EAST RIDING
OF YORKSHIRE COUNCIL

County Hall Beverley East Riding of Yorkshire HU17 9BA Telephone 01482 887700
www.eastriding.gov.uk
Susan Lockwood Solicitor Director of Corporate Resources

Your Ref:	
Our Ref:	Agenda/DH/MG
Enquiries to:	Diane Hindhaugh
E-Mail:	diane.hindhaugh@eastriding.gov.uk
Tel: Direct:	(01482) 393202
Fax. Number:	(01482) 393269
Date:	10 September 2008

Dear Councillor

I hereby give you notice that a meeting of the PLANNING COMMITTEE will be held at COUNTY HALL, CROSS STREET, BEVERLEY on THURSDAY, 18 SEPTEMBER 2008 at 2.00 PM.

The business to be transacted is as set out below.

Yours sincerely

Diane V Hindhaugh

for Sue Lockwood
Director of Corporate Resources

Enc

AGENDA

1 Declarations of Personal or Prejudicial Interest and Declarations under Section 4 of the Code of Practice for dealing with Planning Applications - Members to declare any interests in items on the agenda and the nature of such interest.

2 To approve as a correct record the minutes of the meeting of the Planning Committee held on 28 August 2008 (pages 1 - 6).

3 To receive the minutes of the under-mentioned Sub-Committees:-

(a) Eastern Area Planning of 1 September 2008 (pages 7 - 9), and

(b) Western Area Planning of 2 September 2008 (pages 10 - 14).

4. Land North and North East of Homer House, Aldbrough Road, Withernwick (pages 15 - 45).

Agenda Item No. **4**

EAST RIDING OF YORKSHIRE COUNCIL

Report to: Planning Committee
18 September 2008

WARDS: Mid Holderness

Erection of 9 No. wind turbines, substation and construction of vehicular access and ancillary works (Re-submission of Ref: 07/02271/STPLFE)
at, Land South North And North East Homer House Aldbrough Road Withernwick East Riding Of Yorkshire
By, Energiekontor UK Ltd
Application reference 08/01964/STPLFE

Report of the Director of Planning and Economic Regeneration

A. Executive Summary

Application reference **08/01964/STPLFE** is referred to the Committee for decision.

B. Corporate Priorities

- Valuing our environment
- Local problem solving
- Revitalising our communities
- Retaining the East Riding Character

C. Application Type

Strategic - Strategic - Full Planning with EIA

D. Parish

Withernwick Parish Council

E. Applicant

Energiekontor UK Ltd

F. Target Date

3rd October 2008

G. Environmental Impact Assessment

Before this application was submitted it was considered within the context of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 with a view to determining whether an Environmental Impact Assessment was required. Taking into account the requirements of the Regulations and the guidance contained in

Circular 02/99 it was determined that an Environmental Impact Assessment was required in this case.

H. Recommendation

That the application be REFUSED for the reasons set out in section 12.

1.0 INTRODUCTION

1.1 The application site (15.3ha) includes land totalling 1.79ha required for permanent infrastructure. The site is low lying and gently undulating arable farmland. The village of Withernwick is approximately 1km too the west. The application site is just over one kilometre west of the boundary of the Cowden military firing range, which is in the process of being decommissioned. The application is for 9 turbines, (maximum height 111 metres and associated infrastructure.

1.2 A similar application was made last year ref: 07/02271/STPLFE for 9 turbines. The application was due to be determined at the 18 October 2007 Planning Committee however on 16 October 2007 the application was withdrawn. No reason was given as to why the application was withdrawn.

1.3 Access to the site is from Cowden Lane which forms the northern edge of the application site. The B1242, the main coast road between Aldbrough and Hornsea runs approximately 2km to the east of the nearest turbine. The coast is a further 1.5km to the east.

1.4 The adjacent Whitehill Gas Storage Facility was approved at the 18 October 2007 Planning Committee subject to a Section 106 Agreement, negotiations are on-going.

1.5 The difference between the original application and the current application is as follows:

- The height of the turbines has been reduced by 10 metres from 121 metres to 111 metres.
- The layout of access tracks, hard standings and temporary areas has been altered to:

  a) Accommodate the haul road to the Whitehill gas storage facility.
  b) Access tracks have been reduced from 5 metres wide to 4.5 metres wide. Crane hard standing areas, track junctions, temporary storage area and site compound have also been reduced. The land required for permanent wind farm infrastructure has been reduced from 3.44ha to 1.79ha.
  c) Additional ecological enhancement has been proposed to provide screening from Withernwick.

1.6 **The proposal consists of**

- Nine wind turbines with hub heights of approximately 70 metres and a rotor with a maximum radius of 41 metres, giving a maximum height to the top of the blade of 111 metres. The turbines are located adjacent to a series of access tracks. The separation distance between the turbines is generally at least 250 metres.
- The expected development site rated capacity is 18 to 22.5 Mw based on a turbine size of 2 to 2.5 Mw.
- The turbines will be mounted on reinforced concrete bases approximately 12 – 18 metres across and approximately 3 metres deep.

- Approximately 2400 metres of new access tracks (4.5 metres wide). Including use of temporary access road to the adjacent Whitehill gas storage facility.
- Adjacent to each turbine would be a hard standing.
- A sub-station compound north-west of turbine 7. The compound (65 metres x 40 metres) would house electrical components (design pending) and a sub-station 15 metres x 10 metres by 5.8 metres high.
- An on site electrical collection system consisting of underground cables.
- A temporary site compound and temporary storage area north of turbine 1 towards the site entrance on Cowden Lane.

1.7 A permanent connection to the local electricity distribution network is required. This does not form part of the application. A scheme will be submitted to Yorkshire Electricity Distribution Ltd (YEDL) who is consenting body of this work. It is anticipated that the grid connection will be a direct connection to the 66kv line that crosses the western end of the site.

1.8 The expected operational life of the wind farm is in excess of 20 years (with a design life of 25 years). It is envisaged that the wind farm would them be decommissioned and the site reinstated with all the above ground structures removed. The concrete foundations would be removed to a depth of one metre below ground level.

1.9 The application site and the surrounding area is predominantly arable farmland. The nearest properties are Homer House (526 m) to the west, School House, at the edge of Withernwick (984m), Glebe Farm, Cowden Lane (899m) to the north-west, Cowden Maghan, Cowden Lane on Aldbrough Road. The land to the south is farmland. The distances given are to the nearest turbine. Withernwick is approximately 1km to the west; Great Hatfield is approximately 3km to the northwest, Mappleton approximately 3km to the northeast, Aldbrough approximately 3km to the southeast. There are no nationally important natural conservation designations on site. Lambwath Meadows SSSI is south of Aldbrough Road.

1.10 It is proposed that main turbine equipment will arrive at the port of Hull. Abnormal loads would travel via the A165, B1244 via Hornsea then south on the B1242 then onto Cowden Lane. For construction traffic 3 routes are suggested, it depends where the concrete is supplied from but locally the routes would all use the B1242 either via Hornsea from the north or Aldbrough from the south.

1.11 An Environmental Statement (April 2007) was submitted, (which formed the original application). In addition an Environmental Statement and Supplementary Information Addendum, Re-submission April 2008 has been submitted. This highlights the material differences between the two applications and updated a number of topics, including figures and visualisations, design and access statement, flood risk assessment, transport assessment and comparative landscape assessment. The Environmental Statement and the Supplementary Information Addendum is covered in Section 9.

2. 0 PLANS AND ILLUSTRATIONS

Appendix 1 – General Location Plan
Appendix 2 – Site Plan (Fig. 2)
Appendix 3 – Typical Wind Turbine Detail (Fig. 5)
Appendix 4 – Typical Sub-Station Building (Fig. 4)
Appendix 5 – Wind Farm and EON Gas Storage Scheme (4.11)
Appendix 6 –Comparative Wireframes, Aldbrough Road, near Withernwick

Appendix 7 – Comparative Wireframes, from northern edge of Withernwick
Appendix 8 – Comparative Wireframes, from B1242 at Great Cowden
Appendix 9 – Comparative Wireframes, from B1242 at Aldbrough
Appendix 10 – Wind Farm proposals in the area

3.0 KEY PLANNING POLICIES

The Development Plan for the area comprises of the Regional Spatial Strategy, Joint Structure Plan, and the Holderness District Wide Local Plan.

3.1 Regional Spatial Strategy too 2026

YH2 Climate Change and Resource Use

ENV5 Energy

ENV10 Landscape

C1 Coast sub area policy

3.2 Joint Structure Plan for Kingston upon Hull and the East Riding of Yorkshire

ENV6 The setting, character or appearance of strategically important buildings, features and historic/architectural areas should be protected and where possible enhanced.

SP1 Character and distinctiveness of settlements and their setting (including important features) to be protected and enhanced.

SP4 Distinctive character of Yorkshire Wolds, Jurassic Hills, Vale of York, Holderness, Humber Estuary and Ouse/Trent levels Landscape Character Areas to be protected. LDFs to provide landscape guidelines paying attention to unique landscapes of Goole/Crowle Lowlands, Lower Derwent Valley, Spurn and Flamborough Head.

3.3 Holderness District Wide Local Plan

G3 Sustainable Environmental Protection.

G5 Sustainable Landscape Protection.

U16 Renewable Energy

U17 Details for Wind Turbines

U18 Wind Turbines – Cumulative Effects

U19 Wind Turbines – Benefits

U20 Wind Turbines – Removal

3.4 National Planning Policy

PPS1 Delivering Sustainable Development – January 2005

PPS7 Sustainable Development in Rural Areas – August 2004

PPG15 Planning and the Historic Environment – September 1994

PPS22 Renewable Energy – August 2004

PPG24 Planning and Noise – September 1994

PPS25 Development and Flood Risk

4.0 RELEVANT PLANNING HISTORY

07/02271/STPLFE Nine wind turbines and related infrastructure. Withdrawn October 2007.

5.0 CONSULTATION REPLIES

Withernwick Parish Council — Objection

- **Visual Impact** – due to the scale of the proposal in both sizes of individual turbines (111m) and number of turbines proposed (up to 9) combined with the close proximity of the site within 800m of the village, will result in an unacceptable and over bearing visual impact upon the residents of the village. As the site lies to the east of the main body of the village we are also concerned at the potential for shadow flicker caused by the rising sun shining through the blades of the turbine.
- Cumulative effects on wider area of multiple wind farm applications. The total generating capacity of the existing and proposed site within the East Riding exceeds 210 MW, which far exceeds the government target for this area of 40.5 MW of renewable generation up to 2010. We believe that due to the geography of the area, the cumulative visual impact on this are with its flat landscape, large skies with little screening will be unacceptable.
- **Noise Nuisance** – The Withernwick area is generally very quiet with low levels of background noise. This due to the absence of significant industry or other sources of noise such as major roads and railways. The only exception to this is in August and September with slightly raised levels of noise generated by farming activities. We are concerned that the scale of the proposal combined with its proximity to a large village will cause unacceptable levels of noise nuisance to a significant number of people.
- Cumulative Impact of Wind Farm adjacent to proposed EON Site for gas storage caverns and processing plant. The management of construction traffic and noise nuisance will be made very difficult by the two significant developments occurring simultaneously.

