application Ref 10/1638/FUL, dated 9 August 2010, was refused by notice dated 12 April 2011.
 - The development proposed is described as "A wind energy development comprising the erection of four wind turbines, each with a maximum overall height of up to 120m together with access tracks, hard standing areas, information board, electricity substation, temporary construction compound and amended vehicular access".
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Procedural Matters

1. The Inquiry opened on 10 January and sat on 11, 12, 13 January, 26 March and 5, 6, 7 September 2012. I made an unaccompanied inspection of the surrounding area on 9 January for the purposes of familiarisation. I also visited the same area and the opposite bank of the River Severn on 26 March and walked sections of the Cotswold Way on 19 August. I made an accompanied site inspection with representatives of the parties on 4 September.
2. The application was accompanied by an Environmental Statement (July 2010) (ES). Although some of the material relating to the adequacy of noise measurements has been criticised, the adequacy of the environmental information as a whole is not in dispute. I have taken it into account in reaching my decision.
3. The Inquiry was adjourned on 26 March to give parties the opportunity to review their cases in the light of the National Planning Policy Framework (the Framework), which was published on 27 March 2012. At the resumption of the Inquiry in September, witnesses submitted supplementary proofs and gave oral evidence concerning the impact of the Framework on the proposal.

Decision

4. I dismiss the appeal.

Main Issues

5. I consider that the main issues in this case are:
- (a) the impact of the proposed development upon the character and appearance of the surrounding area and upon the nearby Cotswolds Area of Outstanding Natural Beauty (AONB);
 - (b) the effect of the proposal on the living conditions of local residents;
 - (c) its impact on the setting of heritage assets in the surrounding area, and
 - (d) whether any harmful or adverse impacts arising from these and any other identified matters would, in the light of the development plan, be outweighed by the national objective of promoting renewable energy generation.

Reasons

National and Development Plan policy and other guidance

National Policy

6. National planning policy is set out in The National Planning Policy Framework (The Framework), which came into force during the course of the Inquiry. At the heart of The Framework is a presumption in favour of sustainable development, for which there are 3 mutually dependent dimensions:- economic, social and environmental. A core principle of The Framework is that planning should support the transition to a low carbon future and encourage the use of renewable resources. Paragraph 93 provides for planning to play a key role in helping to shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the effects of climate change, and supporting the delivery of renewable energy and associated infrastructure. Paragraph 98 recognises that small scale projects provide a valuable contribution to cutting greenhouse gas emissions. The Framework's core principles recognise the intrinsic character and beauty of the countryside and that development should contribute to conserving and enhancing the natural environment.
7. The Framework replaces a series of national policy statements, circulars and guidance including Planning Policy Statement 22 - Renewable Energy (PPS22) and Planning Policy Statement 5 - Planning for the Historic Environment (PPS5). Whilst the thrust of previous policy in these documents is carried forward into The Framework, the wording is condensed and there have been some changes in policy. Most of the supporting guidance has been retained including the Companion Guide to PPS22 and the PPS5 Historic Environment Practice Guide. National Policy Statements form part of national planning policy and are a material consideration.
8. National Policy Statement on Energy (EN-1) advises that in order to meet emissions targets the consumption of electricity will need to be almost exclusively from low carbon sources. The implication is that, in the short-term, much of the new capacity would need to come from on- and off-shore wind generated electricity. To meet the 2020 target for energy from renewable sources, EN-1 highlights an urgent need to bring forward new renewable electricity generating projects as soon as possible. Whilst off-shore wind is expected to provide the largest single contribution to the 2020 target, on-shore wind is identified as the most well-established and currently the most

economically viable source of renewable energy available for future large scale deployment. National Policy Statement on Renewable Energy Infrastructure (EN-3) reiterates the important role of on-shore wind and deals with issues including landscape, visual impact, noise, heritage assets, whilst recognising that there will always be significant landscape and visual impacts from such developments.

9. The Climate Change Act 2008 sets a legally binding target to reduce greenhouse gas emissions by at least 80% by 2050 and reductions in CO₂ emissions of some 26% by 2020 against a 1990 base. EU Directive 2009/28/EC set the UK a target to produce 15% of all energy from renewable sources by 2020. These targets, when taken together with the pathway identified in the Renewable Energy Strategy (RES), indicate that by 2020 the proportion of electricity consumed from renewable sources will need to be in the region of 30%. The UK Renewable Energy Roadmap of July 2011 shows the current position, provides an analysis of how deployment may evolve by 2020, and the actions required to achieve the deployment levels anticipated. Whilst the Road Map concludes that the UK can meet the 15% target by 2020 and the pipeline of renewable electricity projects is healthy, it highlights that significant uncertainties remain and new large scale renewable projects need to come forward. In March 2012, the national figure for installed capacity for on and off-shore wind energy was 6,782MW compared to the RES and Roadmap expectation that by 2020 some 13-14,000MW of installed on-shore capacity alone will be required to meet targets.

Development Plan Policy

10. The development plan includes Regional Planning Guidance for the South West (RPG10), the saved policies of the Gloucestershire Structure Plan – Second Review (1999) (SP) and the saved policies of the Stroud District Local Plan (2005) (LP). While the future of regional guidance is uncertain, the parties agree that the evidence base that informed the preparation of the Draft Regional Spatial Strategy remains relevant, and is reflected in emerging policies RE1 and RE4.
11. SP policy EN3 advises that renewable energy proposals will be encouraged where, amongst other things, proposals would not adversely affect the special character of Areas of Outstanding Natural Beauty (AONB) or heritage conservation interest; not cause demonstrable harm to facilities of special importance for tourism and recreation, or the amenity of nearby dwellings; would not dominate any prominent skyline or vista, as defined in local plans or result in an unacceptable level of visual impact, and be justified in terms of national energy policies of local and regional requirements. SP policy NHE/1 advises that the countryside's character and appearance will be protected from harmful development unless the social and economic needs of the area or wider environmental objectives outweigh such harm.
12. The SDLP contains Policy NE8, which advises that development affecting the setting of the Cotswolds AONB will only be permitted if the nature, siting and scale are sympathetic to the landscape; the design and materials complement the character of the area, and important landscape features are retained. Major development will not be permitted unless it is demonstrated to be in the national interest and that there is a lack of alternative sites. Policy NE10 seeks to conserve or enhance the special features and diversity of the different landscape character types found within the District, as identified in the adopted

supplementary planning guidance: Stroud District Landscape Assessment (SDLA). Policy GE1 seeks, amongst other things, to prevent development that would be likely to lead to an unacceptable level of noise or would have an overbearing effect.

13. The Cotswold AONB Management Plan 2008-13 was approved by the Secretary of State in 2008 and endorsed in 2009 by Stroud District Council. Decision makers have a duty under the Countryside and Rights of Way Act (2000) to have regard to the purposes of designation of the AONB when making decisions in relation to or affecting land within the AONB. Policy LP1 of the Plan seeks to conserve and enhance the character, tranquillity and special qualities of the Cotswolds landscape. The Cotswold Escarpment is identified as one of the special qualities of the AONB and policy LK3 identifies the surroundings of the AONB as being important to its landscape character and quality. It states that views out of the AONB and into it from surrounding areas can be very significant and that development proposals that affect such views need to be carefully assessed to ensure that they conserve and enhance the natural beauty and landscape character of the AONB.

