



# Banks Developments

Property. Energy. Waste,

Our Ref ME/LRA RE/N/721/PL

30 January 2009

Mr A Hobbs  
Darlington Borough Council  
Chief Executives Department  
Town Hall  
Darlington  
DL1 5QT

Dear Adrian

## **MOOR HOUSE WIND FARM**

I write in connection with our proposal for a wind farm, which we have titled Moor House located at the land to the north of Barmpton. You have recently responded to our request for a scoping opinion and we are currently digesting your feedback and progressing with the project. In the interim period it has come to our attention that Sadberge Parish Council has also been active in promoting their views with regards to wind farm development in the Darlington Borough.

I would like to take this opportunity to respond to the Parish Plan's suggested wind farm planning conditions and policy recommendations. Firstly I would like to say that I believe the thoughts within the report to be coherent and well thought out with a reasonable basis for request, however I would like to give my opinion on some of the content included.

## **SADBERGE PARISH PLAN**

### SUGGESTED WIND FARM PLANNING CONDITIONS

- 2.1 The environmental statement would include a landscape and visual impact assessment which will consider a number of viewpoints, which are agreed with you and the landscape advisor (Ged Lawson) and then an assessment undertaken as to the significant effects on views and properties surrounding the wind farm, this will then be balanced against the benefits of the system and the planning balance. I would also suggest that a separation of 4.No times the height of the turbines to tip to any residential property would be a reasonable figure both parties could agree to.
- 2.2 We are continuing talks with Durham Tees Valley Airport and I think it is sensible to retain aircraft safety as recommended and thus leave issues of radar to a technical assessment which would be borne when an application was submitted.
- 2.3 I also agree that the protection of birds should be considered by a statutory board and the Environmental Statement would include an ornithological study which would

## **DEVELOPMENT WITH CARE**

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consider effect and any necessary mitigation, however I would think that Natural England would be the statutory body as opposed to the RSPB.

- 3.1 There is much debate within the proposed conditions relating to noise and the impact of noise, including a statement that an independent expert should be appointed by the LPA and funded by the developer. The environmental statement would contain a noise assessment for the site and thus ensure the proposals adherence with the appropriate guidelines; in the case of wind farms ETSU-R-97. The report would be undertaken by an experienced and appropriately qualified professional and as such would be impartial with no necessity for any independent expert to be appointed. As a point to note, the purpose of a design evolution within the life of a project; prior to submission, is to ensure that we meet with such guidelines. For instance, the size and number of turbines are often reduced in order to allow acceptable noise levels.
- 3.2 With regards to the mention of an 'audible beating noise' we would be happy to consider suggestions put forward which can unequivocally define the effect which is being referred to, and provide an unequivocal methodology for its assessment which does not contradict ETSU-R-97 or the guidelines established in PPS22.
- 3.3 The design of the turbines is not within our influence and is fashioned to produce maximum energy output, with the appearance a very subjective matter. Regarding noise reduction the turbines are installed in order to limit noise on receptors, thereby reducing noise impact as part of the design of the wind farm.
- 3.4-3.5 In relation to the comments made on the 'stoppage' of wind turbines I would consider that the management of effects is necessary i.e. if a complaint is received regarding shadow flicker or TV interference then it should be investigated and appropriate mitigation measures undertaken prior to any turbine being stopped.
- 3.6 I would agree that construction disturbance should be kept to a minimum and we would provide both a construction method statement and an environmental management plan should we receive planning permission; we also include a draft environmental management plan within our applications but details necessary to produce a construction method statement would not be known until a balance of plant contractor was appointed.
- 3.7 I would agree that should the turbines be out of operation for a prolonged period than an enforceable condition should be in place; however this conditioned should be worded in the sense that the developer should endeavour to solve any operation problems first before decommissioning. It should be noted that it would not be in the developer's interest for turbines to be out of operation, as this would indicate that energy production has ceased.
- 3.8 I would suggest that if a condition is place regarding the decommissioning of non productive turbines as highlighted in point 3.7 then this condition is not necessary, as it seeks the same result.
- 3.9 The point raised relating to the lifespan of the wind farms is valid; consisting of 25 years from full generation, before the end of the consented period a fresh application would be required (any application would incorporate a decommissioning period due

to the permissions temporary nature) in which the need for onshore wind energy would be assessed in light of current planning policy at the time, with a potential for a shift of emphasis from onshore wind energy or wind energy in general. I would however reinforce that at the present time it is expected that a large proportion of the UK's renewable energy supplies will be sourced from onshore wind and this site has been highlighted by both Banks Developments and the North East Regional Assemblies Wind Farm Study as having the potential to make a significant contribution.

## **SADBERGE PARISH PLAN**

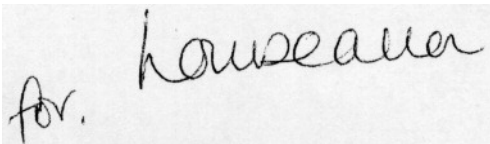
### **SUGGESTED WIND FARM POLICY**

- 2.1 For a guidance on the definition of commercial wind farms I would direct you to planning circular 02/99: Environmental Impact Assessment, which states that EIA development is more likely to be required for commercial development of five or more turbines, or more than 5 MW of new generating capacity. Those developments under this threshold would be considered on their own individual merits but would be outside specific policy relating to 'wind farm' development.
- 2.2-2.3 It is agreed that the shortest distance between a wind farm and a settlement is the shortest distance between any wind turbine and any permitted development in the settlement, whether constructed or otherwise. Likewise the distance between wind farms can also be agreed.
- 3.1 We would rephrase the policy recommendation to state that 'wind farm development in the Tees Plain area within the area of Darlington Borough (referred to in section 2.4) will be preferred within the 'least impact' areas identified in the Wind Farm Development and Landscape Capacity Studies: East Durham Limestone and Tees Plain report subject to an Environmental Impact Assessment'.
- 3.2-3.3 A restriction upon the number of turbines should not be implemented within policy; there should be no restriction upon capacity, as this would be contrary to the intentions of the Regional Spatial Strategy and Planning Policy Statement 22, instead each application should be considered in the light of it's EIA work and considered on its own merits giving suitable respect to any potential cumulative impact.
- 3.4 The standards applied to limiting the impact of noise disturbance and visual dominance would ensure that wind turbines are located in suitable proximity to habitable dwellings so as not to cause an unacceptable impact.
- 3.5-3.6 Considering the relatively constrained nature of wind farm development in England to place statutory separation distances between wind farms or to neighbouring settlements would be unreasonable as level of impact would be considered within any application and decision should be placed on the scheme planning merits. In addition depending if the definition of wind farms previously recommended were implemented the use of this condition would prohibit the ability for a large number of people to take advantage of micro renewable generation.

4.2-4.4 It should be noted that targets for renewable energy generation should be considered a minimum and if we consider the commitments made as part of the climate change act and the formation of the renewable energy strategy we are only likely to see these targets raise. Therefore whilst we would agree that the areas of least impact should be promoted for wind energy generation first, development should not be constrained to only these locations and to a limited number of turbines.

I hope the details I have included within this response will be considered within your thoughts, should you have any questions regarding these matters or would like to discuss further please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink on a light-colored background. The signature consists of the word "for." followed by a cursive name that appears to be "Earle".

Martyn Earle Development Planner

Cc

Mr Alistair Mackenzie, Clerk to Sadberge Parish Council