- **Effect on Wildlife** – The proposed site is within 300 metres of land designated as SSS1 and owned by Yorkshire Wildlife Trust. This area is heavily populated by owls and other birds that may be endangered b y the proposal. In addition flights of geese regularly cross the area to access the Humber from Hornsea Mere.
- **Effects on Horses** – We are concerned that the turbines will cause distress to horses and prevent the use of the immediate area for equestrian purposes. This area is heavily used for equestrian activities including the Holderness Hunt.
- **Transport of Turbine Components** – We are aware that components for the turbine exceed 42.0m in length and are of the opinion that there is no suitable route to allow safe transportation to the site.
- **T.V and Radio Interference** – We are concerned that the proposal may interfere with radio and T.V reception. In addition several businesses utilize wireless local area networks which would be adversely affected.
- **Settings of Listed Buildings** – The turbines would have an overpowering affect on the settings of St. Albans Church and Withernwick Hall. Would impact on Burton Constable Hall and its historic park.
- **Withernwick Cemetery** – The cemetery would be overpowered by the turbines. A cemetery should be a place of peace and tranquillity.
- **Emissions** – Of the most serious hazards that could occur is the added dispersal of emissions from the EON gas processing plant i.e. gas venting stack. A phenomenon known as "downwash" takes place with any emissions as it reaches a built up area. Quoted predicted emissions only currently available.
- **Conclusion** – Site appears to have been selected by availability rather than being the most suitable location within the local area.

Burton Pidsea Parish Council

No comment, beyond the boundary of this Parish.

Aldbrough Parish Council

Objection

- Too close to Withernwick, noise would affect the quality of life of inhabitants. Area oversubscribed with industrialisation, too close to Whitehill Gas Storage site.
- Danger zone for low flying military aircraft.
- Danger to wildlife, birds, bats and geese.
- Local opinion very opposed to the scheme.
- Any proposed wind turbines would be better sited offshore.

Hatfield Parish Council

Objection

Considered that along with EON the proposal for a second large and visible dominating proposal is totally unsuitable on this site.

It is too close to Withernwick. Noise will have an effect on the surrounding area and nearby residents.

It is very close to an SSSI and the largest fresh water lake in Yorkshire.

The Parish Council is aware of two recent judgements against a turbine development and payment of compensation to nearby residents.

It is proven that the construction of turbines creates emissions during their construction then is saved during the life of the turbine.

Vehicular access is considered to be poor to the side would put an acceptable burden on the local road network.

Would be unacceptably visually dominant over a wide area.

Farmers and others are looking to bring back life to the area. This proposal would be extremely detrimental to those aspirations.

Humbleton Parish Council	No objection Recommends that the application should be approved.
Ellerby Parish Council	Objection Turbines are located too close to Withernwick. Turbines are very large and will be visually prominent.
Sproatley Parish Council	Objection Suports Withernwick Parish Council in their objections. Concerned about the number of HGV's coming through Sproately, already have enough due to Gas Caverns at Aldbrough and the new gas pipelines.
Elstronwick Parish Council	No Observations.
Defence Estates (Ministry of Defence)	Objection Is in line of sight with the Air Defence radar at Staxton Wold, and will have a detrimental, unmanageable effect to the radar system. A development of this size would cause a degree of interference to the radar resulting in a significant amount of surveillance coverage being lost.
NERL Safeguarding (NATS)	Objection The turbines are likely to cause false primary plots to be generated from the Primary Radar Service at Claxby.

Humberside Airport	No objection Does not conflict with Humberside Airport safeguarding criteria.
Leeds/Bradford International Airport	No objection Unlikely to conflict with our aviation interests.
Civil Aviation Authority	No objection Recommends consulting Humberside Airport. There may be need to install aviation obstruction lighting particularly if requested by the Ministry of Defence or a local aerodrome. Anticipated amendment to international aviation regulatory documentation will require rotor blades, nacelle and upper 2/3 of turbine tower to be painted white. The proliferation of wind turbines in any particular area might potentially result in difficulties for aviation. There is a requirement in the UK for all structures over 300 feet to be plotted on civil aviation maps. The military use is a lesser threshold, details should be provided to the Defence Geographic Centre. The Environmental Statement does not address or acknowledge the issues above.
Environment Agency	No objection The Biodiversity Technical Team considers the Environment Statement to be very thorough and deals adequately with protected species. Proposed planting mitigation is adequate. Water Vole mitigation may be necessary. The proposed post construction monitoring seems suitable to ensure there are no negligible effects from the proposed development.
Natural England	No objection Either alone or in combination with other plans or projects, it would not be likely to have a significant effect on the interest features of Hornsea Mere Special Protection Area (SPA)/Ramsar Site or the Humber Estuary SPA, possible Special Area of Conservation (pSAC) and Ramsar Site or any of the features of special scientific interest of Hornsea Mere or the Humber Estuary Sites of Special Scientific Interest (SSSIs). Natural England has no objection in respect of legally protected species. All mitigation proposed in the RSPB Mitigation Plan should be implemented via relevant planning conditions or agreements.

	Mitigation for reptiles and amphibians and badgers should be covered by planning conditions.
Yorkshire Water	No objection Site is not located within a Source Protection Zone.
Yorkshire Forward	No objection Wish to highlight the importance of undertaking an in-depth community consultation.
Yorkshire and Humber Assembly	No objection This development is supported in principle by the Assembly as helping to implement the updated Regional Spatial Strategy. Local landscape assessments will have to be taken into account.
Highways Agency	No objection The development is remote enough to the Strategic Road Network (A63/A1033) so as not to cause any negative impact. Would want to ensure that all associated construction traffic is safe.
Beverley and North Holderness Drainage Board	No objection Outside the Drainage Board district.
Yorkshire Electricity Distribution (YEDL)	No objection Should be consulted on works.
The Joint Radio Company Limited (on behalf of the UK Fuel and Power Industry)	No objection
Ofcom	No fixed links should be affected.
Humber Archaeology Partnership	No objection Site lies within a classic wetland archaeological landscape. There is a possibility of un-recorded archaeology on the site. Recommend condition to cover evaluation and mitigation.
English Heritage	No objection Do not wish to comment in detail. Should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Conservation Officer	No objections. The site is relatively remote in relation to built above ground assets. Greatest concern is in relation to the import on the Great Hatfield Conservation Area, however, many view will be screened by trees and lodges, because of the size of the turbines mitigation should be implemented where possible
Public Protection	No objection Have some concerns about wind turbines in such a low noise environment, with this in mind recommends conditions to cover the construction phase and the operational phase.
Countryside Access Officer (PROW)	No objection No Public Rights of Way are affected.
Highway Control	No objection The revised application does not affect highway matters to any significant degree. Recommends conditions.
Coastal Engineer	No objection The development site is well outside the area that would be at risk from coastal erosion.
CSS Spectrum Management Services Ltd (representing Yorkshire Water)	No objection Does not interfere with UHF radio Scanning Telemetry communications.
Yorkshire Wildlife Trust	No objection Overall the application seems very thorough and the ecological issues have been well dealt with. The Trust does however have concerns that the sheer quantity of wind farms proposed for East Yorkshire may have a cumulative effect, particularly on some bird and bat species which may be adversely affected by such development. Detailed comments on the Environment Statement.
CPRE (Campaign to Protect Rural England East Riding of Yorkshire Branch)	Objection Unacceptable and dominating visual impact on Withernwick and surrounding villages. Cumulative effects on the wider area of multiple wind farm applications. The area has a flat landscape, large skies with little screening. Site is within 300m of Lambwath Meadows SSSI, fears that alkaline run off from the turbine foundations will disrupt the ecology of the SSSI. Concerns about noise, the area is generally very quiet, with low levels

of background noise. Concerns about low flying military aircraft. Would be interference with aircraft radars/reception.

Withernwick cannot withstand both the EON gas cavern application and the wind farm application. The area would become industrialised and the local roads would be inadequate for all the sites traffic.

The scale of development would have an overpowering effect on the settings of St Albans Church and Withernwick Hall.

The development would conflict with the Regional Spatial Strategy as Holderness is not identified as an area for industry.

6.0 PUBLICITY

6.1 The application was advertised by site notices and a press notice in the Hull Daily Mail. The overall expiry date for reply was 30 July 2008.

6.2 At the time of preparing this report 52 letters of objection had been received and one letter of support. The majority are letters of objection from Withernwick village.

Local Area
(Withernwick, Mappleton, Aldbrough, Burton Constable, Ellerby, Rise, Hatfield)

	OBJECTION	SUPPORT
	47	1

Wider Local Area
(Including Hornsea and Withernsea)

	OBJECTION	SUPPORT
	2	-

East Riding of Yorkshire and Hull

	OBJECTION	SUPPORT
	3	-
Total	52	1

6.3 **The objections are summarised below**

- Visual impact on the landscape and on Withernwick.
- Noise (both mechanical and aerodynamic) from the wind farm would be intrusive.
- Shadow flicker would impact on certain properties, also concerns about impacts on horses and drivers of vehicles.
- Reflected light from the blades could cause disturbance.
- Electromagnetic disturbances are possible to both television reception and wireless broadband.
- Site lies close to flight path of low flying military aircraft, could interfere with aircraft's radar.
- Could impact on nature conservation. Run off from turbine foundations could impact on Lambwath Meadows (SSSI).

- The size of the turbines will impact on Listed Buildings, in particular St Alban's Church and Withernwick Hall.
- Development is contrary to Local Plan policies.
- Adverse cumulative impacts of both gas caverns and wind turbines. Also safety considerations (fire and explosion) would be increased – potential hazard.
- Turbines need to be located further away from Withernwick, should be located near to industry.
- There will be a cumulative noise issue.
- The temporary access road for EON passes through the wind farm site, which would appear to create a conflict of interest.
- One major energy project is sufficient in this area; other more suitable areas should share the burden of wind farms.
- In some atmospheric conditions vented gas from the EON site could gather over the wind farm site. An electrical discharge from the turbines, or generating facility could cause an explosion with serious consequences.
- Because of the unique local geology the EON Gas Storage facility needs to be located where it is, and is of national importance. The wind farm could be located anywhere.
- The Whitehill Farm proposal because of its relatively low height can be effectively screened by landscaping. This is not an option available to the wind farm proposal.
- Danger of wind turbines falling over, catching fire, blades twisting and falling off.
- Not against renewable energy, however this is not a suitable location.
- Have similar objections as to the proposed wind farm at Routh, impacts on the visual vista and objection from the Ministry of Defence.
- The area would be ruined if all the industrial proposals in the area go ahead wind turbines, gas storage facilities and possible straw burning power station at Tansterne.
- Great concerns about impacts on local wildlife, owls, birds, bats and on migrating birds.
- Concerns about impact on horses.
- The proposed off-shore wind farms are an ideal location and would receive little opposition.
- Believes the turbines would encourage visitors to the area, to the detriment of the local road network.
- Concerns about property prices.
- Would impact on the village cemetery.
- Concerns about construction traffic.
- Will impact on our holiday cottage letting business.
- Concerns about health issues.

6.4 **Support (from a resident of Withernwick)**

One letter of support has been received which is summarised below:

- In favour of wind turbines if it means cheaper fuel.

7.0 CASE ON BEHALF OF THE APPLICANT

- The UK Government recognises that dependence upon Fossil finds need to be reduced. This is reflected in national energy and planning policy. The Government recognises the need to increase the exploitation of renewable energy resources including wind energy.

- The earth's climate is changing including rising temperatures and increase in greenhouse gases due to human activity. The Stern Review (Autumn 2006) examined the potential

implications of climate change on the global economy and the costs and benefits of actions to reduce the emission of greenhouse gases that cause it. The review's evidence showed that ignoring climate change would eventually damage economic growth.