Landscape Character and General Visual Amenity

Landscape character

14. Planning policy generally seeks to protect the landscape from damaging development, and affords protection at highest level to Areas of Outstanding Natural Beauty such as The Cotswolds AONB.
15. The appeal site lies outside the AONB, but within National Character Area¹ (NCA) 106: Severn and Avon Vales, which comprise a diverse range of flat and gently undulating landscapes, united by a broad river valley character. A little over 2km to the south lies the Bristol, Avon Valleys and Ridges NCA 118. The parties agreed that the landscape sensitivity of both areas is Low to Medium. However, in seeking to assess the capacity of the area for wind turbines, Annex 4 of the REvision 2020 study identified the sensitivity of NCA 106 as being Moderate-Low. It described the landscape as having '*...a large scale landform with no prominent skyline. It could therefore accommodate some vertical features. It is a landscape characterised by settlement and built features and has a low density of sensitive landscape features – these characteristics lower its sensitivity. However, its inter-visibility with adjacent sensitive landscapes raises its sensitivity to built development*'.
...
16. The SDLA contains a finer grained characterisation of the Vale, with the appeal site being situated in the Undulating Lowlands and straddling two sub-units, Little Avon Basin and Lowland Ridges. It also identifies the Escarpment that lies to the east as a major landscape feature running through the District and its main sensitivities to change are identified as being relating directly to land use. In particular: '*Because of its physical characteristic as a vantage point over much of the District, the Escarpment is of major significance in its relationship to the lower lying areas to the west and north-west. There are particular sensitivities therefore relating to changes of land use and the development in the areas below*'.
17. The sensitivity of the landscape to accommodate change is clearly acknowledged by both the REvision 2020 study and SDLA as being affected by

¹ Natural England *National Character Areas*

the sensitivity of neighbouring areas. In this case, The Cotswolds NCA 107 lies less than 2km to the east. This character area as a whole is agreed by the parties to have high landscape sensitivity and is described as comprising, amongst other things, a dramatic scarp rising above adjacent lowlands, with prominent outliers within the lowlands.

18. The appeal site is located at the transition between the undulating land situated between the River Severn floodplain and the gradual incline leading to the foot of the steeply sloping escarpment of Stinchcombe Hill, situated within the AONB. The latter is a particularly prominent landscape feature, the westernmost of a series of projections of the Cotswold plateau that form the backdrop to views of and along the eastern side of the river valley. Its distinctive form is clearly visible from not only within the immediate area but from as far away as the Severn Bridge in the south, from numerous vantage points along the opposite bank of the River Severn such as Lydney and Newnham, and from the higher ground near Gloucester to the north.
19. Notwithstanding the description in Annex 4 of the REvision 2020 quoted above, I saw that Stinchcombe Hill does form a prominent part of the skyline in views from both the immediate surrounding area and from greater distances. It is clear that the boundaries defining the adjacent landscape areas do not prevent Stinchcombe Hill making a significant contribution to the sensitivity of the landscape of those areas surrounding the settlement of Stinchcombe and the adjacent lower lying land including the appeal site.
20. The appellant uses the SDLA character areas in the Tyler Grange landscape character assessments and identifies sub-areas within each in order to quantify potential landscape impacts within 2-3km of the appeal site. This assessment acknowledges that the impact of the proposed development would be significant in the Lorridge, Breadstone Wooded and the Berkeley Heath Wooded Lowlands, the Lorridge and Blanchworth Slopes, together with the Kitts Green and Standle Ridge character areas.
21. However, within the Tait's Hill, Stinchcombe Lower, Stinchcombe Hill Scarp Slopes and Stinchcombe Hill Plateau character areas the magnitude of change is considered to lie between Very Low, Low to Medium and Medium. These are elevated areas affording some enhanced views of the proposed turbines and thus where one might reasonably expect their impact to be greater. This point is accepted by the appellant², but then discounted on the grounds that the strong influence of the M5 motorway would limit character change on the scarp slopes and footslopes.
22. During my site inspections I noted that the generally high level of traffic noise emanating from the motorway does diminish the sense of tranquillity of these areas to varying degrees, depending on the intervening topography. However, the motorway is well concealed by its sunken nature, by the adjoining land form and by hedges and extensive tree cover. As a result, the roadway and vehicles using it are not readily apparent in views within these areas, other than in some glimpsed long views to the south afforded by higher ground. Consequently, while I accept that the motorway has an adverse effect on tranquillity, it is but one of a number of landscape evaluation criteria, which include skylines, views and scenic quality. These criteria are not otherwise

² Proof of Gavin David, paragraph 4.60

significantly affected by the presence of the motorway, nor by the railway or A38 road which lie beyond but which are equally well concealed.

23. As a result, I agree with the Council's view that the proposed development would result in a higher magnitude of change than that suggested by the appellant. I consider that the magnitude of impact in the Stinchcombe Lower Slopes and Stinchcombe Hill Scarp Slopes would be High and Medium High respectively. Within these areas, the rising ground and vegetation confines major views westwards, directly towards the row of four turbines. Due to their height and moving blades they would have a very significant impact, towering above the horizon from many viewpoints. Furthermore, the small scale of the fields and woodlands characterising the areas forming the foreground and backdrop to views of the turbines would serve to increase their perceived scale and predominance in the landscape to the extent that the two character areas would be on the cusp of a windfarm landscape.
24. Given the High landscape sensitivity of these character areas which lie within the Cotswolds AONB, I consider that the proposal would have a significant adverse impact on their landscape character and thus conflict with SP policy NHE.1 and LP policies NE8 and NE10 and the guidance in the AONB Management Plan.

General Visual Amenity

25. The proposed turbines would be arranged in a line roughly parallel with the railway and M5 motorway and, while the latter are not readily apparent in general views, the turbines would be prominent due to their height and the movement of the blades. They would form a row that would cut across eastward views of the escarpment from within the Vale and views westward from the escarpment itself. Due to their height of some 120m to blade tip, they would be larger in scale than any other structure in this part of the Vale and the eye would be particularly drawn to them by the movement of the blades when seen against an otherwise largely static landscape. I consider that the location and linear arrangement of the proposed turbines would result in their being particularly prominent features in views from the surrounding area, and especially from within a 2km distance.
26. The ES photomontages from viewpoints 3, 5 and 14 show the turbines in relationship to Stinchcombe Hill in views from the A38. The appellant argues that the impact on receptors on public roads would be limited, due to both the distance of roads from the appeal site and the intermittent nature of such views due to intervening landform, vegetation or buildings. While I noted the intermittent nature of such views along the A38, the proposed turbines would mostly be seen with Stinchcombe Hill either as a backdrop or in close visual proximity, creating views with the turbines appearing similar or greater in height than Stinchcombe Hill. Even in more distant views, such as from Berkeley and Lydney Harbour (viewpoints 14, 16 and 19), the turbines would be seen juxtaposed against Stinchcombe Hill. In all these views, the presence of the turbines would diminish its perceived scale and significance as the principal locally distinctive feature in the landscape.
27. There would also be a significant visual impact on views out of the AONB from the Cotswold Way National Trail, which passes along the crest of much of the escarpment. This elevated route provides walkers with a vast panorama of the Severn Vale that stretches from the two Severn bridges in the south, across

the estuary to the Forest of Dean, the Malvern Hills and northwards towards the fringes of Gloucester. This dramatic sweeping view highlights the partially developed nature of the Vale, with the predominant character being its rural texture of fields and hedgerows. Within this visual patchwork, houses and agricultural buildings are visible, together with some larger structures in the distance, such as power stations at Berkeley and Oldbury and the silos at Sharpness docks. However, due to the intervening distance and the static nature of these weathered industrial features, they are not dominant within the view and do not draw the eye as would the proposed turbines.

