
Wouldham **571145 163972** **21 August 2009** **TM/09/02110/FL**
Burham Eccles
Wouldham

Proposal: Erection of wind turbine to north-east corner of property at gutter/ridge level
Location: 12 Trafalgar Close Wouldham Rochester ME1 3YF
Applicant: Ms D Dowling

1. Description:

- 1.1 Planning permission is sought for the erection of a pole mounted wind turbine attached below eaves level on the north east corner of the property.
- 1.2 The wind turbine has a diameter of approximately 1.75m, and at its highest point would be approximately 400mm above the existing ridge height of the dwellinghouse.

2. Reason for reporting to Committee:

- 2.1 The application is being reported to Committee due to a request from Councillor Roger Dalton, who is concerned regarding the visual impact of the proposed wind turbine.

3. The Site:

- 3.1 The application site is a detached property on the west side of Trafalgar Close, facing east, within the rural settlement confines of Wouldham.
- 3.2 Directly to the north east of the application is a row of three garages, one of which is associated with the application site.
- 3.3 The neighbouring properties to the north of the application site, Nos 6-11 Trafalgar Close, face west, with their rear gardens adjacent to the application site. Many of these properties have velux windows in the rear roof slopes.

4. Planning History:

TM/81/10285/OUT Grant with Conditions 11 March 1981

Outline application for 27 houses, 2 flats, car parking, access and amenity area.

TM/82/10783/FUL Grant 24 September 1981

Details of 29 dwellings with garages and access pursuant to TM/80/255.

5. Consultees:

- 5.1 PC: Objections raised, as it is felt that the wind turbine would be visibly intrusive and unsightly to other properties in the location and would not blend in with the rural scene and would therefore be totally out of place in a rural village setting such as Wouldham. The Committee believes we should all be aware of alternative energy options but not when such little gain is at the expense of our countryside. If the application was successful, it is felt that this could then set a precedent throughout the village.
- 5.2 DHH: The Environmental Health issue raised by this application is noise, hence I would recommend the following condition:

No development approved by this permission shall be commenced prior to a report being submitted to and approved by the Local Planning Authority on the potential impact of the development on airborne and structure noise from the proposed device on neighbouring properties.

Additional representations received following the submission of additional information (received 23/10/2009):

The Environmental Health issue raised by this application is noise. I am concerned to safeguard the aural amenity of nearby residents from noise emissions from the proposed wind turbine.

In March 2008 the Government made clear its intention to implement standards to ensure that habitable rooms of any neighbouring residential property are not exposed to an outside wind turbine noise level exceeding 45 dB(A) ⁽¹⁾. The intention is that the noise limit will apply to free-standing wind turbines and those mounted on detached dwellings. However, these standards have not yet been implemented. The reason for delay has apparently been the need for UK Government departments to agree on the appropriate noise limits ⁽²⁾. Presumably the implication of this is that there is uncertainty as to the suitability of the criterion referred to in the Ministerial Statement.

In the absence of definitive guidance on the evaluation of wind turbine noise I have considered other possible "candidate" noise assessment criteria relating to machinery noise affecting residential premises. They draw on the same body of research and so, with minor differences, the values presented are consistent. In the case of noise from plant which may operate 24 hours a day the critical effect during the night is possible sleep disturbance. The normal indoor criterion value in relation to a "good" ambient noise level in bedrooms is 30 dB(A). This corresponds to a level of 45 dB(A) outside the façade of the building which is based on the assumption that the noise reduction from outside to inside with the window open is 15 dB(A) and is the same as the criterion referred to in the Ministerial statement.

The World Health Organisation publication "Guidelines for Community Noise" published in 1999 advises "Where noise is continuous, the equivalent sound pressure level should not exceed 30 dB(A) indoors, if negative effects on sleep are

to be avoided. When the noise is composed of a large proportion of low-frequency sounds a still lower guideline value is recommended, because low frequency noise (e.g. from ventilation systems) can disturb rest and sleep even at low sound pressure levels". An internal criterion value half as "loud" as 30 dB(A) would be 20 dB(A). It is generally accepted that the sound pressure level inside a room with a partially open window will be some 10-15 dB(A) less than the level outside the window. The adoption of a stringent internal criterion of 20 dB(A) and the assumption that a window will afford 10 dB(A) of attenuation leads to the conclusion that the external façade level should not exceed 35 dB(A).