- "The Energy Review" (2006 DTI) sets out the finding of the review of the UK national energy policy which identified two long term energy challenges.

    a) Tackling climate change
    b) Delivering secure clean energy at affordable prices

The wind farm will contribute towards the regional and sub-regional renewable energy targets.

- The application accords with the Regional Spatial Strategy, Joint Structure Plan, Local Plan and other planning documents.

- The wind farm will have a positive effect on tourism.

A Community Trust Fund is proposed which would be used for the benefit of local projects.

- A Supplement to PPS1 – Planning and Climate Change was published in December 2007 provides national planning policy on the pivotal role of planning in facing the challenges of climate change. Addressing climate change is therefore the Government's principle concern for sustainable development.

- It is anticipated that a new radar (the T102) will be sited at Staxton Wold within the life time of the wind farm. It would therefore be appropriate to deal with this matter with the imposition of a planning condition. Willing to reach a solution with both the Ministry of Defence and NATS.

8.0 KEY ISSUES

Policy Context
Visual Impact (Cumulative Industrialisation)
Residential Amenity – Noise and Shadow Flicker
Radar and Communications
Impact on Wildlife
Highway Issues
Listed Buildings and Archaeology

9.0 OFFICER COMMENTS

Applications are to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

9.1 **Policy Context**

9.1.1 The Planning policy context under which renewable energy proposals should be considered is sit at national level by Planning Policy Statement 22 (August 2004). PPS22 sets out the Government's Sustainable Development Strategy including reduction of greenhouse gases, prudent use of natural resources and an ever-diminishing reliance of fossil fuel. In rural areas, it is recognised that renewable energy projects have the potential to play an increasingly

important role in the diversification of rural economics. PPS22 states that wider environmental and economic benefits of renewable schemes are material considerations, whereas assumptions regarding technical and commercial feasibility should not be made. Small and large scale developments are promoted, with large and small outputs acknowledge as valuable contributions

9.1.2 An associated report "Planning for Renewable Energy – A Companion Guide to PPS22" was published in December 2004. The Companion guide provides information to support PPS22, and of particular relevant is technical Annexe 8 on wind energy. The Annexe provides guidance on planning issues and relevant criteria that should be applied to proposals.

9.1.3 The 2006 Energy Review carried out by the DTI on the progress towards achieving the goals set out by the Energy White Paper 2003 states:

> "Renewable Energy, as a source of low-carbon, indigenous electricity generation is central to reducing emissions and maintaining the reliability of our energy supplies at a time when our indigenous fossil fuels are declining more rapidly than expected."
>
> "New renewable projects may not always appear to convey any particular local benefit, but they provide crucial national benefits."

9.1.4 The Development Plan comprises the Regional Spatial Strategy for Yorkshire and the Humber to 2026, the Joint Structure Plan for Kingston upon Hull and the East Riding and the Holderness District Wide Local Plan.

9.1.5 In July 2002 the Government Office for Yorkshire and the Humber (GOYH) commissioned a study to assess the region's capacity to generate electricity from renewable resources and to set regional and sub-regional onshore targets. The regional target set was 674MW by 2010 (1,850MW by 2021). This target was adopted in the Regional Spatial Strategy for Yorkshire and the Humber in 2004. In the Yorkshire and Humber Plan (Regional Spatial Strategy to 2026) published May 2008 the figure for 2010 is 124 Mw for the Humber Sub-Region (East Riding, Hull, North Lincolnshire, NE Lincolnshire) with an East Riding target of 41 Mw.. The targets should not be regarded as a ceiling. The Government expectation is that these targets will be achieved and where possible exceeded to continue progress towards the 2021 target.

9.1.6 The Regional Spatial Strategy (Policy YH2) encourages and supports the better use of energy and resources and increasing renewable energy capacity to reduce greenhouse gas emissions in the region in 2016 by 20-25% (compared to 1990 levels).

9.1.7 The Holderness District Wide Local Plan (Policy U19) also seeks to support renewable energy projects provided a number of issues are addressed, including the need for the development, impacts on nature conservation, archaeological and listed building interest, intrusion of the intrinsic visual qualities of the area, the effect due to noise, shadow flicker and electromagnetic disturbance.

9.1.8 At the cabinet on 2nd September 2008 a report was received "Draft Interim Planning Document on Renewable Energy". It was agreed that the draft document will be published for widespread consultation with interested parties and the public. A report would then be prepared outlining the various responses received, which would then be considered by cabinet before any document is finally adopted. It is expected that the results of the consultation will be reported back to back to cabinet in December 2008

9.1.9 More recently at a national level HM Government have produced a consultation document "UK Renewable Energy Strategy" June 2008. This sets out a range of possible measures to deliver the UK share of the EU target. Set out below is an extract from the Executive Summary.

> "We face two key energy policy challenges: to tackle climate change and ensure security of energy supply. To meet these challenges, we are already acting to develop a diverse low-carbon energy mix including renewables, nuclear power and carbon capture and storage, and to promote energy efficiency and demand reduction.
>
> Renewable sources of energy are a vital part of this strategy. They provide low carbon energy, increase the diversity of our energy mix, and bring key business and employment opportunities. We therefore agreed with our EU partners last year to a binding target that 20% of the EU's energy consumption must come from renewable sources by 2020. The European Commission has proposed that the UK's contribution to this should be to increase the share of renewables in our energy mix from around 1.5% in 2006 to 15% by 2020. This would be a very challenging target. It will be important to meet it in the most cost-effective way possible".

9.2 **Visual Impact**

9.2.1 The Regional Spatial Strategy and Joint Structure Plan polices generally require Local Planning Authorities to identify protect and enhance natural features and local distinctiveness in landscape character. In ensuring development is appropriate to the designations the Holderness District Wide Local Plan Policy G5 conforms to these Regional and Structure Plan Polices by stating that development should be of an appropriate high standard and not adversely affect the special character of the area. This is the main policy against which the appearance of this proposal should be judged.

9.2.2 Within the East Riding there are a variety of landscape characters and the sensitivity for accommodating wind farms will vary in each Area. The East Riding Landscape Character Assessment is referred to below and offers a guide to this. To date the distribution of wind farm applications reflects a view that the eastern and south western parts of the County may be more suitable for wind turbines than the Yorkshire Wolds Area of High Landscape Value for instance. In addition the cumulative impact of wind farms in relatively close proximity will be an important visual amenity issue in areas which it might otherwise be agreed that some wind farms can be accommodated. However, each application remains to be determined on its merits.

9.2.3 The application site consists of low lying gently undulating arable farmland approximately 1km east of Withernwick. The site lies between Cowden Lane to the north and Aldbrough Road to the south.

9.2.4 The area has little woodland or tree cover and has an irregular field pattern. The settlement pattern consists of villages and hamlets and isolated farmsteads and private houses. Because of the general open nature of the landscape with little tree or hedgerow cover the turbines will be visible over a wide area.

Visual Impact on the Local Area

9.2.5 Photomontages have been submitted by the applicants in relation to a number of viewpoints. "Cumulative Landscape and Visual Assessment" has also been produced showing a series of photomontages from the same viewpoints. The viewpoints selected are generally at the edge of settlements or similar areas such as roads or footpaths.

9.2.6 The nearest turbine locations are approximately 526m to the east of Homer House and 984m east of School House at the edge of Withernwick, 899m to the south of Glebe Farm, and 757m to the west of Cowden Magna, Withernwick is approximately 1km to the west, with the centre of the village approximately 1.4km to the west.

9.2.7 The turbines will be visually prominent from a number of locations in the locality a 5km radius from the site covers Aldbrough, Burton Constable Hall, Mappleton, and a section of coastline. Hornsea is to the North West over 5km. Some objections relate not only to the detrimental impact on the landscape, but also the impact on Listed Buildings.

Visual Impact on a Wider Area

9.2.8 The applicants have submitted a number of photomontages from a greater distance (between 5km – 10km) which include Burton Pidsea, Skirlaugh and Hornsea. In the Cumulative Visualisations produced some of these views have been selected to show the cumulative impact if the other wind farms in the south were given consent in addition to the operational wind farm located at Out Newton which is approximately 26km to the south east down the coast towards Spurn Point.

9.2.9 Clearly the turbines would be visible over a large area. The character of the local landscape would be changed. The wind farm at Lissett is approximately 18km away and is regarded as sufficiently far away to be acceptable. What is more of a concern is the impact on the local area in particular because the application site is next to the EON gas storage application. Cumulatively when considered together, this would result in industrialisation of a rural area. The size and number of turbines make this proposal unacceptable. To assist in assessing the cumulative visual impact of the wind farm and the Gas Storage Project a Supplementary Cumulative Visualisations has been produced from 3 locations (Withernwick, Withernwick Road and the B1242) which shows that the Gas Storage Project will have a relatively limited visual impact (the tallest element is a gas vent approximately 24m) whereas the wind turbines because of their size (111m to top of blade) will have a significant visual impact.

9.2.10 It should be noted that the Supplementary Visualisations show the turbines at 121m to top of blade (the height of the original application).

Impact on Landscape Character

9.2.11 Much of the opposition to the proposal relates to the size of turbines and the adverse impact on the landscape and surrounding area. The Council's Landscape Character Assessment recognises that vertical structures have the potential to detract from the character of the area. The Landscape Character Assessment characterises the area as Central Holderness Open Farmland. The sensitivity of this landscape type is described as:

"Sensitivity and Capacity"

Wind turbines in this area may impact on views and will add uncharacteristic vertical elements. However, the quality of the landscape is assessed to be ordinary to good overall and this

character type has medium sensitivity to development of wind farms generally. Detailed assessment to confirm this would be required for individual proposals. The area would be sensitive to the cumulative impacts of wind farm development and the scale of development should reflect the scale of the landscape and landscape pattern. There are several landmark buildings in the landscape type and views of these are sensitive to development that would interrupt those important views.

Visual Appearance Conclusion

9.2.12 The application site is in open countryside. Policy SP4 of the structure plan seeks to protect the distinctive character of a number of Regional Landscape Character Areas, including Holderness. Because of the size, number and location of turbines it is considered that the proposal conflicts with these policies and would introduce an unacceptable industrial type development both in terms of the large vertical elements and number of turbines. It is likely that the landscape character of the area would be changed to an unacceptable degree. Because of the size of the turbines and topography of the area there appears little scope to mitigate by way of screening landscaping.

By comparison the adjacent Gas Storage Project has a larger development footprint, but because of the relatively low height of the equipment seems acceptable in visual terms. The impact will be further reduced by proposed landscaping.

9.2.13 It is acknowledged that compared with the original application the height of the turbines have been reduced by 10m from 121m to 111m. This is a concession and would slightly reduce the visual impact. However, the turbines at 111m to top of blade are very tall structures and would consequently cause substantial and unacceptable visual impacts over Withernwick and the wider area.

9.3 **Residential Amenity**

9.3.1 Noise – This is a widely held concern of local residents both during construction and once the turbines are operating. The application was accompanied by results from noise monitoring locations and further results were obtained. Background day and night time noise levels were recorded and compared with predicted operational noise levels and predicted construction phase noise levels. Noise levels both during construction and operation are regarded as being acceptable, having been considered against BS 5228 : Guidelines and Environmental Technical Support Unit R-97 standards (noise guidelines referred to for wind energy proposals in PPS22) and being within appropriate criterion.