28. Three major transport routes run through the narrow pinch-point created between the vantage point of Stinchcombe Hill and Berkeley Castle. The railway is well concealed by vegetation and by the landform, with only occasional glimpses of trains making the viewer aware of its existence. The A38 road is also not readily perceived for similar reasons. The M5 motorway is more evident due to its close proximity to the escarpment with little intervening shielding and also the level of traffic noise emanating from it. However, when seen from a point perpendicular to it, such as from Stinchcombe Hill, the motorway is a relatively slender linear element in the foreground and consequently only has a minor impact on the uninterrupted panorama of the Vale above it.
29. In contrast, the proposed turbines would appear at the focus of such views. The appellant argues that their linear arrangement would provide visual permeability, allowing the scale, textures and colours of the Vale to flow through, but I consider that these pronounced vertical structures extending across the foreground would have the opposite effect, serving instead to capture the viewer's attention, especially when the blades are turning. This would significantly harm the quality of view experienced by users of the National Trail at this point.
30. While I accept that the vantage points on Stinchcombe Hill form only part of the experience enjoyed by people using the National Trail, I am also mindful of the fact that it is a popular destination in its own right, as evidenced by the nearby car park and the management of the hanger woodland to maintain its open aspect. Consequently, I attach little weight to the appellant's argument that since the proposal would only affect a very small percentage of the Trail from which the turbines would be visible it would have little impact on the AONB as a whole. This mathematical approach takes no account of the relative values of the various views afforded by the Trail, of which that from Stinchcombe Hill is undoubtedly one of the most outstanding.
31. As a consequence of the harmful visual impact that the proposed turbines would have upon the special features of the surrounding landscape character areas, the setting of the AONB and upon views from within it, the proposal would conflict with SP policy NHE.1 and LP policies NE8 and NE10 and with the objectives of the Cotswold AONB Management Plan.

Cumulative visual impacts

32. No case was made that the proposal would have a harmful cumulative impact when considered together with other existing and proposed turbines in the surrounding areas. From my inspection of the site and surrounding areas, together with the assessment in the ES and the evidence before the Inquiry, I

am satisfied that any cumulative impact would not be of such significance as to cause unacceptable harm over and above that I have identified above.

Living Conditions: Visual Impact

33. Paragraph 39 of the PPS22 Companion Guide affirms that the planning system exists to regulate the development and use of land in the public interest. In most cases, the outlook from a private property is a private interest, not a public one, and the public at large may attach very different value judgements to the visual and other qualities of wind turbines than those who face living close to them. However, 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 widely regarded as an unattractive and thus unsatisfactory (but not necessarily uninhabitable) place in which to live. It is not in the public interest to create such living conditions where they did not exist before.
34. The LVIA submitted as part of the ES identified a number of properties located within 1km of the nearest turbine as those being likely to experience significant visual effects. The Rule 6 Party, Save Berkeley Vale (SBV) requested that I also visit a number of other dwellings during my accompanied site inspection. Following the inspection, I concur with the LVIA assessment in this respect and deal below with each of the identified properties, using the same reference numbers for clarity.
35. New Clingre Farm and Clingre Cottage (38/40 & 42) are situated on Echo Lane, some 900m from the nearest turbine and on higher ground. I saw that this would mean that views of the proposed turbines would be restricted and that the outlook from these properties would not be impaired to an extent to render it unacceptable.
36. Whitehall Farm (25) is one of a number of dwellings in the Breadstone area that face towards the proposed turbines. The intervening buildings and mature vegetation means that the lower parts of the turbines situated some 850-900m away would be screened to varying degrees. Notwithstanding this partial screening, the rear windows and amenity area of Whitehall Farm would afford relatively unobstructed views of the line of four turbines, the extent and movement of which would have a significant harmful impact on the existing tranquil outlook towards Stinchcombe Hill.
37. Standle Villa (93) would have clear views of the turbines some 800m or more away, which would occupy a wide area of the horizontal field of view. Their visual impact would be significant despite a number of intervening trees which, while providing some vertical elements to fragment the view would not mask the dominating impact of the full extent of the windfarm visible from the dwelling.
38. Clingre Cottages and Upper Lorridge (28, 28A & 29) are situated close to the road and their principal rooms face south towards the proposed turbines. The line of turbines would be seen end-on, with the nearest within 600m, but be partially screened by the rising land and the trees of Lorridge Brake. However, because of its proximity, and its elevation relative to the houses the northernmost turbine would be particularly prominent on the skyline and would

dominate the outlook from the principal south-facing living rooms of these properties.

39. Blanchworth Lodge (101) is situated some 433m away from the nearest turbine, which would be situated at a broadly similar ground level. While the appellant's assessment of this dwelling scales down its impact due to the screening of the base of the nearest turbine by an intervening low ridge, the close proximity of the upper part of the tower, the hub and the moving blades would result in an unavoidable overbearing impact on the occupiers of the house when viewed from their amenity area and also from their living areas, notwithstanding their oblique relationship to the rear elevation of the house.
40. It is my conclusion that in the cases I have identified above, with the exception of New Clingre Farm and Clingre Cottage (38/40 & 42), living conditions would be demonstrably harmed by significant and over-dominant visual impact. This would result in these dwellings being widely regarded as unattractive places to live and would be contrary to SP policy GE1.

Living Conditions: Noise

Predicted Noise Levels

41. The Council raised no objection to the proposal with regard to noise and has agreed a number of conditions with the appellant incorporating noise limits which both principal parties consider generally acceptable, subject to my consideration of the wording of one condition and the need for another. The Framework indicates that the decision maker should aim to avoid noise resulting from new development giving rise to significant adverse impacts on health and quality of life. The Noise Policy Statement for England (2010) seeks to avoid significant adverse impacts and to mitigate and minimise adverse impacts in general. It is not an objective of national policy that a windfarm should be inaudible, but that they should be located and designed so that increases in ambient noise levels around noise sensitive developments are kept to acceptable levels in relation to existing background noise levels.
42. Although the use of ETSU-R-97 (ETSU) as a method for assessing the noise from windfarms predates the use of larger turbines, the Framework says that the decision maker should follow the approach set out in NPS EN-3 when determining applications for wind energy developments. This NPS, which is the most up to date expression of national policy, says that the assessment of noise should use ETSU, taking account of the latest industry good practice. ETSU indicates that noise limits should be set relative to background noise. Thus, the noise levels which the turbines should not exceed and the judgement as to whether any increases in ambient noise levels are within an acceptable range are wholly dependent on the noise monitoring exercise.
43. The ES uses noise measurement locations which were agreed with the Council prior to the noise surveys being carried out. SBV has expressed concern regarding the choice of some unshielded locations, suggesting that other locations would have given what they consider to be more representative indications of background noise levels than the 'free field' measurements taken at the boundaries of the dwellings concerned. The Council consulted independent noise consultants who concluded that the assessment provides "*...a firm basis for setting conditions to control the impact of noise and robustly confirms that the proposed noise limits are achievable*". I have no reason to

disagree with the conclusions of the Council's noise advisors in respect of their locations.

44. While accepting the applicability of ETSU and the use of the IOA Bulletin as a method for assessing the noise impact of the proposed turbines upon surrounding dwellings, SBV questioned a number of aspects of the noise assessments in the ES and, in particular, the validity of the background noise levels used to set the acceptable noise limits. It was argued that while the traffic noise from the M5 motorway was independent of wind speed, its level was highly dependent on wind direction, due to the effect of wind shear on noise propagation. As a result of this effect, dwellings upwind of the motorway presently experience a respite from the otherwise high level of background noise. It was argued that during such periods the proposed turbines would become the predominant noise source and noise levels could exceed the night-time and lower daytime limits set out in ETSU.
45. The background noise charts show that there is poor correlation between measured noise levels and wind speeds, which is inevitable when the predominant noise source is not the wind. However, irrespective of which best fit curve is adopted to derive noise limits, the vast majority of measured background levels lie above the predicted turbine noise levels at the monitoring sites. These results show that there would be significant headroom between the predicted noise levels and the limits set by the existing background levels at all wind speeds.
46. There was a protracted written exchange of views between the parties on these matters, resulting from the unavailability of SBV's witness during the latter part of the Inquiry. However, from the evidence before me the appellant has demonstrated that the assessment was carried out using large mast data and the IOA Bulletin approach to wind shear, coupled with the ISO 9613 prediction methodology in accordance with ETSU. SBV, while casting doubt on aspects of the methodology used, have not put forward any evidence that convincingly demonstrates that noise levels would exceed the limits derived from this assessment. In any event, were the appeal to have succeeded, a robust suite of planning conditions relating to noise levels and monitoring would have been imposed to provide an adequate degree of protection for residents. I therefore conclude that the proposal would not conflict with LP policy GE1.