The noise measurement report relating to the Windsave 1200 prepared by that company's consultant notes that the turbine noise would be described subjectively as a soft "whirring" or "purring" with no noticeable impulsive sound or tones. Based on this evaluation I am satisfied that so far as the Windsave 1200 is concerned it would be appropriate to evaluate noise emissions by reference to the 45 dB(A) façade standard.

Using data provide in the noise measurement report ⁽³⁾ I calculate that for a wind speed of 8m/s noise from the operation of the proposed wind turbine will be some 48 dB(A) at the façade of the closest adjoining dwelling and will not meet the noise criteria referred to in the Ministerial Statement.

Accordingly I must object to the application on the basis of detriment to residential amenity.

5.3 Private Reps 0X/1R/0S: 1 letter of objection received, raising the following points:

- The turbine is unsightly and too big for a residential area,
- The turbine will detract from and spoil private enjoyment of private gardens,
- Constant and persistent noise will be generated,
- Adverse effect on wildlife and bird life.

6. Determining Issues:

6.1 The application site is within the rural settlement confines of Wouldham and as such, there is a presumption in favour of such residential development, subject to this being appropriate to the scale and character of the settlement

6.2 Policy CP24 of the Tonbridge and Malling Core Strategy sets out the general criteria for all new development including a provision that development must respect the site and its surroundings and that it will not be permitted where it would be detrimental to the built environment and amenity of a settlement, and requires good design and quality in new developments.

- 6.3 Planning Policy Statement 22: Renewable Energy (PPS 22) states that the Government has set a target to generate 10% of UK electricity from renewable energy sources by 2010. Paragraph 18 of PPS22 states that LPAs should specifically encourage, through positively expressed policies in local development documents, the use of small scale renewable energy schemes utilising technologies such as solar panels, Biomass heating, small scale wind turbines, photovoltaic cells and combined heat and power schemes that can be incorporated into both new developments and some existing buildings. This is also reflected in the underlying principles embodied in the supplement to PPS1 – Planning and Climate Change, 2007.
- 6.4 Policy CP1, of the Tonbridge and Malling Core Strategy 2007, sets out principles for developing high quality sustainable environment. One of the ways it states of achieving this is to minimise the use of scarce resources and energy, and the inclusion, where appropriate, of renewable energy technologies.
- 6.5 The PC has objected to the erection of a wind turbine in this location on the grounds that the wind turbine would be visibly intrusive and unsightly in the locality and out of place within the rural village setting, which would be detrimental to the countryside.
- 6.6 It is not considered that the erection of a wind turbine at this property would be unacceptably visually detrimental in the street scene, as the turbine is proposed to be little higher than the roof ridge of the existing dwellinghouse, and is not dissimilar in height to the existing television aerial that is *in situ*.
- 6.7 The Government has proposed extending permitted development rights to domestic wind turbines on a property 15 metres in height or less; has an individual blade length of 1m or less; would protrude 3m or less above the highest part of the roof (excluding the chimney). Given these dimensions the wind turbine would be permitted development should the legislation be put into place.
- 6.8 However, as DHH points out, the Government has yet to agree this approach in respect of minimum noise levels.
- 6.9 DHH has raised concerns regarding the potential noise caused by the wind turbine, following additional information received from the agent. DHH has calculated that for a wind speed of 8m/s, noise from the operation of the wind turbine will be approximately 48 dB(A) at the façade of the closest adjoining dwelling, which is greater than Government guidance. Therefore, concerns have been raised regarding the aural amenity of nearby residents from noise emissions from the proposed wind turbine.
- 6.10 Therefore, in light of the above considerations, I am unable to support this application on the grounds of noise and disturbance to the adjacent residents.

7. Recommendation:

7.1 Refuse Planning Permission for the following reason:

1. The proposed wind turbine would be seriously detrimental to the amenity of neighbouring residents, by virtue of its location and close proximity to adjacent dwellings, because of the noise from its operation, which would not meet the noise criteria referred to in the Ministerial Statement, 2008. The proposed wind turbine is therefore contrary to Policy CP24 of the Tonbridge and Malling Core Strategy, 2007.

Contact: Vicky Bedford