9.3.2 Noise levels during the construction phase would increase over the current background levels and inevitably during certain construction activities (for example piling) there will be some disturbance over limited periods. The developers have indicated a number of mitigation measures to reduce the impacts of noise during construction, including limiting operational hours, working in accordance with BS 5228 good practice, and implementation of a site management regime to control vehicle and machinery movements. Public Protection Officers have also provided advice on noise levels that should not be exceeded to protect residential amenity. Disturbance could be sufficiently limited during the construction phase to minimise loss of amenity.

9.3.3 Operational noise levels may exceed the background night time noise levels at certain wind speeds, however residential amenity would only be lost if the operational noise could be heard

inside a dwelling. The advice from Public Protection Officers is that the increase over the background noise would not be heard. The operational noise levels do not exceed background daytime levels and therefore would be no loss of amenity. Although the predicted operational noise levels are below Environmental Technology Support Unit (ETSU) criterion, Public Protection has lowered the criterion further to protect residential amenity, and there is a condition recommended stating the levels that should not be exceeded.

9.3.4 In addition to mechanical noise from the movement of the turbines and construction noise, some objectors have raised the point that aerodynamics and low frequency noise can be detrimental to health. Aerodynamic and low frequency noise is caused by the movement of blades through the air and is increased if there is high turbulence around the blades. It is accepted that by placing turbines a suitable distance apart this can be limited. The separation distances between the turbines and the nearest houses will reduce to a minimum the occasion when vibration might be felt to such an extent that it is not a matter that is an issue with this application.

9.3.5 A comprehensive study of vibration and low-frequency noise from wind turbines was undertaken by ETSU in 1997 and reported to the DTI. This report (ETSU-R/97) concluded that there is no evidence that low-frequency noise is at a sufficient level to harm human health. PPS22 recommends that this report is considered when assessing wind energy proposals. The Hayes McKenzie report to the DTI in May 2006 also concluded that there is no evidence of health effects arising from infrasound or low frequency noise from wind turbines. There is some advice to the contrary, however, as the ETSU report is referred to in PPS22 and it is accepted by the DTI that there are no health effects, this is considered to hold most weight.

9.3.6 Public Protection has not objected to the application but has raised concerns about the operation of the wind farm because of the relatively low noise environment in the area. Public Protection has recommended covering the construct ion phase and the operational phase.

9.3.7 **Shadow Flicker**

9.3.8 Shadow flicker occurs at certain times of the year when a rising or setting sun is perfectly aligned and shines towards a building through rotating blades. Shadow flicker is usually experienced through a window. Beyond a 10 blade diameter distance from a turbine (about 820m in the case of this application) shadow flicker does not occur.

A small number of properties fall within the 820m distance, and properties within a 1000m have also been assessed in the Environment Statement.

The impact is considered to be minor with the exception of Homer House (528m) where the applicant has offered to install shadow flicker equipment if necessary.

9.4 **Radar and Communications**

9.4.1 Consultation has taken place with organisations interested in the effects of turbines on airport and defence radar including, the Civil Aviation Authority, National Air Traffic Safeguarding (NATS), Humber Airport and Defence Estates (MOD). An objection has been received from NATS because of the potential of the turbines to interfere with the Primary Radar Service at Claxby. The Civil Aviation Authority has not objected but has raised concerns about the cumulative impact of proposed wind farms in the wider area.

9.4.2 Defence Estates (MOD) have objected to the application in relation to Staxton Wold Air Defence Radar. It is considered the scheme would cause unacceptable interference at Staxton Wold in an operationally important area.

9.4.3 The MOD have indicated that mitigation measures are not currently available in the near future, however, they are willing to review any solution the developer may wish to propose. Based on the objection from the MOD there are clear grounds together with the objection from NATS there are clear grounds to refuse the application on aviation grounds alone.

9.4.4 The BBC wind farm tool indicates that some homes are likely to have television reception affected by the proposal. If consent was granted and there was found to be interference with television reception a technical solution would be agreed with East Riding of Yorkshire Council. This can be achieved by a Section 106 Agreement.

9.4.5 The relevant bodies regarding communication issues have been consulted and confirm that the turbines are unlikely to cause interference with microwave and VHF links. Some local residents have raised concerns about possible interference with television and broadband users.

9.5 **Impact on Wildlife**

9.5.1 A number of local residents and the CPRE (Campaign to Protect Rural England) have objected because of possible adverse impacts on wildlife in the area in particular on Lambwath Meadows. These concerns are recognised however it should be noted that both Natural England and Yorkshire Wildlife Trust have not objected. To ensure mitigation, Natural England has recommended planning conditions or agreements. Based on the advice of Natural England the application is not considered to have any significant impact on designated sites such as Lambwath meadows SSSI or Hornsea Mere Special Protection Area.

9.6 **Highway Issues**

9.6.1 Details have been submitted concerning both the construction process, traffic and potential impacts of constructional impacts.

9.6.2 It is proposed that the main turbine components (turbines, tower and other equipment) will be brought in from the port of Hull. Depending where the concrete is supplied from will mean the route is not finalised but in any event all construction traffic will locally use the BS 1242 with access to the site from Cowden Lane.

9.6.3 It is estimated that construction will take approximately 7 months, the two target generators of construction traffic will be site construction (approximately 700 vehicles) and building the foundations (approximately 900 vehicles).

9.6.4 A number of objectors have raised concerns regarding the construction traffic particularly if it coincides with the building of the Gas Storage Project. Concerns have been raised about the danger of using country roads for large vehicles and danger to other road users, pedestrians and horses. The Highways Agency has not objected and Highway Control has not objected subject to conditions.

9.7 **Listed Buildings and Archaeology**

9.7.1 There are no listed buildings on the site, though there is an old brick built culvert drain running parallel with the access road. In the vicinity of the application site there are medieval field systems.

9.7.2 There are a number of listed buildings in the wider area, but because of distance or intermediate screening such as woodland, the impacts are considered acceptable. A photomontage has been produced which shows the wind farm from the parkland outside Burton Constable Hall (a distance of over 4km) which illustrates that the turbines will be screened by woodland. English Heritage has not objected and the Conservation Officer considers that the application site is relatively remote in relation to above ground conservation assets. Because of the size of the turbines the Conservation Officer has recommended that mitigation (tree planting) should be implemented where possible.

9.7.3 Humberside Archaeology Partnership has raised no objection to a condition recommending a programme of archaeological evaluation. The site has particular potential for medieval and post-medieval remains.

10. CONCLUSION

Balancing the need and sustainability benefits against the local environment, impacts of the scheme the proposal would cause substantial and unacceptable visual impacts on this area of Holderness. Notwithstanding the 10m reduction in height of the turbines compared with the original application, the scheme has the potential to create an unacceptable industrialisation of the area next to the proposed gas storage facility. Introducing tall structures into the area would change the landscape character of the area to an unacceptable degree. Developments of this scale would dominate the area and result in a change to the distinctiveness of the area.

The proposed development would compromise the ability of the RAF to provide a full air surveillance service in the area of the proposed wind far to the detriment of national security. In addition the proposed development is likely to cause false primary plots to be generated from the Primary Radar Service at Claxby. This conflicts with NATS en-route safeguarding criteria.

On balance these concerns outweigh any wider benefits and accordingly permission should be refused for reasons set out below.

11.0 HUMAN RIGHTS

It is considered that a decision made in accordance with this recommendation would not result in any breach of Convention rights.

12.0 RECOMMENDATION

That the application be **REFUSED** for the following reason(s):

1. The proposed development because of its size and scale would be visually dominant and cause substantial and unacceptable visual impacts to the area in conflict with Policy SP4 of the Joint Structure Plan for Kingston upon Hull and the East Riding of Yorkshire and Policy U19(4) and Policy U19(5) of the Holderness District Wide Local Plan - April 1999.

2. The proposed development because of its size and height would introduce uncharacteristic vertical structures and an industrial appearance which would distract from the rural character of the area which is defined by open expansive views. This is in conflict with Policy SP4 of the Joint Structure Plan for Kingston upon Hull and the East Riding of Yorkshire, Policy U19(4) and Policy U19(5) of the Holderness District Wide Local Plan - April 1999.

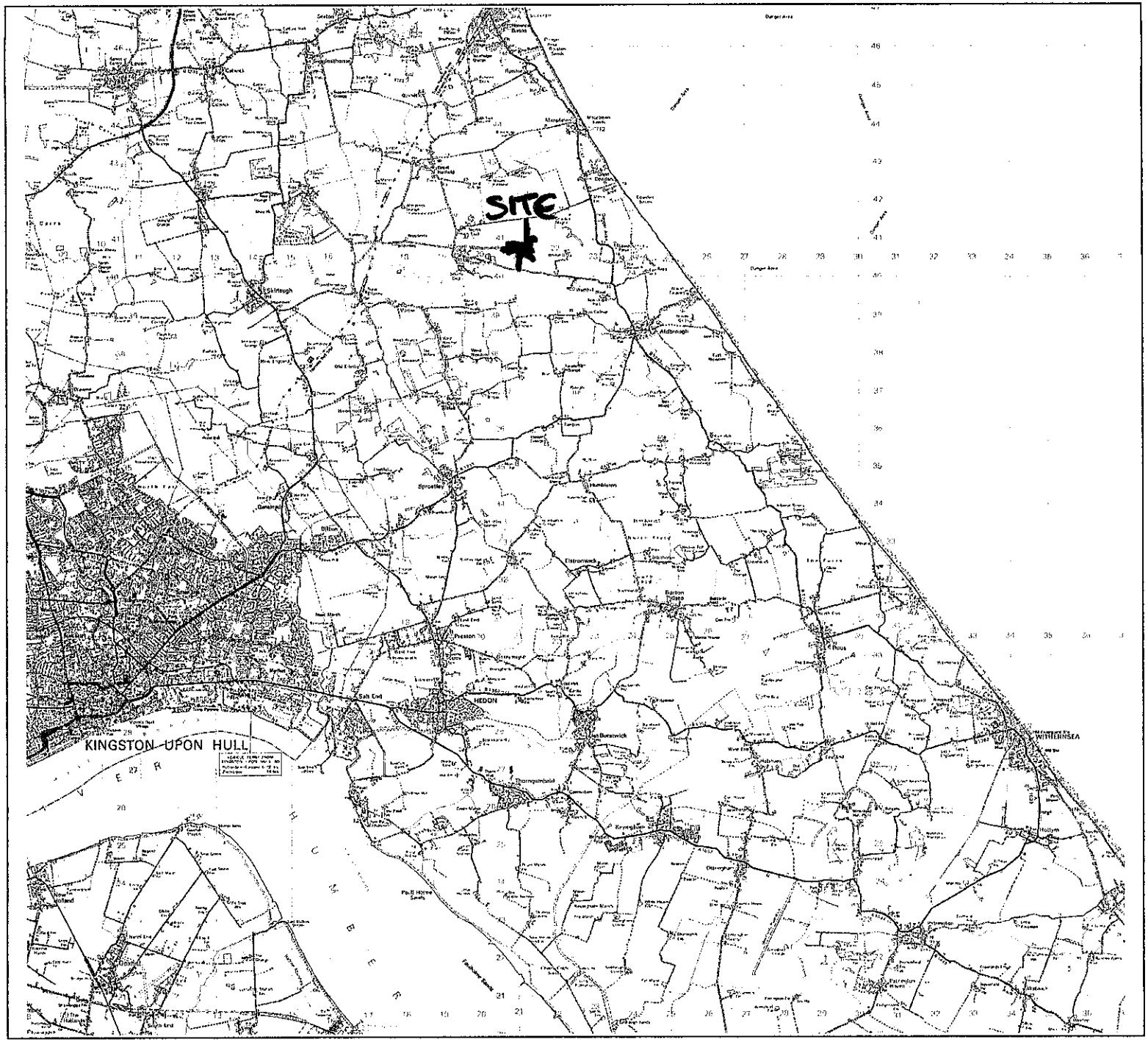
3. The proposed development would compromise the ability of the RAF to provide a full air surveillance service in the area to the detriment of national security conflict with Policy U19(6) of the Holderness District Wide Local Plan.