Amplitude Modulation

47. Amplitude Modulation (AM) is a phenomenon recognised by ETSU and the recommended noise levels take account of this. Research in 2005/2006 into low frequency noise did note that AM was occurring in isolated instances in ways not anticipated by ETSU. However, the Government has concluded that although AM cannot be fully predicted, the incidence of AM resulting from wind farms in the UK is low and that the use of ETSU remains appropriate. As such, a link between the operations of wind turbines and serious health problems remains unproven. Whilst I do not seek to downplay the seriousness of the issues raised by SBV, there is nothing of substance to justify departing from current Government advice on health matters relating to the operation of wind farms.
48. The Council suggested the addition of two conditions (Nos. 24 & 25) to deal with the possibility of greater than expected AM noise arising. There is no evidence before me to demonstrate that the proposed windfarm would result in

excess AM with consequential adverse effects on the living conditions of local residents. In such circumstances, the imposition of a condition, merely as a precaution and without demonstrable evidence would fail the test of necessity. Furthermore, without any common understanding and an agreed methodology for assessing the significance or impact of AM, there must be doubts as to the enforceability and precision of such a condition, were it to be applied in this instance and I have disregarded the suggested conditions in my consideration of this case.

Road Noise Attenuation

49. An argument was advanced by SBV that the existing ambient noise levels could be substantially reduced at some time in the future by the resurfacing of a section of the M5 motorway in proximity to Stinchcombe. While accepting that this might reduce road noise levels by some 4-5dB, the appellant suggested that any benefit would be relatively short-lived due to the gradual blockage of the sound-absorbing open pores by detritus. In response, evidence was produced by SBV^{3,4} to show that while resurfacing treatments did suffer progressive deterioration, it was only of the order of 0.5dB(A) per year.
50. I accept that the resurfacing of a section of the M5 motorway nearest Stinchcombe with a thin stone mastic asphalt system may well result in some reduction in background noise levels in the surrounding area. However, a reduction of the amount suggested would be insufficient to decrease either the day or night-time background noise limits to such an extent that wind turbine noise would then exceed them. In such circumstances, noise levels would remain within the ETSU limits and I am therefore unable to attach much weight to the benefits of this eventuality, especially since there is no evidence of any plans to carry out such works in the foreseeable future.

Heritage Assets

51. Paragraph 129 of the Framework indicates that the significance of a heritage asset and its setting should be assessed and taken into account when considering the impact of a proposal on that asset so as to avoid or minimise conflict. When assessing the impact on the significance of a heritage asset great weight should be given to the asset's conservation, on the basis that the more important an asset is the greater the weight should be attached. It is made clear that significance can be harmed by development within the setting of a heritage asset. Where a development would lead to substantial harm to the significance of a designated heritage asset, permission should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm. In the situation where development would result in less than substantial harm this harm should be weighed against the public benefits of the proposal.

Stinchcombe Conservation Area

52. The conservation area contains over 40 listed buildings of varying scale, ranging from modest dwellings to substantial Grade II* listed houses and church of St Cyr and its listed tombs. The majority of houses along the western edge of the conservation area are aligned to take advantage of the extensive

³ Design Manual for Roads and Bridges, Volume 7, Section 5, Part 2, HD37/99 Amendment No.1: *Bituminous Surfacing Materials and Techniques*.

⁴ TRL: Published Project Report PPR443: *A review of current research on road surface noise reduction techniques*.

views over the Vale afforded by the village's elevated location and which forms part of the setting of the conservation area. The prospect from within the conservation area would be dominated by the moving blades of the proposed turbines, extending across the view less than 1.5km away

53. The presence of the turbines would also be apparent to residents and visitors within the conservation area, as the proposed turbines would be glimpsed at intervals between buildings and through and over the tree cover. The resulting pervasive awareness of their presence and movement would detract from the rural character of the conservation area and result in significant harm to its setting as a heritage asset.
54. The more open views from footpaths on higher ground behind the Grade II* listed church of St Cyr would encompass both its steeple and the proposed turbines. From these locations, the turbines would appear to form a backdrop of similar height as the spire, their moving blades distracting the eye and eroding the significance of the symbolic value of the spire as a traditional landmark to the faithful in the Vale which forms the setting against which the spire is viewed. Its significance would be similarly diminished in views towards the prominent spire from a number of vantage points on lower ground outside the conservation area, when it would appear dwarfed by the height of the proposed turbines in relatively close proximity.
55. I consider that the erosion of the special character and setting of the conservation area and the listed buildings within it would result in substantial harm to their setting. I was aware of the presence of the motorway by the relatively high level of traffic noise experienced within the conservation area and, while that is in itself harmful to one's perception of the conservation area, it does not justify sanctioning other harmful impacts that would further erode its special qualities.

Berkeley Castle

56. The Grade I listed Berkeley Castle was built in the 11th century under royal charter in order to protect the highway from Gloucester to Bristol. The parties all acknowledge its considerable heritage value and significance and its high architectural, historical, archaeological, aesthetic and communal value. The castle was originally set within extensive landholdings, some of which now forms a Grade II* Registered Park and Garden (RPG), the two parts of which lie to the east and south east of the castle.
57. It was accepted that because of the deliberate location of the castle at a strategic pinch point in the Vale where commanding views were afforded over the route of the original road, the view from the original Norman keep could be regarded as a designed view. As such, appreciation of that view contributes to the understanding of the historic significance of the castle and its specific location and is thus an important part of the castle's setting. I saw that the proposed turbines would be clearly visible from the castle keep, from where they would be silhouetted against the backdrop of Stinchcombe Hill. Due to their substantial scale when seen against that backdrop, together with their movement, they would be a prominent visual intrusion into the predominantly rural, tranquil character of the existing view. This would cause significant harm to the tangible relationship between the castle and its historic strategic setting, being situated where the Vale is sandwiched between the river and Stinchcombe Hill. I consider that this would cause substantial harm to the

appreciation of the historical significance of the setting of this Grade I designated heritage asset.

Other Listed Buildings

58. The fact that the proposed turbines might be seen from a listed building does not necessarily mean that they would fall within its setting, unless the views outward from the building have been intended, optimised or designed for that purpose. From the evidence and what I saw during my site inspection, I consider that the impact of the proposed turbines upon the Grade II listed buildings lying outside the conservation area would generally be negligible or minor, apart from the settings of two houses.
59. Blanchworth House would have an elevated view of the turbines occupying a portion of the outlook from the principal elevation of the house. While the nearest would be around 1km away and could be considered to fall within the setting of the house, the remainder of the turbines would be seen at an oblique angle. As a result I consider that the level of harm to the setting of the house would be less than substantial.
60. Kitts Green Farm would be situated just over 800m from the nearest turbine, while the remainder would extend across the field of view from the principal elevation towards Stinchcombe Hill. This elevation is aligned parallel to the road and does not appear to have been intended to survey a panorama or particular view. Accordingly, while the proposed turbines would extend across a wide proportion of the view from the front of the house, they would have a less than substantial impact on the setting of the house. I am mindful of the owner's concerns over the impact of the proposed development on the value of the property, but that is not a planning consideration.

Other Matters

Public Safety

61. It was suggested by SBV that the proposed turbines would be too close to the main railway line and to public footpaths. While it is not unknown for a turbine to collapse or shed a blade or a piece of a blade, such an event is rare and no evidence was put forward to demonstrate any injuries experienced by members of the public from wind turbine installations. Notwithstanding this safety record, the proposed turbines would be located beyond the recommended topple-over distance from the railway and the turbine blades would not oversail the public footpath. The proposal would therefore conform to the guidance in paragraphs 53 and 57 of the Companion Guide to PPS22. Consequently, I consider the risk of total or partial collapse to be low and as such the proposed development would not represent an unacceptable hazard to public safety.
62. The Companion Guide further says that, with regard to driver distraction, the presence of turbines within sight of roads should not be considered particularly hazardous. The proposed turbines would be sited some 1km to the west of the M5 motorway and would be glimpsed from some distance away by drivers approaching in either direction, thus reducing the likelihood of distraction arising through their sudden appearance in a driver's field of view. Drivers on the A38 would also become aware of the turbines from a distance, similarly reducing the chance of surprise. Drivers are required by law to take reasonable care to ensure their own and others' safety at all times and I see no reason to

conclude that the presence of the turbines would create an unacceptable hazard in this respect.

Shadow Flicker

63. The incidence of shadow flicker that would be cast by moving turbine blades upon surrounding properties can be calculated with reasonable certainty, and the appellant's evidence shows that a number of dwellings and the Prince Of Wales Hotel could be affected by flicker for periods of between 10 and 50 hours per year. SBV challenged this evidence on the basis that the Technical Annex to the Companion Guide to PPS22 incorrectly states that shadow flicker has been proven to occur only within 10 rotor diameters of each turbine.
64. SBV stated that this guidance is based on a research paper⁵ which established that flicker can occur beyond this distance and which recommended that turbines should be sited so as not to cast shadows on windows of habitations situated within 10 rotor diameters of the turbine. Where this cannot be achieved, it recommended that either the turbine be located at a greater distance or that the turbine is stopped by a device.
65. Notwithstanding the merits of the research upon which the Technical Annex is based, in this proposal the controls of each turbine would be programmed to ensure that it is taken out of operation at the appropriate time to prevent shadow flicker affecting the occupiers of these or any other nearby properties, in accordance with the research. In addition, reflected light from the turbines could be acceptably mitigated by careful choice of blade colour and surface finish. Appropriate conditions have been suggested that would achieve these objectives were the appeal to be allowed. Consequently I conclude that the living conditions of neighbouring occupiers could be adequately protected in this respect.
66. Shadow flicker may also be experienced by drivers travelling on the section of the A38 between The Prince of Wales Hotel and the bridge over the disused railway to the south west during certain limited periods. However, I noted that much of this section is flanked by trees which also cast substantial shadows that are currently experienced by drivers as they pass along this stretch of road. I consider that the impact of any additional shadows at certain times of day would not add significantly to the existing hazard caused by the natural features bordering the road.

Economic Impacts

67. I noted that the area surrounding the appeal site contains a number of establishments offering tourist accommodation, principally the Prince of Wales Hotel together with a number of smaller bed & breakfast establishments. It was said that these enterprises generate further business within the area through the supply of food and services as well as providing a local source of employment. Although no details were provided to support this view, I have no reason to doubt that local businesses do benefit from such tourist facilities and that tourism plays a large part in the local economy.
68. The nearest of the proposed turbines would be clearly visible at a distance of some 450m from open space to the rear of the Prince of Wales Hotel and from

⁵ Section 6 of PoE of Dr M W Toft (Clark, A D (1991) *A Case of Shadow Flicker/Flashing: Assessment and Solution*).

certain south facing bedrooms. Visitors occupying three of the first floor bedrooms would be able to see the hubs and blades of the turbines at a distance of less than 500m, but views from the ground floor rooms would be obscured by the small embankment outside their patio windows and the intervening rising ground and mature hedging boundary. Thus the significant visual impact of the proposed turbines would be limited to the occupiers of the affected rooms and to anyone using the undeveloped grassed area to the south of the hotel.

69. The hotel is presently owned by a coach tour holiday company, whose customers would be more likely to use the hotel as a touring base than as a destination in itself. As a result, any adverse impact arising from the proposed turbines would, while significant, be limited by the short periods during which a small number of people could potentially be affected and also by their personal attitude towards wind turbines as part of the landscape.
70. I saw distant views of the Tyndale Monument through a managed gap in the extensive planting in the rear garden of Pickwick Farm, whose owners provide a bed and breakfast facility for visitors to the area. I accept that the southernmost turbine might intrude into this view which, although an attractive feature, is limited in its extent. With this in mind and given the intervening distance of some 800m, I consider that a restricted view of the proposed turbines would be unlikely to have a significant impact on occupancy levels by virtue of any change to this limited aspect of the outlook.
71. Evidence was produced by the appellant to show that wind farms in other locations had not resulted in any significant harm to local tourism, and having regard to this and the particular circumstance of this case, I consider that the impact of the proposed turbines would not be sufficient to undermine the local tourist economy to a material degree.

Delivery of this and other sites

72. SBV expressed concern that the appellant currently has planning permissions dating from 2008 for a total of 19 turbines on 5 sites, a statement not contested by the appellant. It was suggested that this lack of action cast doubt on whether the proposed scheme would provide an immediate contribution to national targets and, if remaining unimplemented for any length of time, would subject local residents to years of uncertainty as to whether the appeal scheme might ever be built. Furthermore, it undermined the potential benefit of some local employment arising from the proposal.
73. I have no evidence regarding progress towards the implementation of the appellant's other permitted wind turbine developments, and I am therefore unable to draw any conclusions as to the likelihood or otherwise of this scheme being implemented were the appeal to succeed. I therefore attach limited weight to the argument put forward by SBV that its approval would cast a veil of uncertainty over nearby residents or undermine the validity of the appellant's arguments of the need for such development.

Stinchcombe Parish Plan

74. My attention was drawn to the *Stinchcombe Parish Plan (2008)*. Work on this document was commenced by the Stinchcombe Parish Council in 2006 in response to the Government's Rural White Paper published in 2000, and puts forwards the views and aspirations of the inhabitants of Stinchcombe as

expressed in 2006. However, it does not purport to be a neighbourhood plan under the terms of the Planning and Compulsory Purchase Act 2004, nor does it contain any policies or address the provision or location of renewable energy developments. I can therefore attach limited weight to it as a material consideration.

The Planning Balance

75. One of the Framework's core planning principles is that planning should support the transition to a low carbon future through, amongst other things, the development of renewable energy. There is a clearly expressed need for renewable energy and the proposed development would make a modest contribution towards satisfying it, as well as making a small contribution to local employment. There are no significant objections to the proposal in terms of noise, public safety or shadow flicker that could not be successfully overcome by suitable conditions, and there would be limited demonstrable impact on the local tourist industry.
76. However, the acknowledged nationally important benefits of the proposal have to be weighed against the significant harm that the proposal would cause to the setting of and views from the Cotswold AONB and thus to its landscape and scenic beauty. The AONB is acknowledged as an important national asset, the conservation of which is accorded great weight by the Framework and protection by LP policy. In addition, there would be substantial harm to the settings of Stinchcombe Conservation Area and the church of St Cyr, and to that of Berkeley Castle, a Grade 1 listed heritage asset, also of national importance. These harmful impacts, together with the harm to the living conditions of certain residential occupiers, would conflict with relevant development plan policies that are in accordance with national guidance in seeking to protect the AONB, heritage assets and living conditions. I consider that the cumulative harm is of such magnitude that it outweighs the benefits of the proposal.
77. I have taken account of the fact that harmful impacts on the AONB and upon the settings of cultural heritage assets could be reversed if the turbines were to be removed after 25 years after installation. However, this period represents a generation and is a long time for those whose appreciation of these nationally important assets is affected, and there is no certainty that any harm will necessarily cease at that point if pressure remains to achieve long term renewable energy targets. Having regard to all these factors and other matters raised, I conclude that the appeal should be dismissed.