4. The proposed development creates effects that could compromise the ability of radar to safely guide aircraft and as such will conflict with Policy U19(6) of the Holderness District Wide Local Plan - April 1999.

Alan Menzies
Director of Planning and Economic Regeneration

Contact Officer
Dave Cox
Principal Planning Officer
Ext. 3744

Background Papers
Case File 08/01964/STPLFE and Environmental Statement



STEPHENSON HALLIDAY

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Withernwick Wind Farm

FIGURE 4.1

SITE LOCATION

KEY

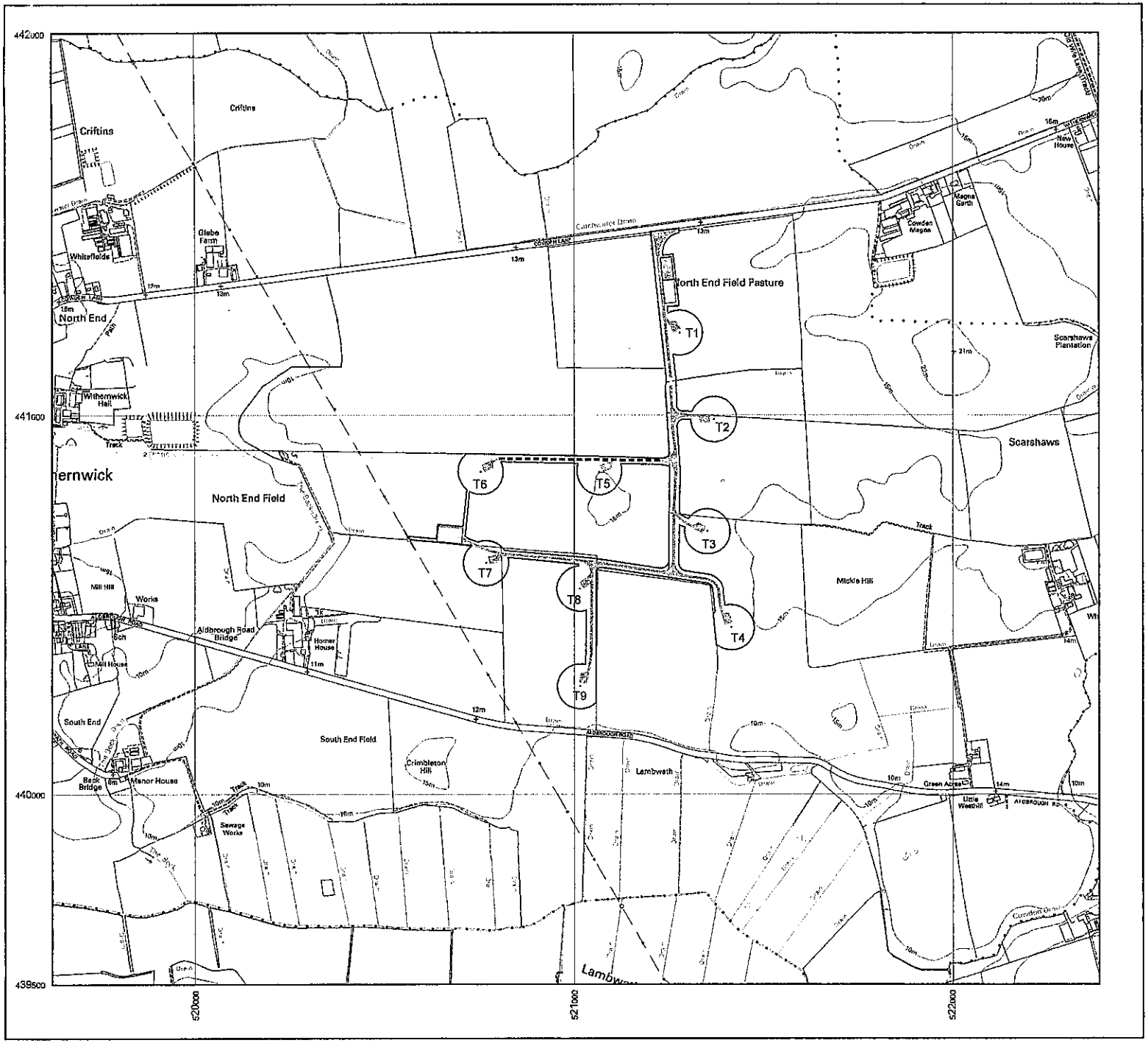
Site boundary

0km 2.5km 5km

NORTH

Date	By	Paper	Scale	Rev
Mar 2007	EK	A3	1: 100000	-

Appendix 1



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Withernwick Wind Farm

FIGURE 2

SITE PLAN

KEY

- Site boundary
- T3 — Turbine position and reference number
- Proposed access tracks and hard standing areas
- Existing drain crossing to be improved
- Temporary site compound
- Temporary storage area
- Sub-station location
- Grid connection point
- Temporary haul road to the Whitehill gas storage facility
- Proposed section of temporary haul road to the Whitehill gas storage facility to be jointly used for access to turbines T5 and T6

Notes:
Total site area as shown: 15.3 ha

Turbine Details:

Maximum hub height: 70m
Maximum height to tip: 111m

Grid References:

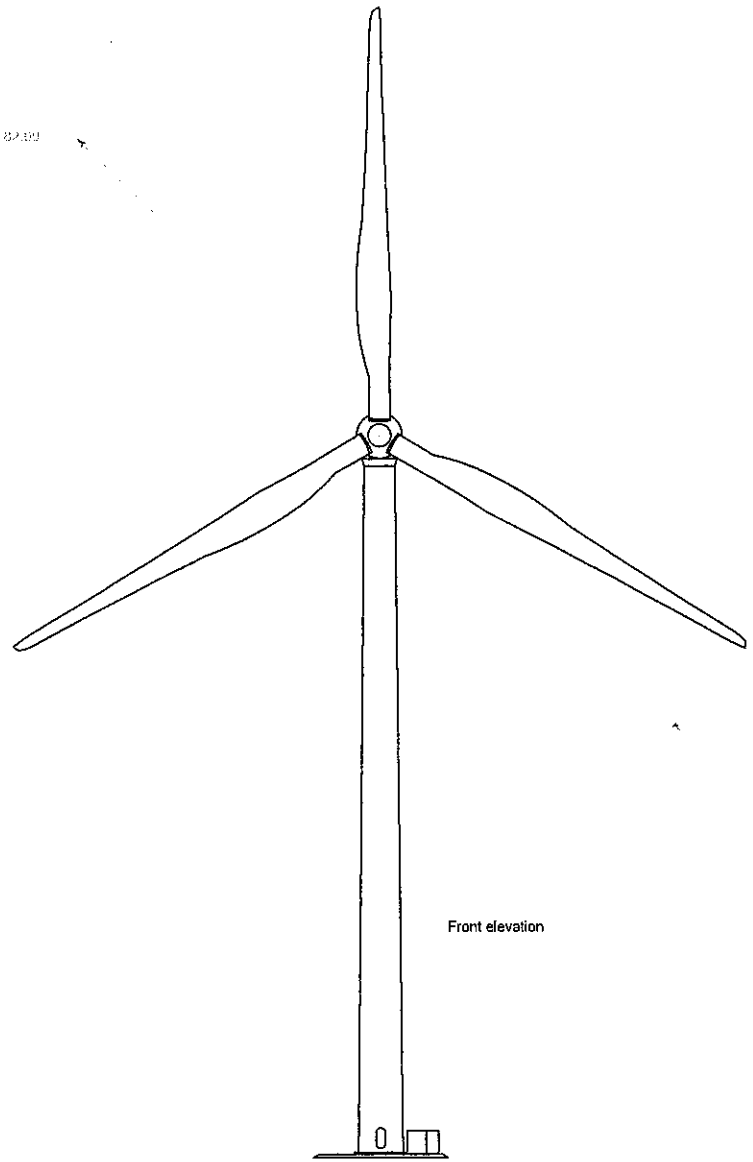
Turbine	Easting	Northing
T1	521279	441219
T2	521368	440989
T3	521352	440696
T4	521415	440442
T5	521066	440856
T6	520753	440852
T7	520767	440612
T8	521014	440544
T9	521015	440286

0m 250m 500m

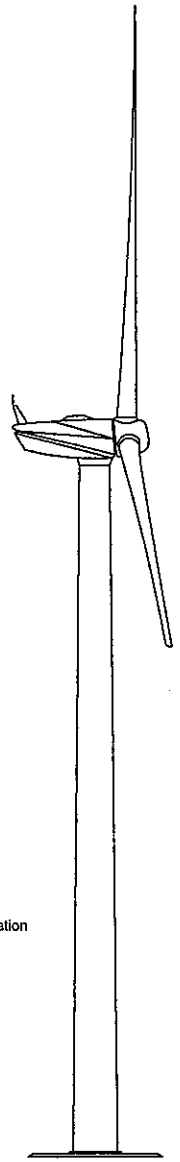
NORTH

Date	By	Paper	Scale	Rev
Mar 2008	EK	A3	1: 10000	-

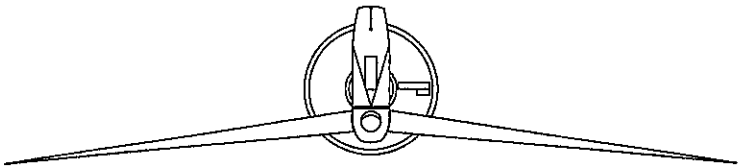
APPENDIX 2



Front elevation



Side elevation



Plan

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Withernwick Wind Farm

FIGURE 5

TYPICAL WIND TURBINE PLAN AND ELEVATIONS

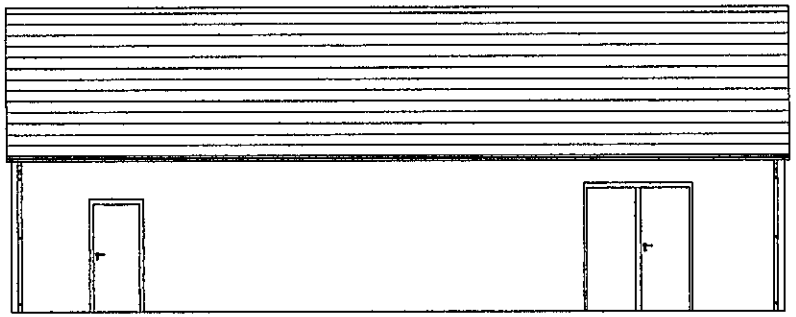
NOTES

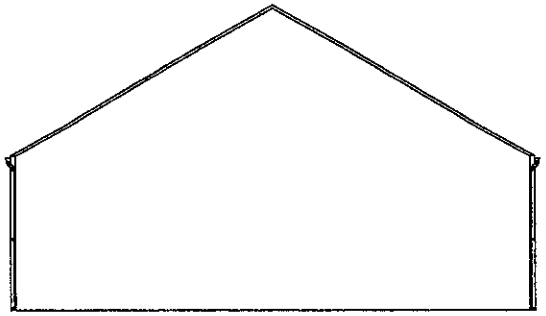
Indicative detail only.