Richard Thomas
Inspector

PLANS

Application Plans

- | | | |
|---|---|------------------------|
| A | Figure 4.1: Proposed Site Plan (A3 size). | Doc. No. 3882_T0281_01 |
| B | Figure 4.2: Site Edged Red (A0 size). | Doc. No. 3882_T0329_01 |
| C | Figure 4.3: Turbine elevation with colour scheme. | Doc. No. 3882_T0331_01 |
| D | Further particulars as listed in the Statement of Common Ground | |

DOCUMENTS HANDED IN AT INQUIRY

The Appellant's documents

- APP 1 Final Adjudication of Advertising Standards Agency, ref A10-138515/IP
- APP 2 Rebuttal evidence of Gavin David: ref.ECO/GD5
- APP 3 Site Inspection location identification plan: ref.3882-A0162-04
- APP 4 Opening submissions by Mr Hardy
- APP 5 Closing submissions by Mr Hardy
- APP 6 Draft Conditions (11 January 2012)
- APP 7 Draft Noise condition (23 March 2012)
- APP 8 Core Document List updated 5 September 2012

The Council's documents

- LPA 1 Notice of the Inquiry
- LPA 2 Statement of Common Ground
- LPA 3 Letter from English Heritage, dated 27 September 2010
- LPA 4 Details of representations received
- LPA 5 Closing submissions of Mr Smyth

Save Berkeley Vale's documents

- SVB 1 Opening submissions of Mr Pearse
- SVB 2 Closing submissions of Mr Pearse
- SVB 3 Extract from Daily Telegraph (undated)
- SVB 4 Appeal Decision, Hill Lane, Oldbury on Severn (APP/P0119/A/11/2154175)

Public documents

- PUB 1 Statement of Mr Watt on behalf of Cotswold Conservation Board
- PUB 2 Statement of Richard Lloyd on behalf of CPRE
- PUB 3 Supplementary statement by Parish Councils
- PUB 4 Closing submissions by Parish Councils
- PUB 5 Itinerary for site inspection
- PUB 6 Extract from *Review of current research on road surface noise reduction techniques*, TRRL PPR443
- PUB 7 Extract from *Design Manual for Roads and Bridges, Volume 7, Section 5, Part 2, HD 37/99 Amendment No.1: Bituminous Surfacing Materials and Techniques*
- PUB 8 Statement of Ted Thornton
- PUB 9 Letter from Robert Coombes
- PUB 10 Statement of Julie Brindle
- PUB 11 Statement of Jim Quinn
- PUB 12 Statement of Barbara Jordan
- PUB 13 Letter from R J Berkeley, dated 10 January 2012
- PUB 14 Statement of Roger Winter
- PUB 15 Statement of Andrew Glaysheer
- PUB 16 Letter from Mike McIlroy, dated 11 January 2012

PUB 17	Statement of Sue Cheshire
PUB 18	Statement of Melanie Mann on behalf of Prince of Wales Hotel
PUB 19	Bundle of photographs submitted by Roger Stroud
PUB 20	Statement of Roger Stroud
PUB 21	English Heritage <i>Seeing History in the View</i> (2011)

Core Document List

1 Adopted Development Plan Documents		
<i>Requested by</i>		<i>Document</i>
Ecotricity LPA SBV	1.1	Regional Planning Guidance for the South West (RPG 10)
Ecotricity LPA SBV	1.2	Saving Direction and Saved Policies of the Gloucestershire Structure Plan - Second Review (November 1999) (Extracts - Chapters 1-5, 13, 14, 19)
Ecotricity LPA SBV	1.3	Saving Direction and Saved Policies of the Stroud Local Plan (November 2005)
2 Planning Policy Statements (PPS), Planning Policy Guidance (PPG), Companion Guides and Circulars		
Ecotricity LPA SBV	2.1	PPS 1: Delivering Sustainable Development (2005)
Ecotricity LPA SBV	2.2	Supplement to PPS 1 on Climate Change (2007)
LPA	2.3	PPS4: Planning for Sustainable Growth (2009)
Ecotricity	2.4	PPS 5: Planning for the Historic Environment (2010)
Ecotricity SBV	2.5	PPS 7: Sustainable Development in Rural Areas (2004)
Ecotricity LPA SBV	2.6	PPS 22: Renewable Energy (2004)
Ecotricity LPA SBV	2.7	Companion Guide to PPS 22: Renewable Energy (2004) (Extract - Technical Annex on non wind matters excluded)
SBV	2.8	PPG24: Planning and Noise
3 Regional Renewable Energy Documents and Documents re Regional Spatial Strategies		
Ecotricity	3.1	Government Office for the South West and SWRA, 2005, 'REvision 2020 - Proposed RSS Supplementary Planning Document - Renewable Energy'
Ecotricity	3.2	Government Office for the South West and SWRA, 2005, 'REvision 2020 - Proposed RSS Strategy - Core Renewable Energy Policies'
Ecotricity	3.3	Government Office for the South West and SWRA, 2005, 'REvision 2020 - Final Report to GOSW and SWRA - Annex 3 and 4'
Ecotricity	3.4	Draft revised Regional Spatial Strategy for the South West incorporating the Secretary of State's Proposed Changes, for Public Consultation (July 2008) (Extracts - Chapters 1-3, 7-10)

Ecotricity	3.5	Regen SW 'The Road to 2020' (September 2008) (including Technical Appendix)
Ecotricity	3.6	South West Climate Change Action Plan 2008-2010
Ecotricity	3.7	Gloucestershire County Council Renewable Energy Study: Phase 2 Resource Assessment produced by ENTEC (February 2011)
Ecotricity	3.8	Regen SW 'Renewable Energy Process Report: SW 2011 Annual Survey'
Ecotricity	3.9	PINS Advice for Inspectors: Regional Strategies - Impact of Cala Homes Litigation (24 March 2011)
Ecotricity	3.10	Letter dated 6 July 2010 from the Secretary of State for Communities and Local Government to all Chief Planning Officers
Ecotricity	3.11	Localism Act, PINS Guidance for Appeal Parties, 7th December 2011
Ecotricity	3.12	DCLG: Statement by Baroness Hanham re Abolition of Regional Strategies (27 July 2012)
Ecotricity	3.13	DECC: RESTATS: Regional Installed Renewable Energy Capacity (produced 3 August 2012)
4 Court of Appeal and High Court Decisions		
Ecotricity	4.1	R (Lee) v Secretary of State for Communities and Local Government & Maldon District Council & RWE Npower Renewables [2011] EWHC 807 (Admin)
Ecotricity	4.2	R (Hulme) v Secretary of State for Communities and Local Government [2010] EWHC 2386 (Admin)
Ecotricity	4.3	Michael William Hulme v Secretary of State for Communities and Local Government & RES Developments Limited [2011] EWCA Civ 638
Ecotricity	4.4	The Queen on the Application of Cala Homes (South) Limited v Secretary of State for Communities and Local Government & Anr [2011] EWCA Civ 639 - Decision of 27 th May 2011
Ecotricity	4.5	1) Derbyshire Dales District Council (2) Peak District National Park - and - (1) Secretary of State for Communities and Local Government (2) Carsington Wind Energy Limited [2009] EWHC 1729 (Admin)
5 Various Wind Farm Appeal Decisions and Section 36 Electricity Act Decisions		
Ecotricity	5.1	Bradwell (APP/X1545/A/06/2023805) (decision letters dated 10 September 2007 and 25 January 2010)
Ecotricity	5.2	Den Brook (APP/Q1153/A/06/2017162)
Ecotricity	5.3	Crook Hill - Coronation Power (APP/P4225/A/08/2065277) Secretary of State Decision Letter and Inspector's Report
Ecotricity	5.4	Yelvertoft (APP/Y2810/A/10/2120332)
Ecotricity	5.5	Sillfield (APP/M0933/A/09/2099304)
Ecotricity	5.7	Knabs Ridge (APP/E2/34/A/04/1161332)
Ecotricity	5.8	Wharrels Hill (APP/G0908/A/01/1075972)
Ecotricity	5.9	Caton Moor (APP/A2335/A/04/1145502)