0m 12.5m 25m

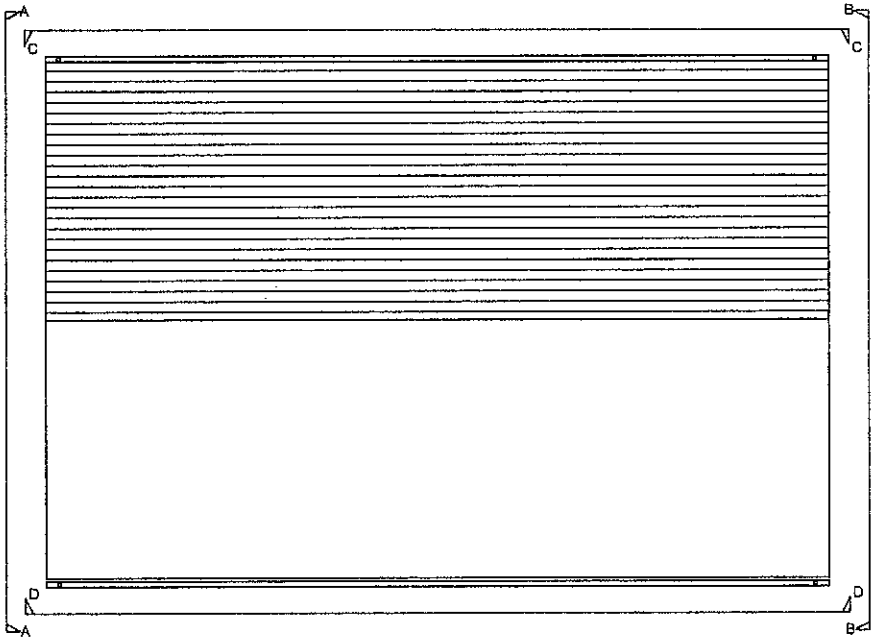
Date	By	Paper	Scale	Rev
Feb 2008	EK	A3	1: 500	-

ELEVATION C-C

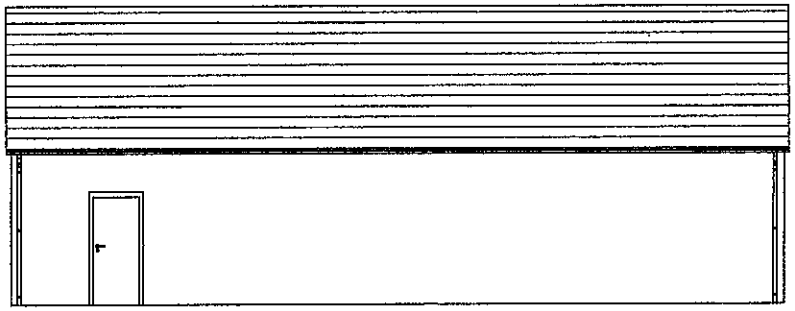




ELEVATION A-A

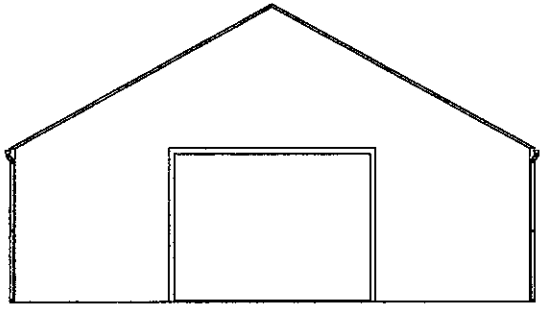


PLAN



ELEVATION D-D

ELEVATION B-B



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Withernwick Wind Farm

FIGURE 4

SUBSTATION BUILDING EXTERIOR PLAN AND ELEVATIONS.

Notes

Dimensions are the maximum required for the substation building.

Finish to be in accordance with local planning authority specification.

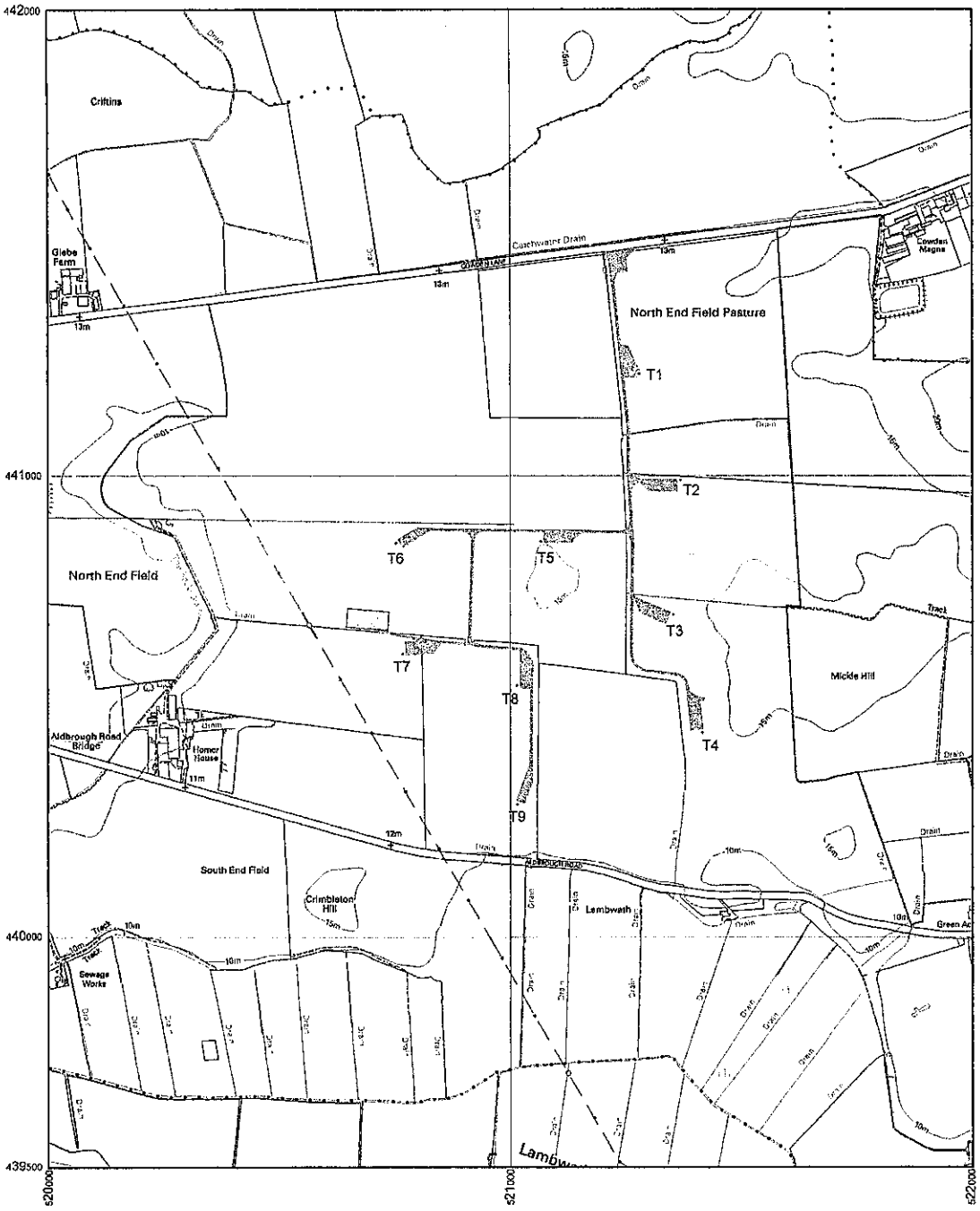
Locally sourced materials to be used where feasible.

0m 2.5m 5m

NORTH

Date	By	Paper	Scale	Rev
Mar 2008	EK	A3	1: 100	B

APPENDIX 4



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Withernwick Wind Farm

FIGURE 4.11

WIND FARM AND E.ON GAS STORAGE SCHEME.

KEY

- Proposed main site area of EON gas storage scheme
- Proposed pipeline corridor for EON gas storage scheme
- Proposed grid connection point
- T3 — Turbine position and reference number
- Proposed access tracks and hard standing areas
- Sub-station location

0m 250m 500m

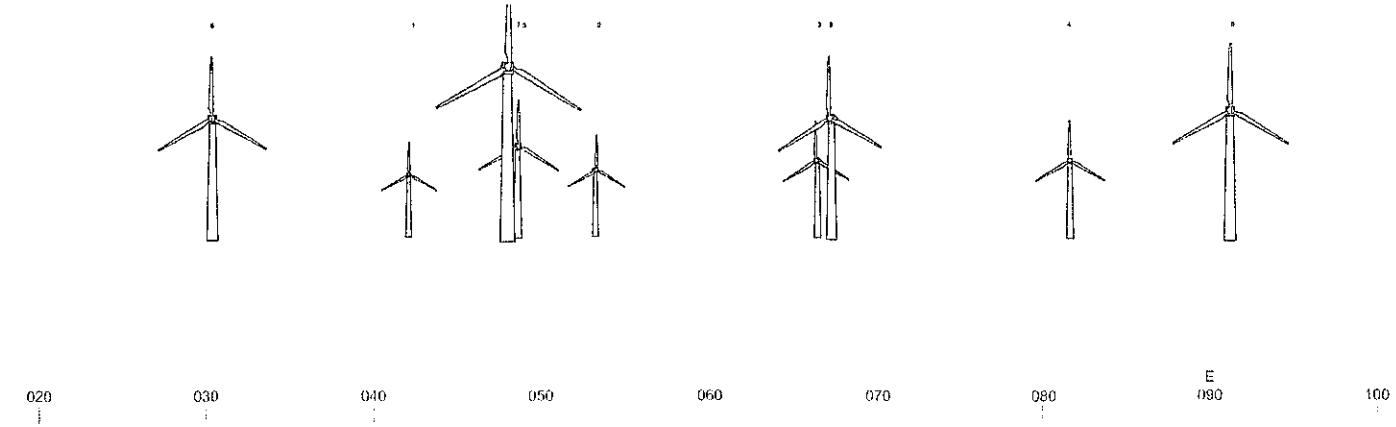
NORTH

Date	By	Paper	Scale	Rev
Mar 2007	EK	A3	1: 10000	-

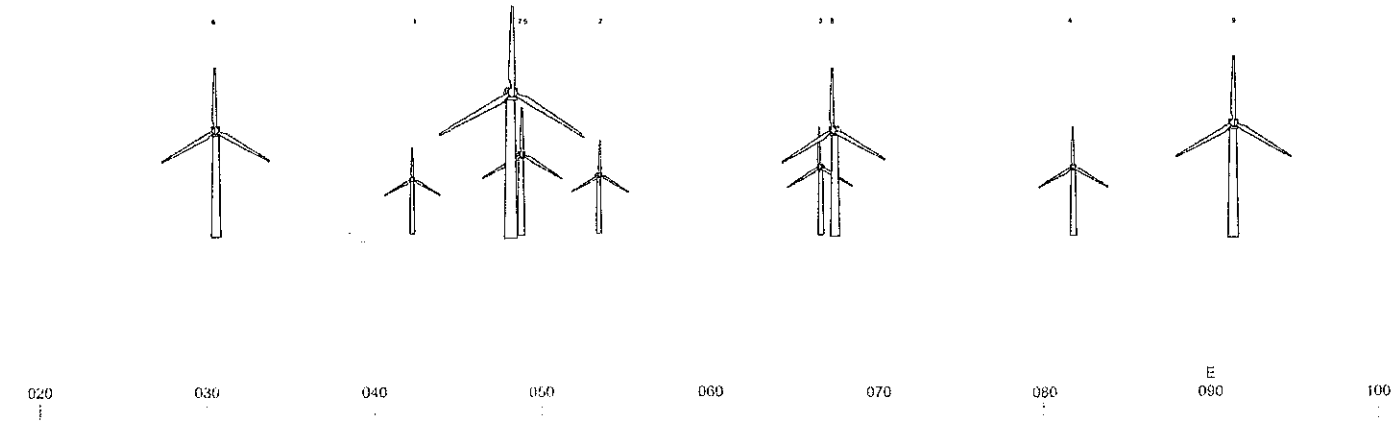
(3)