Ecotricity	5.10	Hellrigg (APP/G0908/A/08/2073524)
Ecotricity	5.11	Scout Moor (11 April 2005)
Ecotricity	5.12	Burnthouse Farm Decision and Inspector's Report (APP/D0515/A/10/2123739 and APP/D0515/A/10/2131194)
Ecotricity	5.13	Carland Cross (APP/D0840/A/09/2103026)
Ecotricity	5.14	Grise (APP/H0928/A/09/2093576 (Decision letter and extracts from Inspector's report)
Ecotricity	5.15	Carsington Pastures (APP/P1045/A/07/2054080)
Ecotricity	5.16	Crimp (First decision APP/C0820/A/07/2047583 and second decision APP/D0840/A/09/2105204)
Ecotricity	5.17	Westnewton (APP/G0908/A/10/2132949)
Ecotricity	5.18	Low Spinney Farm (APP/F2415/A/09/2109745)
Ecotricity	5.19	Enifer Downs/North Dover (APP/X2220/A/08/2071880)
Ecotricity	5.20	Sixpenny Wood (APP/E2001/A/09/2101851)
Ecotricity	5.21	Hempnall (APP/L2630/A/08/2084443)
Ecotricity	5.22	Wadlow Farm (APP/W0530/A/07/2059471)
Ecotricity	5.23	Swinford (APP/F2415/A/09/2096369)
Ecotricity	5.24	Willow Bank Farm (APP/C3105/A/09/2116152)
Ecotricity	5.25	Kirkharle (APP/P2935/A/10/2136112)
Ecotricity	5.26	Fullabrook Down (GDBC/003/00024C) (Extracts)
Ecotricity	5.27	Middlemoor (ELEC/2005/2004 - GDBC/001/00245C) (Extracts)
Ecotricity	5.28	Spaldington (APP/E2001/A/10/213761729)
Ecotricity	5.29	Pauls Moor (APP/X1118/A/08/2083682) and Bickham Moor (APP/Y1138/A/08/2084526)
Ecotricity	5.30	Beech Tree Farm, Goveton (APP/K1128/A/08/2072150)
Ecotricity	5.31	Combined Northumberland Inquiry - Green Rigg (APP/R2928/A/07/2039188), Ray (GDBC/001/00247C, 02 & GDBC/002/00035C-01, 02) and Steadings (GDBC/001/00278C-01, 02, 03, 04, 05; & GDBC/002/0054C) Inspector's Report and Decision Letters (Extracts only)
LPA	5.32	Headstead Bank, Cottam (APP/A3010/A/11/2146094)
Ecotricity	5.33	Withernwick (APP/E2001/A/05/2088796)

Ecotricity	5.34	Cotton Farm (APP/H0520/A/09/2119385)
Ecotricity	5.35	Kelmarsh (APP/Y2810/A/11/2154375)
Ecotricity	5.36	Barnwell Manor (APP/G2815/A/11/2156757)
Ecotricity	5.37	Woolley Hill (APP/H0520/A/11/2158702)
Ecotricity	5.38	Chiplow (APP/V2635/A/11/2154590) and Jack's Lane (APP/V2635/A/11/2158966)
Ecotricity	5.39	Winwick (APP/Y2810/A/11/2156527)
Ecotricity	5.40	Lilbourne (APP/Y2810/A/11/2164759)
Ecotricity	5.41	Chelveston (APP/K0235/A/11/2160077) and (APP/K0235/A/11/2160078)
Ecotricity	5.42	Alaska Wind Farm, Dorset (APP/B1225/A/11/2161905)
6 Planning, Renewable Energy and Climate Change Documents		
Ecotricity	6.1	DTI Energy White Paper "Meeting the Energy Challenge" (2007) (Extracts)
Ecotricity	6.2	DECC: The UK Renewable Energy Strategy (2009)
Ecotricity	6.3	DECC: National Renewable Energy Action Plan for the United Kingdom, July 2010
Ecotricity	6.4	DECC: Annual Energy Statement, July 2010
Ecotricity	6.5	Letter to Lord Turner re 'Increasing the Target for Energy from Renewable Sources' dated 29 July 2010 and Letter to Rt Hon Chris Huhne 'The Level of Renewable Energy Ambition to 2020' dated 9 September 2010
Ecotricity	6.6	The Plan for Growth produced by HM Treasury (March 2011) (Executive Summary) and Letter to Chief Planning Officers re the Plan for Growth dated 31 March 2011)
Ecotricity	6.7	Committee on Climate Change: Renewable Energy Review (May 2011)
Ecotricity	6.8	Government Response to the Consultation on the Draft National Policy Statements for Energy Infrastructure: Extracts from October 2010 Response and Response dated June 2011
Ecotricity	6.9	Department for Communities and Local Government, Statement re Presumption in Favour of Sustainable Development, 15 June 2011
Ecotricity	6.10	Statement to the House of Commons by the Secretary of State for Energy and Climate Change (18 October 2010 and 23 June 2011)
Ecotricity	6.11	DECC: Overarching National Policy Statement for Energy EN-1 (Designated Version, 19 July 2011)
Ecotricity	6.12	DECC: National Policy Statement for Renewable Energy Infrastructure EN-3 (Designated Version, 19 July 2011)
Ecotricity	6.13	DECC: UK Renewable Energy Roadmap (July 2011)
Ecotricity	6.14	DECC: White Paper - Planning our Electric Future - a White Paper for Secure, Affordable and Low Carbon Electricity (July 2011) (Extracts)