APPENDIX 5

EXISTING VIEW



WIREFRAME VIEW SHOWING SUBMITTED WITHERNWICK TURBINE



WIREFRAME VIEW SHOWING REVISED WITHERNWICK TURBINE

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Withernwick Wind Farm

VIEWPOINT 1

VIEW EAST FROM ALDBROUGH ROAD, NEAR WITHERNWICK

COMPARATIVE WIREFRAMES

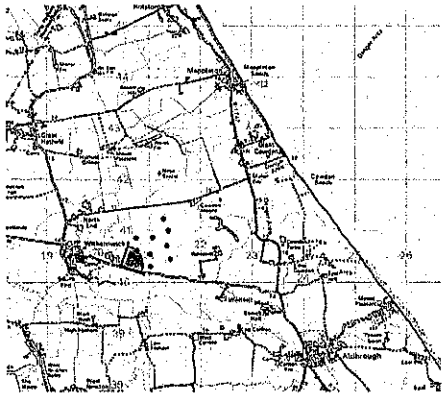
Viewpoint Information

Grid Reference	520428E 440305N
Ground Height	010m AOD
Included Angle	90°

Turbine Geometry Details

Withernwick Submitted Turbine	80m to hub 121m to blade tip
Withernwick Revised Turbine	70m to hub 111m to blade tip

Location Plan

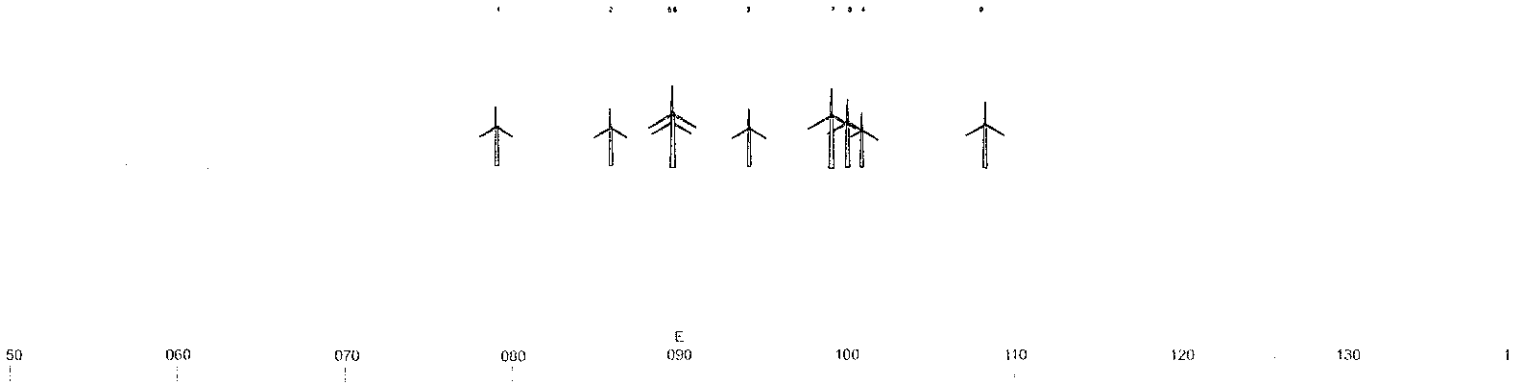


map scale 1:100000 extracted from ZTV to blade tip.

Date	By	Paper	Scale	Rev
Mar 2008	-	A3	-	A

APPENDIX 6

EXISTING VIEW



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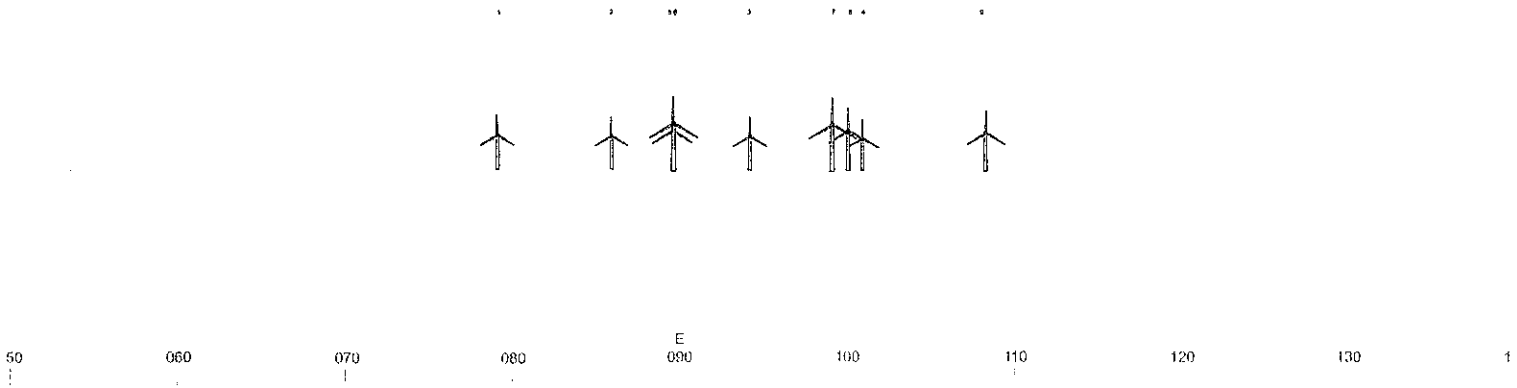


WIREFRAME VIEW SHOWING REVISED WITHERNWICK TURBINE

STEPHENSON HALLIDAY

EnergieKontor

Withernwick Wind Farm

VIEWPOINT 2

VIEW EAST FROM NORTHERN EDGE OF WITHERNWICK

COMPARATIVE WIREFRAMES

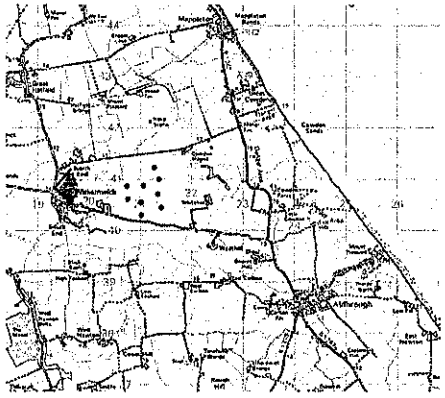
Viewpoint Information

Grid Reference	519320E 440840N
Ground Height	013m AOD
Included Angle	90°

Turbine Geometry Details

Withernwick Submitted Turbine	80m to hub 121m to blade tip
Withernwick Revised Turbine	70m to hub 111m to blade tip

Location Plan



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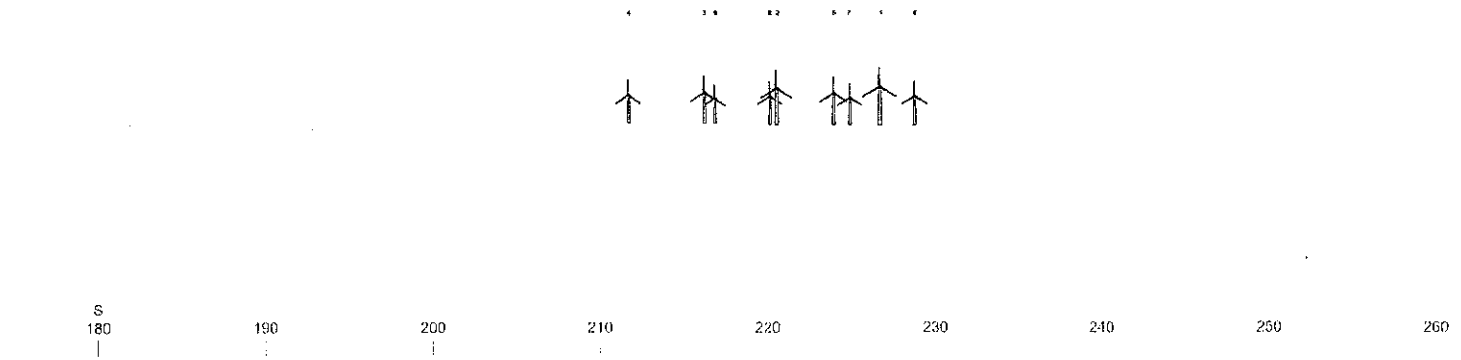
Date	By	Paper	Scale	Rev
Mar 2008	-	A3	-	A

Appendix 7

EXISTING VIEW



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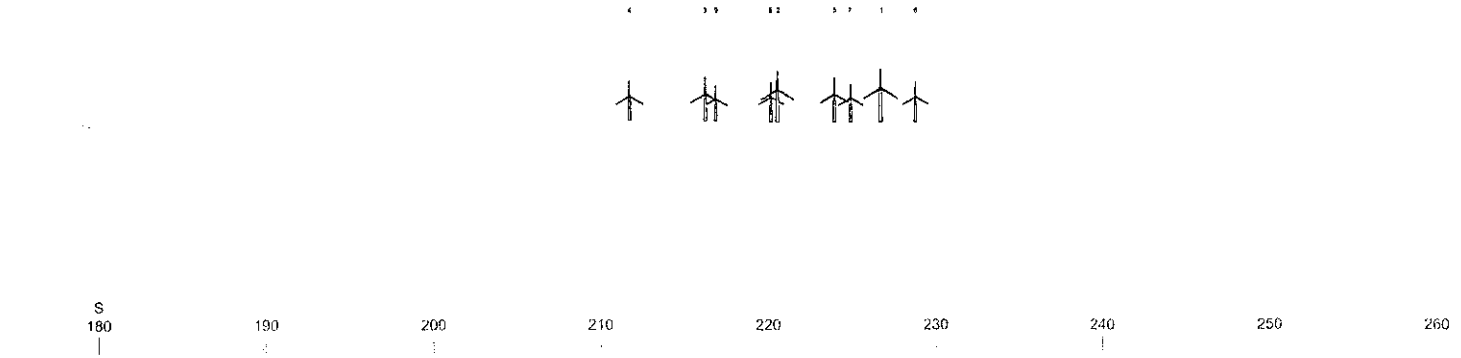

WIREFRAME VIEW SHOWING REVISED WITHERNWICK TURBINE

STEPHENSON HALLIDAY

EnergieKontor

Withernwick Wind Farm

VIEWPOINT 3

VIEW SOUTH WEST FROM B1242 AT GREAT COWDEN

COMPARATIVE WIREFRAMES

Viewpoint Information

Grid Reference	522750E 442617N
Ground Height	020m AOD
Included Angle	90°

Turbine Geometry Details

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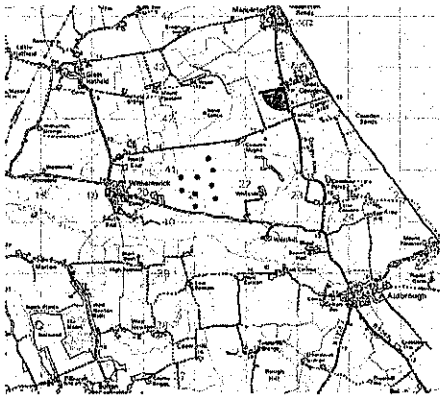
Withernwick Revised Turbine	70m to hub 111m to blade tip