Ecotricity LPA SBV	6.15	Draft National Planning Policy Framework (July 2011)
Ecotricity	6.16	Natural England, 'Making Space for Renewable Energy' 2010
Ecotricity	6.17	Natural England, "Sustainable Energy Policy", 2008
Ecotricity	6.18	Natural England, "Position on Wind Energy", March 2009
Ecotricity	6.19	Natural England, "All Landscapes Matter", 2010
Ecotricity	6.20	Natural England "Climate Change Policy", 2008
Ecotricity	6.21	Natural England, 2009, 'Assessing the Environmental Capacity for On-Shore Wind Energy Development' - Consultation Draft'
Ecotricity	6.22	DECC: "Renewable Electricity in Scotland, Wales, Northern Ireland and the regions of England in 2010", Special Feature Renewable Electricity, September 2010
Ecotricity	6.23	DECC: "Consultation on Proposals for the level of banded support under the Renewables Obligation for the period 2013 – 2017 and the Renewables Obligation Order", 20 October 2011 (Extracts)
Ecotricity	6.24	HM Treasury & Infrastructure UK: National Infrastructure Plan, 29 November 2011 (Extracts)
Ecotricity	6.25	The Economic Impacts of Wind Farms on Scottish Tourism, A Report for the Scottish Government, Glasgow Caledonian University, The Moffat Centre and Cogentsi (March 2008) (Extracts)
Ecotricity	6.26	The University of the West of England's (UWE) (2004) Report 'The Potential Impact of Fullbrook Wind Farm Proposal, North Devon: Evidence Gathering of the Impact of Wind Farms on Visitor Numbers and Tourist Experience'
LPA	6.27	Stroud District Council: Core Strategy Topic Paper: Stroud District and Climate Change (2010)
LPA	6.28	Stroud District Council: Renewable Energy - Supplementary Planning Advice
Ecotricity	6.29	Renewables UK: Response to John Muir Trust Report (April 2011)
Ecotricity	6.30	DECC: The UK Low Carbon Transition Plan, (LCTP), White Paper (July 2009) - Executive Summary
Ecotricity	6.31	The Coalition Government: "Our programme for Government" (Extract)
Ecotricity	6.32	European Commission: Directive on the Promotion of the Use of Energy from Renewable Sources 2009/28/EC (2009)
Ecotricity	6.33	DCLG: National Planning Policy Framework (March 2012)
Ecotricity	6.34	The Planning Inspectorate: Advice for Inspectors - National Planning Policy Framework (June 2012)
Ecotricity	6.35	DCLG: "Government Response to the Communities and Local Government Select Committee Report: National Planning Policy Framework" (March 2012)
Ecotricity	6.36	Special Feature – Renewable Energy in 2011 by DECC (June 2012)
7 Landscape and Visual (including public perception) Documents		
Ecotricity	7.1	The Landscape Institute, Institute of Environmental Management and Assessment, 2002, "Guidelines for Landscape and Visual Impact Assessment",

		Second Edition
Ecotricity	7.2	Scottish Natural Heritage "Guidelines on the Environmental Impacts of Windfarms and Small Scale Hydro Electric Schemes" (2001)
Ecotricity	7.3	Scottish Natural Heritage "Siting and Design Windfarms in the Landscape, Version 1" (December 2009)
Ecotricity	7.4	The Countryside Agency "Landscape Character Assessment: Guidance for England and Scotland" (2002)
Ecotricity	7.5	Countryside Agency and Scottish Natural Heritage, "Landscape Character Assessment Series: Topic Paper 6 - Techniques and Criteria for Judging Capacity and Sensitivity" (2003)
Ecotricity	7.6	Scottish Natural Heritage and The Countryside Agency Landscape Character Assessment Series "Topic Paper 9: Climate change and natural forces - the consequences for landscape character" (2003)
Ecotricity	7.7	Visual Assessment of Wind Farms: Best Practice (produced by Scottish Natural Heritage by the University of Newcastle) 2002
Ecotricity	7.8	Visual Representation of Wind Farms - Good Practice Guidance (2006)
Ecotricity	7.9	"Landscape Architecture and the Challenge of Climate Change", Landscape Institute (October 2008)
Ecotricity	7.10	Landscape Institute Advice Note 01-11 Photography
Ecotricity LPA SBV	7.11	Stroud District Council, 'Stroud District Landscape Assessment: Supplementary Planning Guidance' prepared for Stroud District Council by Landscape Design Associates, November 2000
Ecotricity	7.12	Countryside Agency, 1999, Countryside Character - Volume 8: South West (Extracts)
Ecotricity LPA SBV	7.13	Cotswolds AONB Partnership, Cotswolds AONB Landscape Character Assessment (2004) prepared by LDA Design (Extracts)
Ecotricity LPA SBV CPRE	7.14	Cotswolds Conservation Board: The Cotswolds AONB Management Plan 2008 - 2013
Ecotricity LPA SBV	7.15	Cotswolds AONB Partnership: The Cotswolds AONB Landscape Strategy and Guidelines (2004) prepared by LDA Design
LPA	7.16	Cotswolds Conservation Board Position Statement: Renewable Energy Projects (2005)
8 Noise		
Ecotricity	8.1	ETSU-R-97: The assessment and Rating of Noise from Wind Turbines (September 1996).
Ecotricity	8.2	Prediction and assessment of wind turbine noise - agreement about relevant factors for noise assessment from wind energy projects. D Bowdler, AJ Bullmore, RA Davis, MD Hayes, M Jiggins, G Leventhall, AR McKenzie. Institute of Acoustics, Acoustics Bulletin, Vol 34, No 2 March/April 2009
Ecotricity	8.3	Department of Business, Enterprise and Regulatory Reform: "Research into aerodynamic modulation of wind turbine noise", report by the University of Salford (July 2007) (Executive Summary)
Ecotricity	8.4	Government statement regarding the findings of the Salford University report into Aerodynamic Modulation of Wind Turbine Noise, BERR URN 07/1276 July 2007
Ecotricity	8.5	Report on DECC Research Contract 01.08.09.01/492A (Analysis) - Analysis of How Noise Impacts are Considered in the Determination of Wind Farm Planning Applications, Hayes McKenzie, April 2011

Ecotricity	8.6	ISO 9613-2:1996(E) Acoustics- Attenuation of sound during propagation outdoors- Part 2: General method of calculation, International Standards Organisation, Geneva (Extracts)
Ecotricity	8.7	Bass, J.H, Bullmore, A.3, Sloth,E ,Development of a windfarm noise propagation prediction model, May 1998, Contract JOR3-CT95-0051, European Commission , Brussels (Extracts)
Ecotricity	8.8	Effects of the wind profile at night on wind turbine sound, G.P. van den Berg , Journal of Sound and Vibration 277 (2004) 955-970
Ecotricity	8.9	'The Measurement of Low Frequency Noise at Three UK Wind Farms' URN No: 06/1412, Berr, 2006 (Extracts)
Ecotricity	8.10	Bass, J. Investigation of the 'Den Brook' Amplitude Modulation methodology for wind turbine noise, IOA Bulletin November /December 2011
Ecotricity	8.11	Cooper, J, Evans, T. Comparison of predicted and measured wind farm noise levels and implications for assessments of new wind farms, Proc Acoustics 2011, 2-4 November, Gold Coast, Australia
9 Cultural Heritage		
Ecotricity	9.1	'The Setting of Heritage Assets' English Heritage Guidance (October 2011)
Ecotricity	9.2	Practice Guide to PPS 5: Planning for the Historic Environment (2010)
Ecotricity	9.3	English Heritage: "Climate Change and the Historic Environment" (2008)
Ecotricity	9.4	English Heritage: "Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment" (2008)
Ecotricity	9.5	English Heritage: "Wind Energy and the Historic Environment" (2005)
10 Planning Application Documents		
Ecotricity	10.1	Planning application and supporting documents (provided in the Appeal Bundle)
Ecotricity	10.2	Environmental Statement (provided in the Appeal Bundle)
Ecotricity,	10.3	Ecotricity, 2010, 'Environmental Enhancement Plan' (3882 P0099 03_EEP_021210GD-SP) (provided in the Appeal Bundle)
Ecotricity	10.4	Ecotricity, 2010, 'Additional Information relating to landscape and visual matters' (3882 R0375_01_NEResponse_Landscape 011110_GD) (provided in the Appeal Bundle)
Ecotricity	10.5	Report prepared for the meeting of the Council's Development Control Committee of 8 February 2011 and Minutes of the Meeting
Ecotricity	10.6	Report prepared for the meeting of the Council's Development Control Committee of 12 April 2011 and Minutes of the Meeting
Ecotricity	10.7	Decision Notice dated 12 April 2011