Location Plan



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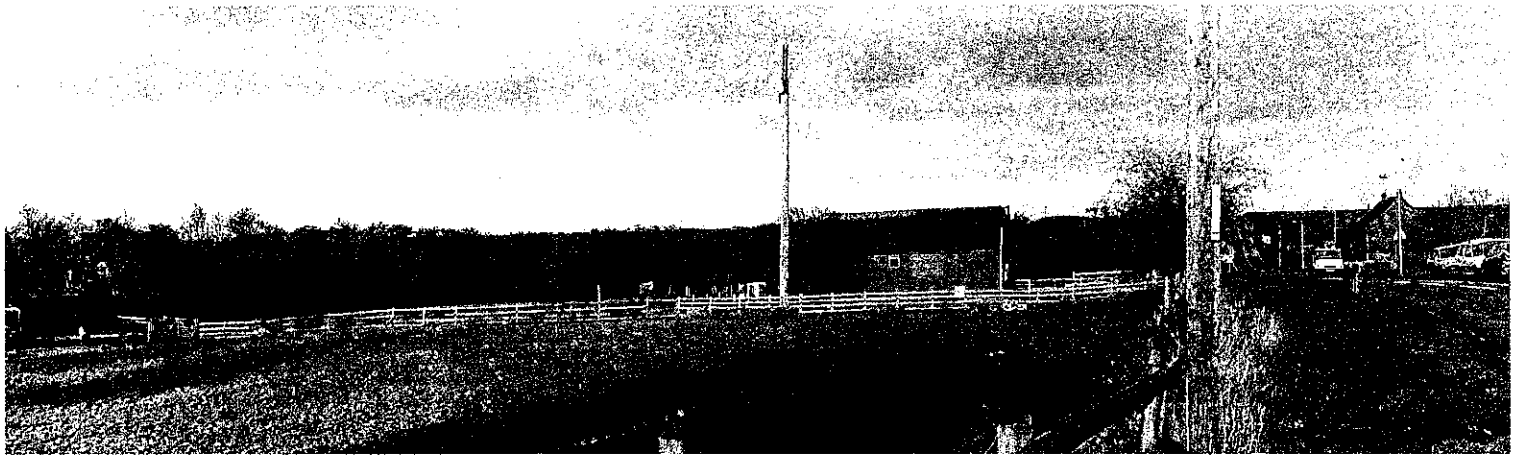
Date	By	Paper	Scale	Rev
Mar 2008	-	A3	-	A



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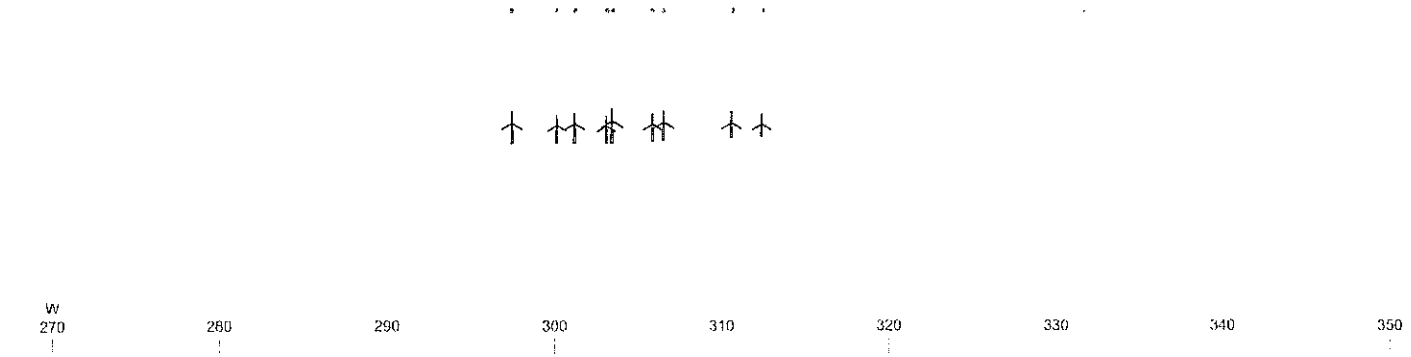

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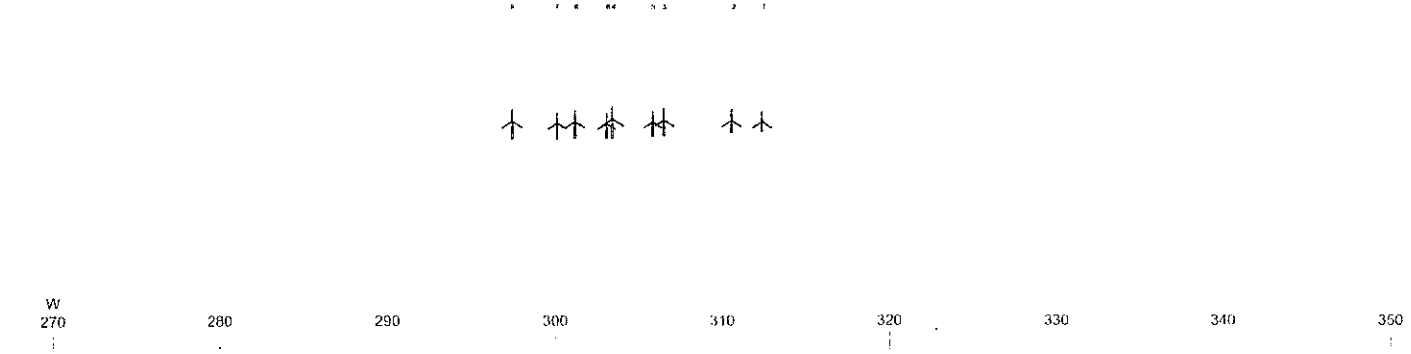

WIREFRAME VIEW SHOWING REVISED WITHERNWICK TURBINE

STEPHENSON HALLIDAY

EnergieKontor

Withernwick Wind Farm

VIEWPOINT 5

VIEW NORTH WEST FROM B1242 AT ALDBROUGH

COMPARATIVE WIREFRAMES

Viewpoint Information

Grid Reference	524012E 438724N
Ground Height	010m AOD
Included Angle	90°

Turbine Geometry Details

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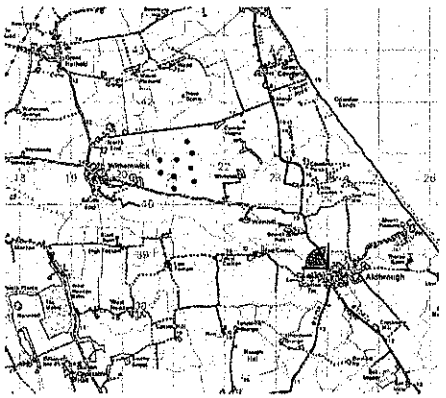
Withernwick Revised Turbine	70m to hub 111m to blade tip

Location Plan



map scale 1:100000 extracted from ZTV to blade tip.

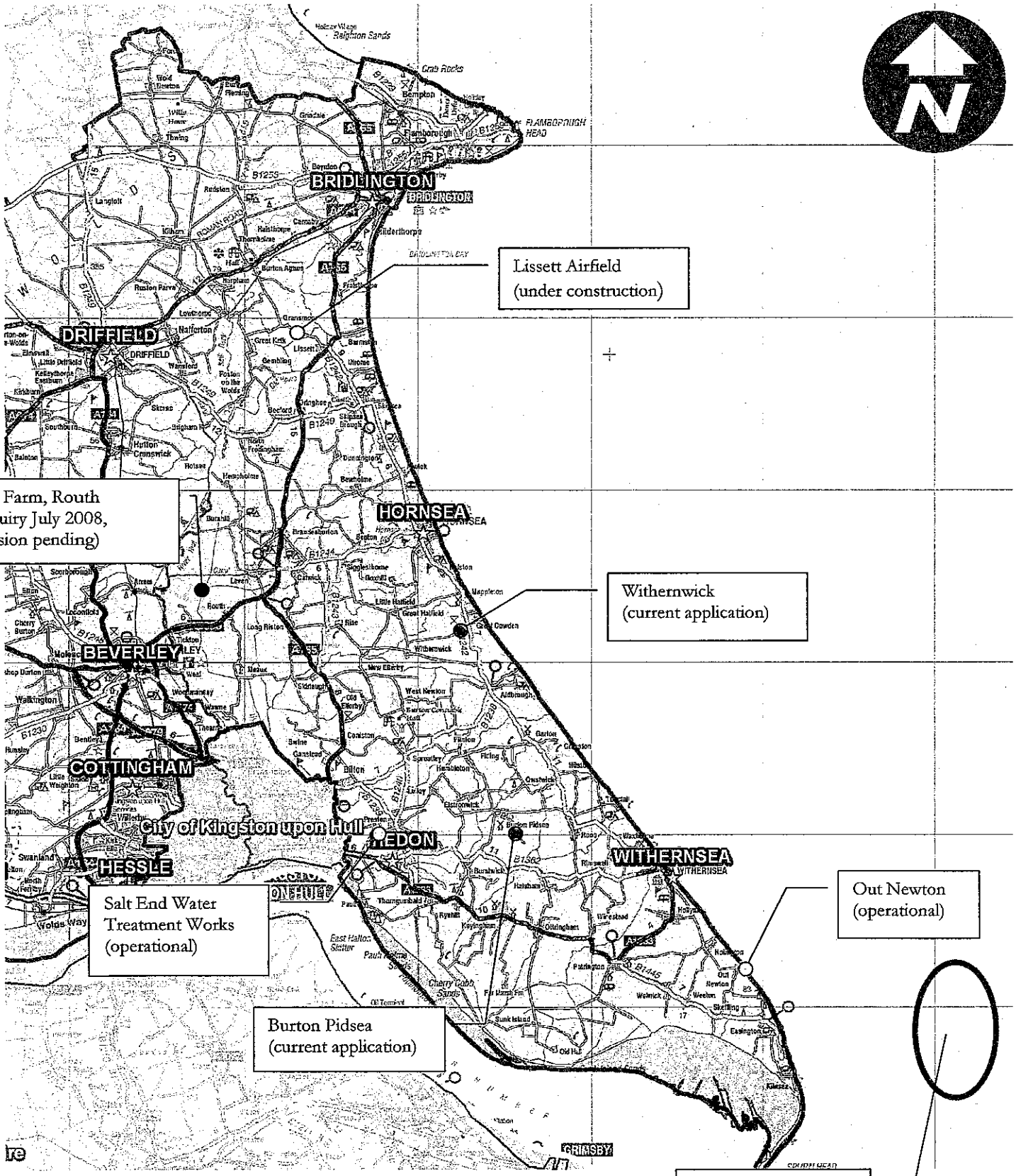
Date	By	Paper	Scale	Rev
Mar 2008	-	A3	-	A

APPENDIX 9

(10)

APPENDIX 10

Wind Farm Applications – September 2008



NOTE
This map if for indicative purposes only and is not to scale.